



CITY OF HOPEWELL
CITY COUNCIL
MEETING

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AGENDA



CITY OF HOPEWELL
Hopewell, Virginia 23860

AGENDA

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CITY COUNCIL

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

John M. Altman, Jr., City Manager
Sandra R. Robinson, City Attorney
Mollie P. Bess, City Clerk

September 28, 2021

REGULAR MEETING

Closed Meeting: 6:30 p.m.
Regular Meeting – 7:30 p.m.

OPEN MEETING

6:30 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, but not limited to, the assignments, performance of specific appointees and employees of the City, including the City Manager, and to discuss and consider prospective candidates for appointment to various boards and commissions; (A)(8) to consult with legal counsel and staff regarding specific legal matters where such consultation in open meeting would adversely affect the City's interest; and to the extent these discussions will be aided thereby, (A)(4) for the protection of the privacy of individuals in personal matters not related to public business.

CLOSED MEETING

RECONVENE OPEN MEETING

Roll Call

CERTIFICATION

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

Roll Call

REGULAR MEETING

Call to order, roll call, and welcome to visitors

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

SUGGESTED MOTION: To amend/adopt Regular Meeting agenda

Roll Call

CONSENT AGENDA

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

- C-1 **Minutes:** August 7, 2021 Special City Council Minutes; August 8, 2021 Special City Council Minutes
- C-2 **Pending List:**
- C-3 **Information for Council Review:** HRHA Minutes – 8/9/21; BZA Minutes – 10/28/21, 10/8/;
- C-4 **Personnel Change Report:**
- C-5 **Public Hearing Announcements:**
- C-6 **Routine Approval of Work Sessions:**
- C-7 **Ordinances on Second & Final Reading:**
- C-8 **Routine Grant Approval:**
- C-9 **Resolutions, Proclamations**

SUGGESTED MOTION: To amend/adopt consent agenda

Roll Call

INFORMATION/PRESENTATIONS

City Attorney Recruitment Process

Creation of Finance Committee Resolution

UNFINISHED BUSINESS

UB-1 – Fraud, Waste, and Abuse Policy (CR-Gore)

MOTION: _____

Roll Call

UB-2 – Review/Revise Hopewell Historic Preservation Sub-Committee Membership Criteria

MOTION: _____

Roll Call

UB-3 – Residency Waiver

MOTION:

Roll Call

UB-4 – Virginia Opioid Abatement Fund & Settlement Allocations MOU

MOTION:

Roll Call

UB-4 – Stormwater Resiliency Plan

MOTION:

Roll Call

UB-5 – American Rescue Plan Act

MOTION:

Roll Call

COMMUNICATIONS FROM CITIZENS

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

Reports of Boards and Commissions:

Reports of City Manager:

REGULAR BUSINESS

R-1 – Revenue Sharing Program

MOTION:

Roll Call

R-2 – Transportation Alternatives

MOTION:

Roll Call

Reports of City Attorney:

Reports of City Clerk:

Reports of City Council:

Committees

COUNCILORS REQUEST

CR-1 – Boards & Commissions, timeframe for appointments. (Randolph)

MOTION:

Roll Call

CR-1 – Adjust Budget to hire an Internal Auditor to establish an Audit Department (Pelham)

MOTION:

Roll Call

Presentations from Boards and Commissions

Other Council Communications

Adjournment

CLOSED
MEETING

CONSENT AGENDA

MINUTES

MINUTES OF THE SPECIAL MEETING OF CITY COUNCIL HELD SEPTEMBER 7, 2021

A Regular Meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, September 7, 2021 at 6:30 p.m.

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

John March Altman, Jr., City Manager
Sandra Robinson, City Attorney
Mollie Bess, City Clerk

Mayor Bennett called the meeting to order.

ROLL CALL: Mayor Bennett - Present
Vice Mayor Partin - Present
Councilor Randolph - Present
Councilor Holloway - Present
Councilor Gore - Present
Councilor Denton - Present
Councilor Pelham - Present

Prayer was led by Vice Mayor Partin, followed by the Pledge of Allegiance to the Flag of the United States of America led by Vice Mayor Partin.

Mayor Bennett turned the meeting over to Councilor Pelham. Councilor Pelham stated that she called this Special Meeting of City Council so that we can have another vote on a motion that she made when certain member of Council could not get on the telephone line to participate in the vote due to technical difficulties and a pending injunction against the City Council. So, this is an opportunity for everyone on Council to vote.

Motion made by Councilor Pelham and seconded by Councilor Gore to reconsider the amendment to the City Attorney's contract as presented by the attachment.

Discussion – Vice Mayor Partin consulted with the City Attorney to ask if first, there would be a motion to reconsider and then a motion to approve the contract. So there would be two motions made? The City Attorney responded that the first motion would be a motion to reconsider the vote to approve the amendment to the City Attorney's contract would be vote number one and if that passes then the motion that was presented in the first instance comes back and that is voted upon.

Point of Order by Councilor Randolph – asked the City Attorney to repeat what the first motion would be. C.A. repeated the first motion is, “a motion to reconsider the vote that amended the City Attorney's contract, Yes or No. If it's a Yes, then you proceed to the original motion, if it's No, then it's over. Councilor Randolph then stated that the motion that was made in the original meeting was not a complete motion. The motion was that was made was something that should not have been voted on based on how it was worded. Randolph asked how we can vote on a motion that said we were to consider changing the contract for paid time off and get the rest from the City Attorney – that is not an acceptable motion. Point

of Order by Councilor Gore – POI’s are used to asked a question about Parliamentary Procedures and she would like the clerk to restate the motion that was made. City Clerk Bess re-read the motion as follows – “Motion made by Councilor Pelham and seconded by Councilor Gore to approve the amendment to the Contract for City Attorney Robinson as presented.” Clerk Bess stated that the end of the motion she did not have so she spoke with the CA to get the correct verbiage on the rest of the motion. Councilor Randolph stated that is not the motion that she remembered from that evening and that Councilor did say that it was whatever the City Attorney says.

Point of Information by Mayor Bennett – The motion on the floor is to reconsider, are speaking to reconsider the vote or not to reconsider. If we are going to reconsider then we need to open it back up for the second motion. Councilor Randolph stated that she was trying to clarify what the original motion was as she does not understand how we can consider a motion that was not a proper motion. Point of Information by Mayor Bennett – how is that not a proper motion? Mayor Bennett asked the City Attorney if it was a proper motion. City Attorney stated “motions are proper if they are understood, if you know what the action is on which you are taking, so that becomes the question if you have a member saying they did not understand what the motion was, then the question presents for those who voted whether or not they understood what they were taking action on. If members understood what they were voting on, then the motion was sufficient. If you understood what you were taking action on, then the motion was sufficient. Councilor Pelham stated that if you do not understand the motion, vote for the reconsideration and once it is reiterated then you will understand it. Point of Order by Councilor Randolph – asked the City Manager if he could look at his notes and see if they matched what she had on her motion written down. City Manager stated that he did not bring his notes with him. Councilor Gore asked for clarity on what we are now voting on. City Clerk provided the motion – “to reconsider the vote to approve the amendment to the City Attorney’s contract.” Councilor Gore stated that she does not agree with having this vote to reconsider, the vote was clear that night, the meeting is on-line for anyone to view, there was discussion prior to coming out to vote, she takes issue with the word choices being used to relay that something improper was done, which that is not correct. There was a motion on the floor, it was properly moved and seconded, and Council voted on it. We are here tonight to accommodate a recent lawsuit, to provide an extra layer of clarity – Council Gore does not want it to be stated or repeated that something improper was done, as that is not correct. Councilor Gore wants her statement recorded in the minutes – as this serves that request.

Councilor Randolph stated concern that the three people that were not in the meeting that evening for the vote via phone, but were in it earlier and there was no amount of hours of dollar amount given. Clarity on the motion was not there. She would like to see clarity in the motion, she is not trying to stop the vote. Mayor Bennett wanted to mention for the record that we did call the vote, it was restated for you, Councilor Randolph, during the time for discussion you asked a question, then you didn’t, so at that time it was clear, and if you felt it wasn’t clear at that time, it was appropriate to state that. Moving forward at any time if someone does not understand a motion, you have every opportunity to stop and ask the question, that should not be the issue.

Motion made by Councilor Pelham and seconded by Councilor Gore to reconsider the amendment to the City Attorney’s contract as presented by the attachment.

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

Motion Passes 7/0

Motion made by Councilor Pelham and seconded by Councilor Gore to approve the amended contract for the City Attorney as presented.

Councilor Denton wants to make sure that the motion is the exact motion that was voted on previously. Councilor Randolph requested the amount, she understood 124 hours possibly, but would like the amount before considering. Would like clarity on the amount. City Manager was asked for information on prior pay outs of PTO. He gave former Assistant City Manager Mr. Dane's PTO which was 69 ½ hours when he departed service, that payout was \$4,475.65. Mr. Bragg had 154.63 hours of PTO and that payout was \$5,350.20. Mr. Congalo had 133.31 hours of PTO and payout was \$6,409.54. PTO payouts for staff are based on our personnel manual. Councilor Gore stated that City Attorney Robinson is a contract employee and the HR manual rules do not apply to her.

Point of Order Councilor Gore asked City Attorney Robinson to provide clarity. City Attorney Robinson stated that the amendment that she requested is from the very first instance reduced to writing and it has been presented in its totality. Writing was distributed to all members of Council and it has not varied in its writing since the very beginning. From the very beginning she has requested for all unused leave to be rolled over and awarded at the end of tenure. At no point and time did she insinuate or otherwise state that I would calculate how many of those hours would exist at the end of her tenure or assign a monetary value to them. To the extent that there was a request for that information, she does not recall that. There were comments made and they were responded to. However, the request is the request and it stated clearly on the amendment that is before Council and it replaces or alternates language in her contract that was not as specific as that, that was requested in this meeting. Does not see how the motion was unclear, it has not been changed and is the same as it was a couple of weeks ago, as it is right now.

Point of Information – Councilor Gore – As C.A. stated she did provide that information to City Council in the beginning and as stated there were emails from other members of Council throughout this time that was seen by all. Sometimes the C.M is allowed to execute contracts that City Council does not have before them, however, this one was provided to City Council in advance.

Mayor Bennett stated, we are here tonight to discuss paid time off during COVID, during an epidemic, time that has been earned. If an employee is taking PTO during that time, they are still getting paid to be away from their desk. If that employee did not take that time, how does that not belong to them? Either way; it pays out the same. Every employee of City Council has the opportunity to come to Council if they feel that they deserve to have their PTO, then they need to come to Council, if they want to carry it over. Any appointee of Council has the right to come to Council and ask, that is the proper way. Councilor Denton stated, then tonight if we vote for this motion then we are opening the door for any employee who feels that they have not been paid for what they worked they can come to Council. Mayor Bennett stated that she said appointees. Councilor Gore stated that the perception is that someone is being given preferential treatment and that is not the case. Every appointee that Council has had, has had the opportunity to get their PTO paid out and we have done that, this is no different. The difference in this position to staff if that staff has the ability to flex and comp their time, she does not have that ability because she has a contract. Councilor Pelham stated she put in for the reconsideration so that hopefully the Injunction by Councilor Denton would be dismissed.

Motion made by Councilor Pelham and seconded by Councilor Holloway to approve the amended contract for City Attorney as presented.

ROLL CALL:

| | | |
|--------------------|---|-----|
| Councilor Holloway | - | yes |
| Vice Mayor Partin | - | no |
| Councilor Gore | - | yes |

| | | |
|--------------------|---|-----|
| Councilor Denton | - | no |
| Councilor Pelham | - | yes |
| Mayor Bennett | - | yes |
| Councilor Randolph | - | no |

Motion Passes 4/3

Motion made by Vice Mayor Partin and seconded by Councilor Denton to adjourn the meeting

ROLL CALL:

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

Motion Passes 7/0

Meeting adjourned

Patience Bennett, Mayor

Mollie P. Bess, City Clerk

AMENDMENT TO CITY ATTORNEY EMPLOYMENT AGREEMENT

This Amendment to City Attorney Employment Agreement by and between The City of Hopewell, Virginia, a municipal corporation (the "Employer"), and Sandra R. Robinson ("Employee") (collectively, the "Parties").

WHEREAS, in about May 23, 2019, the Parties entered into the City Attorney Employment Agreement (the "Agreement"), engaging the Employee to perform the functions and duties of the City Attorney as provided by the Hopewell Charter and general law in exchange for compensation and benefits, including paid time off (PTO) and

WHEREAS, in about March 2020, the United States, the Commonwealth of Virginia, and the City of Hopewell effectively shut down due to the coronavirus/COVID 19 pandemic which resulted in stay-at-home orders, social distancing mandates, and limited access/opportunity for individuals to engage in travel and leisure activity; and

WHEREAS, during this time the Employee was deemed an essential employee, which resulted in her exemption from stay-at-home orders, being required her to perform such work as was agreed, anticipated, and foreseeable at the time of contract, and such other and additional work, though unforeseeable, as became necessary due to COVID; and

WHEREAS, such conditions made it impractical for Employee to make meaningful use of the paid time off hours and, as a result, Employee has suffered the loss of 124 paid time off hours due solely to carryover limits imposed on paid time leave awarded, accrued but not used;

NOW THEREFORE, in consideration of the foregoing, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Parties agree that the following sections of the Agreement are amended to read:

1. Section 5 (Paid Time Off (PTO)) is hereby amended by deleting all of subparagraph B of section 5 and inserting the following as its replacement:

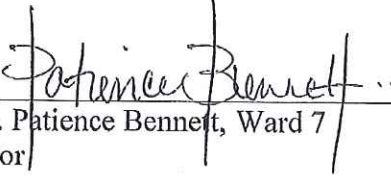
B. Employee shall be entitled to carryover from year to year all unused PTO, and in the event the Employee's employment is terminated, either voluntarily or involuntarily, Employee will be compensated for all unused PTO.

2. Section 11 (Resignation) is hereby amended by deleting all of the current provisions and inserting the following as its replacement:


Employee will provide a minimum of 45 days' notice of voluntary resignation, unless the parties agree otherwise. In the event of voluntary resignation, Employee will not be entitled to any severance, but will be compensated for all unused PTO. If City Council as a body requests that Employee resign, the resignation will be deemed involuntary.

All other provisions of the Agreement remain in full force and effect. A fully-executed PDF of this addendum shall be considered an original.

THE CITY OF HOPEWELL, VIRGINIA

By: 
Hon. Patience Bennett, Ward 7
Mayor

Execution Date: 7 September 21


Sandra R. Robinson

Execution Date: 9-08-2021

MINUTES OF THE SPECIAL MEETING OF CITY COUNCIL HELD SEPTEMBER 8, 2021

A Regular Meeting of the City Council of the City of Hopewell, Virginia, was held Wednesday, September 8, 2021 at 4:30 p.m.

PRESENT: John B. Partin, Jr., Vice Mayor, Ward 7
Janice B. Denton, Councilor, Ward 5
Brenda S. Pelham, Councilor, Ward 6
Arlene Holloway, Councilor, Ward 2

ABSENT Patience A. Bennet, Mayor, Ward 4
Deborah B. Randolph, Councilor, Ward 1
Jasmine E. Gore, Councilor, Ward 3

John March Altman, Jr., City Manager
Sandra Robinson, City Attorney
Mollie Bess, City Clerk

Vice Mayor Partin called the meeting to order.

ROLL CALL: Mayor Bennett - Absent
Vice Mayor Partin - Present
Councilor Randolph - Absent
Councilor Holloway - Present
Councilor Gore - Absent
Councilor Denton - Present
Councilor Pelham - Present

Meeting was called to order by Vice Mayor Partin and then turned over the Johnnie Butler who gave detail on the tour by giving a brief summary.

On Wednesday September 8th the Stormwater Program Work Committee organized a special meeting of council to introduce to council members and senior management the Stormwater Resilience Plan to be referred to as SWRP.

The weather forecast threatened but the weather held off. The meeting began at 4:30 PM in the Community Center. The City Stormwater Resilience Plan was on two display boards for everyone the review prior to formerly beginning the meeting. Vice Mayor Johnny Partin call the meeting to order at 4:40 PM.

Johnnie Butler, City Engineer, went over the assigned task of the committee. He explained the planning processes, the city's drainage problem history, logics used, engineering strategies being employed, and the importance of each. The first summary was how the Category-1 through Category-5 were developed and why. The categories will be used to plan and program small projects to the largest challenges.

As for the development of the SWRP mapping he acknowledged the hard work of John DeGroot and Austin Anderson.

After the SWRP orientation and quick overview the meeting continued to the Recreation and Parks Bus to load up and begin the citywide tour. A tour map had been handed out in advance to provide a script of the tour route. A City van with staff members followed close behind and several other vehicles followed the tour.

We first visit the number 1 project shown on the Category-4 table, which was the Moultrie Avenue project . Mr. Butler explained the purpose and need, the history of chronic inland flooding in this 9 block area along Moultrie Avenue. He pointed out the poor drainage systems and constraints.

The tour continued to the south side of the CSX tracks at the end of Atlantic Street, where the major culvert crosses under the CSX Railroad. He explained how this contributes as a major constraint in the stormwater outfall adequacy.

The tour continue to the end Norfolk Street, shown on the SWRP as a Category-5 Channel Outfall project, where the Norfolk Southern Railroad embankment presents a major constraint, which in-turn causes serious backwater issues into the neighborhoods. This has been awarded federal funding as an earmark project.

The tour then visited a Category-1 neighborhood small project. The location was Galena Avenue where the cul-de-sac has chronic backwater flooding due the outfall pipe being compromised due to age and root intrusion.

The tour continued to the Winston Churchill Drive corridor to look at the reaches of Cattail Creek. Reach No. 4 is another Category-5 project that is seeking FEMA funding. Mr. Butler explained how the project has been screened in at the highest level of approval assessment. The zone along Winston Churchill is at high risk due to scouring of the channel banks. The zone of *critical risk* is right next the Winston Churchill Road section near the Pine Avenue intersection.

The tour then proceeded to review some recently completed neighborhoods where new street sections and storm water management systems were installed. He showed the nine City blocks of recent improvements (Category-4 projects) on Popular St./Maple St. / Western St./ Pine Ave. / Stewart Avenue and High Avenue.

The tour continued to Elm Street, shown on the SWRP as a Category-5 Channel Outfall project where again the Norfolk Southern Railroad embankment and CSX Tunnel present major constraints, which in-turn cause serious backwater issues into the neighborhoods. Again, this has been awarded federal funding as an federal earmark project.

The tour then proceed to N. 6th Avenue corridor. Mr. Butler explained the purpose and need, the history of chronic inland flooding, which actually occurs six blocks away on the West Broadway between 3rd and 4th Avenue (i.e. 3 ½ Street). He pointed out the capacity constraints in the outfall system.

The tour ended back at the Community Center at 7:05PM. The meeting was again called back to order. A summary discussion was held about the tour and importance of having at locality approved SWRP for future grant funding applications. Council members extended a special thanks to the work committee for the presentation.

Motion made by Councilor Denton and seconded by Councilor Pelham to adjourn

ROLL CALL:

| | | |
|--------------------|---|-----|
| Vice Mayor Partin | - | yes |
| Councilor Denton | - | yes |
| Councilor Pelham | - | yes |
| Councilor Holloway | - | yes |

Motion Passes 4/0

Meeting adjourned

Johnny Partin, Vice Mayor

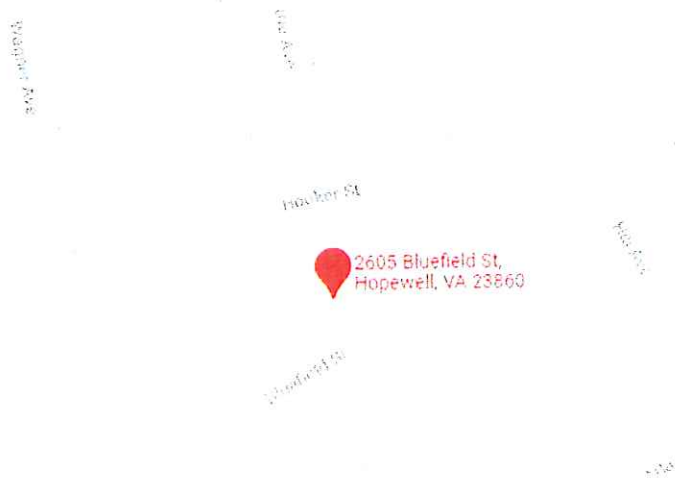
Mollie P. Bess, City Clerk

City Council Special Meeting

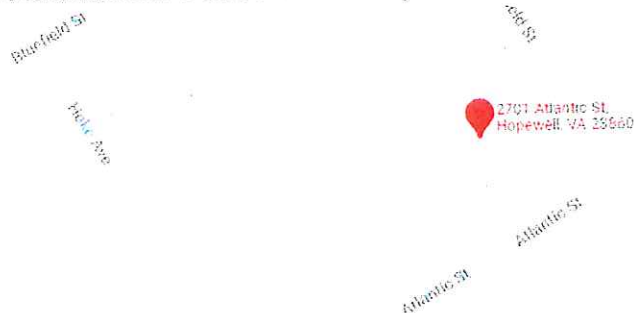
September 8, 2021

Stormwater Driving Tour Guidance and Destinations

1. Leave 100 W City Point Road (Hopewell Community Center). Travel west along City Point Road, left on Wagner Ave, left on Hooker St, right on Moultrie Ave alley. Pause in vicinity of 2605 Bluefield St.



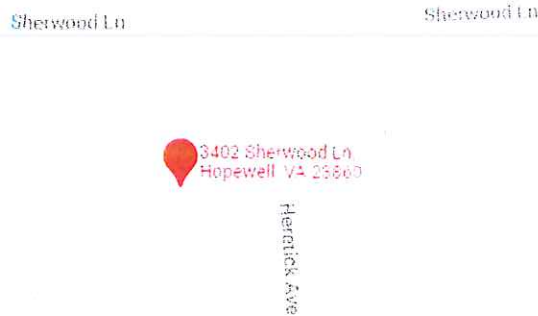
2. Travel north on Moultrie Ave, right on Jackson St, left on Stonewall Ave, left on Lee St, left on S Mesa Drive.
3. Travel south along S Mesa Drive to Bluefield St. Turn left onto Bluefield St at traffic signal continuing to Wagner Ave. Turn right on Wagner Ave and right onto Atlantic St. Pause in vicinity of 2701 Atlantic St.



4. Continue along Atlantic St. Turn left on Hoke Ave and continue along Sherman Ave to Norfolk St. Turn left on Norfolk St. and continue to end. Pause in vicinity of 2200 Norfolk St.



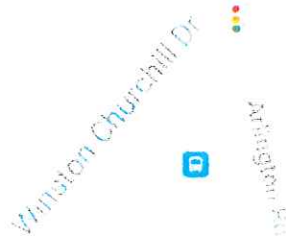
5. Turn around and return on Norfolk St towards Moultrie Ave. Turn right onto Moultrie Ave, left on Danville St, left on Miles Ave, right onto Sherwood Ln. Pause in vicinity of 3402 Sherwood Ln.



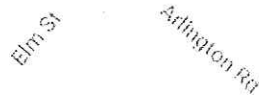
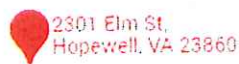
6. Continue to Cedar Level Rd and turn left. Head south on Cedar Level Rd, right on Kippax Dr, right on Perrymont Rd, left on Galena Ave. Pause in vicinity of 3903 Galena Ave.



7. Return to Cedar Level Road. Turn right onto Cedar Level Road / Ashland St heading south. Turn left on Oaklawn Blvd continuing to Winston Churchill Dr. Turn left onto Arlington, Turn-around at Mt Carmel Baptist Church and return to WC Drive heading south. Pause along WC Drive just east of Pine Ave to view embankment failure.



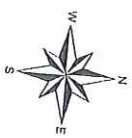
8. Continue south along WC Drive. Turn right on High Ave and continue to Western St (review recently completed Pine Ave Improvements Project). Turn right on Western St. Pause in vicinity of 2301 Elm St to review the Cattail Creek Drainage Crossing.



9. Continue on Elm St to 6th Ave. Turn left on 6th Ave continuing towards Cawson, Davis and Eppes St. Pause to discuss undersized pipe system at N 6th Ave and Cawson St. Turn right on Eppes St, turn right on N 5th Ave and left on W Broadway. Review recent flooding at W Broadway and N 3 ½ St.
10. Turn right on N 2nd Ave to return to 100 W City Point Road.

The estimated length of the driving tour will be approximately 2 hours with planned stops and discussion.

City of Hopewell Stormwater Resilience Plan

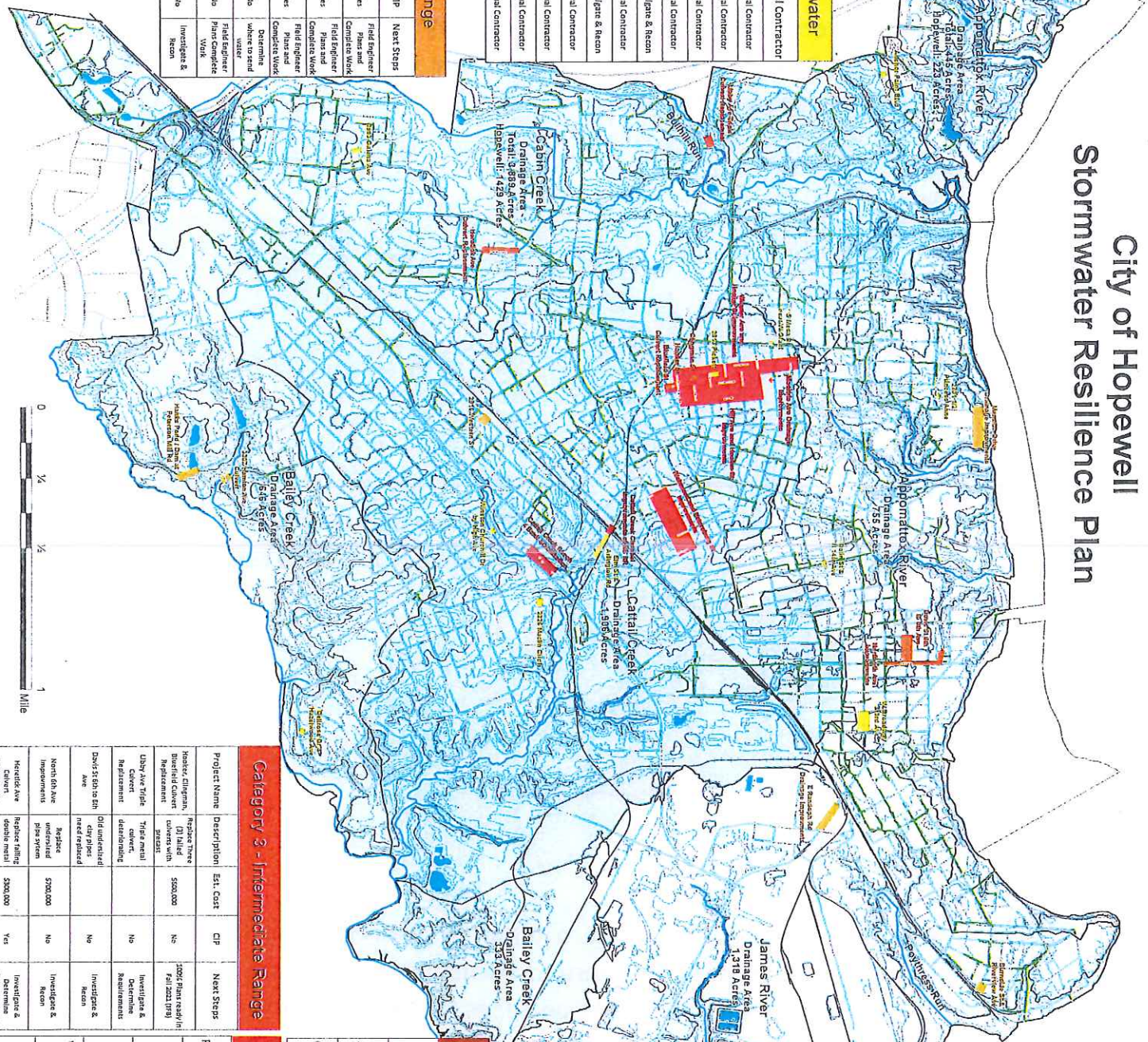


Category 1 - PW Stormwater

| Project Name | Description | Est. Cost | CIP | Next Steps |
|---|---|-----------|---------------------|------------|
| Anchor Point Blvd | Need to rebuild inlet | \$10,000 | Annual | Contractor |
| 2323 Piedmont St | 3.5 single well HDPF, filling | \$8,000 | Annual | Contractor |
| 5 Mesa Dr near W Grant | Separation of Pipe joint | \$5,000 | Annual | Contractor |
| 2701 1/2 Phinney Avenue | Wetland Pipe failure, need to replace | \$35,000 | Annual | Contractor |
| W Broadway & 3rd Ave | Pipe not draining, uninstalled to 31/2" | \$15,500 | Investigate & Recon | |
| Dellin St & N 14th Ave | Pipe separating under road | \$10,000 | Annual | Contractor |
| 2325 Main Circle | Separation of multi-pipe pipe | \$5,000 | Investigate & Recon | |
| Elm St & Arlington Rd | Clean debris from channel | \$15,500 | Annual | Contractor |
| Delance Dr & Hazlewood Ave | Replace top slab of inlet | \$4,000 | Annual | Contractor |
| Winston Churchill Dr by 3903 Galena Ave | Reset endwall falling out of 700's. | \$15,500 | Annual | Contractor |
| | Pipe half full of 700's. | \$25,500 | Annual | Contractor |

Category 2 - Short Range

| Project Name | Description | Est. Cost | CIP | Next Steps |
|-----------------------------|---|-----------|-----|--|
| James Franklins Rd | Build splashway, remove New Endwall Culvert at Peterson Hill Rd | \$75,000 | Yes | Field Engineer Plans and Concrete Work |
| Mason Drive | Install curb & concrete | \$155,000 | Yes | Field Engineer Plans and Concrete Work |
| Improvements | Storm water repairs | \$100,000 | Yes | Field Engineer Plans and Concrete Work |
| Edenburgh Rd | R & R Curb, Slope, Drainage collection | \$100,000 | Yes | Field Engineer Plans and Concrete Work |
| Improvements | | | | |
| Brundage St & Riverdale Ave | Two inlets to not connected to an outlet | \$50,000 | No | Determine where to send water |
| 2915 Westside St | System designed before culvert needs to be replaced | \$50,000 | No | Field Engineer Plans Complete |
| 3307 Hampton Ave Culvert | Centers flooding | \$100,000 | No | Investigate & Recon |



Category 3 - Intermediate Range

| Project Name | Description | Est. Cost | CIP | Next Steps |
|-------------------------------------|--|-----------|-----|--------------------------------------|
| Hooker Culvert, Burfield Culvert | Replace Three Burfield Culvert culverts with precast | \$500,000 | No | 2005 Plan ready in Fall 2021 (R) |
| US97 Ave Triple Culvert Replacement | Triple metal culvert, determining | | No | Investigate & Determine Replacements |
| Dantz St to 25th Ave | Old metal culvert pipe replaced | | No | Investigate & Recon |
| North 6th Ave | Replace undersized pipe system | \$700,000 | No | Investigate & Recon |
| Hooker Ave Culvert | Replace falling double metal culvert | \$300,000 | Yes | Investigate & Determine Replacements |

Category 4 - Long Range

| Project Name | Description | Est. Cost | CIP | Next Steps |
|----------------------------|---|-------------|-----|-----------------------------------|
| Montrose Ave Drainage | 1700 LF of roadway and drainage improvements and outlet stabilization | \$2,300,000 | Yes | 1005 Plans Ready in Fall 2021 (R) |
| Hill Ave and Hooker St | Roadway and drainage improvements | \$452,000 | Yes | VOOT TSP - PE Start in FY 25 |
| Wagner Ave and Hooker St | parallel to Montrose | \$452,000 | Yes | VOOT TSP - PE Start in FY 25 |
| Richmond and Peterburgh St | Roadway and drainage improvements | \$460,000 | Yes | VOOT TSP - PE Start in FY 27 |

Category 5 - Channel - Outfall

| Project Name | Description | Est. Cost | CIP | Next Steps |
|----------------------------|---|-------------|-----|---------------------------------------|
| Catawbi Creek Channel | Increase culvert capacity at US 97 crossing with RR | \$1,000,000 | Yes | Awaiting CDF Funding US House of Rep. |
| Catawbi Creek head of wall | Inlet sheet pile wall to provide bank stabilization | \$1,200,000 | Yes | Awaiting FEMA Pre-disaster Mitigation |

904

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

REGULAR MEETING OF August 9, 2021

*** MINUTES ***

Minutes of Regular Meeting of the Board of Commissioners of the Hopewell Redevelopment and Housing Authority of the City of Hopewell, Virginia, held Monday, August 9, 2021 at 6:00 p.m.

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

Present: Sheila Flowers, Chairman
John Tunstall, Vice-Chairman
Shamika Lewis, Commissioner arrived at 6:05 p.m.
Anthony Bennett, Jr., Commissioner
Susan Temple, Commissioner

Absent: Ruth Johnson, Commissioner

Also Present: Steven Benham, Chief Executive Officer
Madelyn Peay, Chief Operating Officer
Sherry Henderson, Executive Secretary
Kameko Coleman, Administrative Assistant

CONSENT AGENDA

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

Upon roll call, the vote resulted:

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

4 Yes; Motion Passed

COMMUNICATIONS FROM CITIZENS: None

R-1 Summary Report Discussion.

Mr. Benham advised there were no significant matters to discuss.

R-2 Discussion of Pending List

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

1. Item number 55 will remain as a pending item.
2. Item number 54 will remain as a pending item.

R-3 Request approval of Resolution No. 896. Contract renewal with The Real McCoy Companies, LLC.

Upon motion made by Vice-Chairman Tunstall and seconded by Commissioner Lewis, with all Commissioners present responding, approved Resolution No. 896, contract renewal with The Real McCoy Companies, LLC.

Upon roll call, the vote resulted:

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

5 Yes; Motion Passed

R-4 Request approval of Resolution No. 897, revising the HRHA Dwelling Lease, Page 10, Section 3 - Security Deposit.

Upon motion made by Commissioner Lewis and seconded by Vice-Chairman Tunstall, with all Commissioners present responding, approved Resolution No. 897, revising the HRHA Dwelling Lease, Page 10, Section 3 - Security Deposit.

Upon roll call, the vote resulted:

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

5 Yes; Motion Passed

R-5 Request approval of Resolution No. 898, Administrative Plan updates.

Upon motion made by Commissioner Lewis and seconded by Commissioner Temple, with all Commissioners present responding, approved Resolution No. 898, Administrative Plan updates.

Upon roll call, the vote resulted:

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

5 Yes; Motion Passed

R-6 Other Matters

Mr. Benham presented the Board of Commissioners with: 1. Flyer regarding our Community Development highlights; 2. September 6th the office is closed. We do not have any issues to have a work session; 3. Asked to inquire if other agencies are having in-person meetings. (Mr. Benham reviewed the survey with the Board members). All Board members, in attendance, agreed to continue having virtual meetings.

R-7 Commissioner Comments (and recommendations for next meeting).

No comments were received.

ADJOURNMENT

Upon motion made Commissioner Lewis seconded by Vice-Chairman Tunstall with all Commissioners present responding affirmatively, the meeting was adjourned at 6:25 p.m.

Sheila Flowers

Sheila V. Flowers, Chairman

Steven A. Benham, Jr.

Steven A. Benham, Secretary-Treasurer

**MINUTES OF THE WEDNESDAY, OCTOBER 28, 2020 MEETING
OF THE BOARD OF ZONING APPEALS
CITY OF HOPEWELL, VA**

A meeting of the Board of Zoning Appeals (BZA) for the City of Hopewell was held on Wednesday, October 28, 2020 at 6:00 p.m. Pursuant to the authority granted by Governor Northam's State of Emergency, by Va. Code §15.1- 1413, and by the Emergency Ordinance adopted by Council at its April 28, 2020 meeting the Planning Commission will conduct a regular meeting via zoom.

Board of Zoning Appeals Members present:

Patricia Dostie, Chair
Ashley Epps, Vice Chair
Jessie Spruill
Cassandra Vanderkeift

Staff Members present:

Tevya W. Griffin, Director of Development

Vice Chairman Epps called the meeting to order at 6:00 p.m. Mrs. Griffin conducted the roll call. Chairman Dostie not present.

ADMINISTRATIVE MATTERS

Withdrawal/Deferral to agenda

Motion made by Board Member Vanderkeift to defer minutes and administrative matters after public hearing. Seconded by Board Member Spruill. Passed 3-0.

Citizen Comments

None

PUBLIC HEARINGS

Opened at 6:03 p.m.

1. A request for a Special Exception submitted by Chester Hotel Partners LLC for 3952 Courthouse Road to construct a free standing sign five (5) feet above the allowable ten (10) foot height requirement. Mrs. Griffin gave a presentation and overview of the case.

Present was Raj Patel one of the owners of Chester Hotel Partners. Requesting to use existing base for sign and just adding to it. The existing height would not be visible to traffic coming from highway 295 because adjacent properties have tall shrubbery and trees that block the view of the current height sign.

Mr. Spruill asked if the picture provided is the sign to be displayed. Mr. Patel confirmed.

The public hearing closed at 6:13 p.m.

A motion was made by Mrs. Vanderkeift to approve the request because it will help draw in business and it fits into the location and area. Second by Vice Chairman Epps. Motion passed 3-0.

MINUTES

The minutes of the February 20, April 8, May 15, and November 20, 2019 were not reviewed because a quorum of the membership present was not at the meeting.

UNFINISHED BUSINESS

None

NEW BUSINESS

None

REPORTS

Director Griffin reported that the Planning Commission reviewed sidewalk Café guidelines/ordinance. Staff will be determining how many people can be outside. Mrs. Griffin also informed the BZA that the Planning Commission is discussing sober living homes and short stay rentals. Vice Chairman Epps reminded Staff to register her for the BZA class in the spring.

ADJOURN

Ms. Vanderkeift made a motion to adjourn the meeting at 6:29 p.m. Mr. Spruill seconded the motion. The motion passed with a vote of 3-0.

Submitted by,



Patricia Dostie, Chairman



Tevya W. Griffin, AICP
Director of Development

INFORMATION/ PRESENTATION

RECRUITMENT
OF CITY
ATTORNEY



CITY OF HOPEWELL
invites applications for the position of:

City Attorney

| | |
|----------------------|-------------------|
| SALARY: | Not Displayed |
| DEPARTMENT: | City Council |
| JOB TYPE: | Regular Full-Time |
| OPENING DATE: | 02/01/19 |
| CLOSING DATE: | 02/21/19 11:59 PM |
| DESCRIPTION: | |

****SALARY COMMENSURATE WITH OVERALL QUALIFICATIONS AND EXPERIENCE****
****REQUIRED ATTACHMENTS: RESUME AND A MINIMUM OF THREE (3) PROFESSIONAL REFERENCES****

Under the appointment of City Council, the City Attorney performs work of considerable difficulty in protecting the legal interests of the City, and serves as the chief legal advisor to Council and City Manager. As designated by Council, the City Attorney also serves as the chief legal advisor to other departments, boards, commissions and agencies of the City in all matters affecting the interests of the City.

City Attorney Recruitment Brochure: (LINK WILL BE INSERTED UPON APPROVAL OF FINAL DOC)

EXAMPLES OF DUTIES:

- Provides oral and written legal opinions and advice on complex matters to City Council, City administration, and City departments on a daily basis.
- Attends a variety of meetings – City Council, Boards, Commissions, Committees, Authorities, etc.
- Represents the City in complex legal matters. Prepares and tries cases, including appeals to state and federal courts; processes and litigates claims against the City; prosecutes suits, actions and proceedings for and on behalf of the City.
- Prepares, reviews and/or approves various complex legal documents on behalf of the City – contracts, ordinances, resolutions, bonds, bids, deeds, leases, policies, etc. Provides explanations and answers when necessary.
- Researches, interprets and applies laws, court decisions, and other legal authority in the preparation of opinions, advice and briefs.
- Advises on the purchase, sale, exchange and/or leasing of properties.
- Reviews procurement matters to ensure compliance.
- Prepares and reviews legislation for General Assembly sessions. Presents to the General Assembly as necessary.
- Supervises and reviews codifications of City Code.
- Manages, supervises and reviews the work of support staff, as well as managing the department budget, support contracts, etc.
- Membership and active engagement in local government organizations and attendance of continuing education seminars specializing in local government.

TYPICAL QUALIFICATIONS:

Minimum Education and Experience:

- Juris Doctor from an accredited law school and at least five (5) years of progressive experience practicing law, preferably municipal law; or an equivalent combination of training and experience
- Managerial experience preferred

Licenses and/or Certifications:

- Current licensure by the Virginia State Bar, qualified to practice in federal and state courts, and the ability to maintain membership in good standing as a condition of continued employment

Knowledge, Skills and Abilities:

- Comprehensive knowledge of local government, including Roberts Rules of Order, state and federal law
- Thorough comprehension of judicial procedures, rules of evidence and methods of legal research
- Comprehensive skill in formulating legal opinions, conducting complex litigations and professional judgement
- Strong written and oral communication skills, analytical, research and problem-solving skills
- Strong supervisory, organization and time-management skills
- Ability to read, analyze, interpret and apply the most complex legal principles, precedents and documents
- Ability to present or respond orally or in writing effectively, persuasively and/or appropriately to highly complex, controversial and/or sensitive matters
- Ability to render immediate legal advice when necessary
- Ability to deal with competing priorities, varied instructions, and abstract/concrete variables
- Ability to establish and maintain effective working relationships with all public officials, staff and the general public

SUPPLEMENTAL INFORMATION:**Work Environment:**

- Work is primarily performed in an indoor, climate-controlled, pleasant environment with moderate noise level.

Essential Physical Activities:

- Hearing, seeing up close, talking, standing, sitting, reaching, finger movement
- Lift and carry up to ten (10) pounds regularly

APPLICATIONS MAY BE COMPLETED ONLINE AT:
<http://hopewellva.gov/city-jobs/>
The City of Hopewell is an EEO and V3 certified employer.

Position #CA022119
CITY ATTORNEY

300 N Main St, Rm 223 Hopewell, VA 23860 804-541-2211 or 804-541-2245

hr@hopewellva.gov

City Attorney

Recruitment Announcement



Accepting applications through February 21, 2019

Our City & Community

INDUSTRIAL, DIVERSE, HISTORIC, WATERFRONT

Hopewell is an independent, historic, riverfront city adjacent to Prince George and Chesterfield Counties, as well as the Fort Lee Military Installation. Hopewell is centrally located and is only 21 miles south of Richmond, Virginia and approximately 130 miles south of Washington, DC. According to the US Census Bureau, the population of Hopewell as of 2016 is 22,735.

Hopewell is known for industry. In 1912, E.I. DuPont purchased 1,600 acres of land in Hopewell to start a guncotton plant supporting WWI. In 1915, a fire so devastating it was reported nationwide, destroys downtown. In 1916, Hopewell incorporates and rebuilds. Hopewell is deemed the "Wonder City" for its ability to bounce back. Currently, Hopewell is home to four Fortune 1000 companies and is on the rise again.

Hopewell is a diverse community, with its origins a century ago as an *industrial town*, Hopewell is now in a rebirth as an *industrious city*.

Hopewell is known for the rivers. It is situated at the confluence of the Appomattox and James Rivers providing spectacular views. A 2015 William & Mary College study recorded 236 mating pairs of bald eagles on the James River. Multiple regional and national fishing tournaments are held out of the City Marina. The Hopewell Riverwalk will connect the City's historic downtown to the City Marina.

Hopewell is known for the small town atmosphere. The Beacon Theatre anchors downtown Hopewell with over 175 shows and events annually. As part of the Virginia Main Street Program, Downtown Hopewell has experienced recent revitalization. Downtown businesses consist of a coffee grinder, pie shop, boat manufacturer, coffee shop and bakery, antique shops, fitness centers, award winning BBQ restaurant, and a diner first opened in 1927. Plans for over 500 apartment units within the downtown area over the next 3-5 years will transform not just downtown, but the entire City. Hopewell also hosts a variety of events including a 5k Run/Walk, the James River Ball, Hoppin' Happenings Egg Hunt, Butts on Broadway, Wonder City Craft Beer Festival, Hopewell Haunts, Summer Concert Series, the Holiday Boat Parade, Light up the Night and so much more!



Our Vision

“We endeavor to be a city, ever evolving, with a small hometown atmosphere, taking advantage of our regional location and riverfront assets. We desire to cultivate a healthy and prosperous citizenry with good character, who work together, look to the future, that show great pride in our schools, neighborhoods, businesses and ourselves.”

For more information regarding the City’s Vision, visit: [Hopewell Comprehensive Plan 2028](#) (ctrl + click)

Our Organization

The City of Hopewell operates under the council-manager form of government. Citizens of Hopewell elect a seven-member council who serve four-year terms. The Mayor and Vice Mayor are chosen and voted on by the Council itself and serve in their roles for two years. City Council appoints three administrative positions to oversee the operations of the City. City Council appoints the City Manager, City Attorney and City Clerk.

The City of Hopewell manages a municipal workforce of over 400 employees and have an adopted FY2019 General Fund Budget of \$52,918,072.

CITY COUNCIL

Mayor Jasmine Gore, Ward 4

Vice Mayor Patience Bennett, Ward 7

Councilor Deborah Randolph, Ward 1

Councilor Arlene Holloway, Ward 2

Councilor Johnny Partin, Ward 3

Councilor Janice Denton, Ward 5

Councilor Brenda Pelham, Ward 6

The City Attorney’s Office

The City Attorney’s Office is composed of one full-time City Attorney and one full-time Paralegal. The City Attorney is appointed by City Council and serves as the chief legal advisor to Council, City Administration, and departments, boards, commissions and agencies of the City in all matters affecting the interests of the City.



The City Attorney's Office Continued...

THE IDEAL CANDIDATE

City Council is looking for a respected attorney with solid experience practicing law, preferably municipal law, with sound values and strong work ethic. The environment is fact paced with an active Council. The ideal candidate will be someone who will partner with the elected official and staff to solve complex, controversial and/or sensitive matters effectively, persuasively and/or appropriately with tact and diplomacy.

The City Attorney will give all members of Council the same information and keep them all equally and well informed. The best candidate will work diligently to protect the legal interests of the City. At the same time, he/she needs to be a solution seeker. The individual will exercise independent judgement with the highest level of professionalism, integrity and ethics. The best candidate will understand politics and how to navigate them; however, he/she will not be involved in them. He/she needs to be strong, but diplomatic, responsive and competent in the field.

The ideal candidate will need to be a strong leader capable of practicing law while managing the day-to-day activities of the office and competing priorities. He/she must have knowledge and experience with budget management, staff management, time management and prioritization.

The City Attorney, and his/her staff, will have excellent written and oral communication skills, in addition to strong interpersonal, analytical, research and problem-solving skills. Additionally, they will interact with a variety of people with diverse backgrounds and need to be open, approachable and a good listener.

POSITION REQUIREMENTS

The position requires a Juris Doctor (J.D.) from an accredited law school, licensure with the Virginia State Bar, and at least five years of progressive experience practicing law, preferably municipal law.

The City Attorney's Office Continued...

COMPENSATION AND BENEFITS

The City offers a competitive salary that is negotiable based on qualifications and experience. The successful candidate will have access to a comprehensive benefits package that includes, but is not limited to:

- ◇ Paid Time Off
- ◇ Paid Holidays
- ◇ Health, Dental and Vision Insurance
- ◇ Short and Long-Term Disability
- ◇ Group Life Insurance
- ◇ Virginia Retirement System (VRS) Retirement
- ◇ Flexible Spending Accounts
- ◇ Professional Development Opportunities
- ◇ And much more!

For more information about our benefits package, visit <https://hopewellva.gov/benefit-plans/> (ctrl + click)

APPLICATION & SELECTION PROCESS

For more details and/or to apply, please visit <https://hopewellva.gov/city-jobs/> (ctrl + click). Only complete applications submitted through our site will be considered. The application deadline is February 21, 2019.

Applications will be screened within 4 weeks of the closing date. Finalists will be interviewed and the selection of our next City Attorney will be shortly thereafter.

The City is an Equal Opportunity and Virginia Values Veterans Employer.



City of Hopewell

300 N. Main Street
Hopewell, VA 23860

Phone: 804-541-2245

www.hopewellva.gov

City Attorney | Hopewell, VA

CREATION OF
FINANCE
COMMITTEE
(RESOLUTION)

**A RESOLUTION ESTABLISHING
THE HOPEWELL CITY COUNCIL
STANDING COMMITTEE FOR FINANCE**

WHEREAS, the Hopewell City Council is empowered by Chapter IV, §4 of the Hopewell City Charter and §15.2-1411 of the Virginia Code (1950), as amended, to establish and appoint such advisory committees as the City Council deems necessary or desirable; and

WHEREAS, the City Council desires to establish a standing committee devoted exclusively to provide policy level oversight and guidance on financial issues; now therefore

BE IT RESOLVED this _____ day of September, 2021, that the Hopewell City Council hereby establishes a standing committee of the City Council which shall be known as the FINANCE COMMITTEE; be it

FURTHER RESOLVED that the FINANCE COMMITTEE shall be authorized/charged to perform oversight and advisory duties on behalf of the City Council:

- (1) the operating budget;
 - (2) capital improvement budget;
 - (3) review of financial reporting documents;
 - (4) long-term financing;
 - (5) other items requiring fiscal policy direction and input; and
 - (6) inform City Council on any matters related to the City's fiscal and financial health
- ; be it

FURTHER RESOLVED that the FINANCE COMMITTEE shall be comprised of two (2) current members of the City Council. The City Manager and Finance Director are hereby designated and shall serve as the administrative/technical support staff for the FINANCE COMMITTEE and shall, in addition to providing such support as requested by the FINANCE COMMITTEE, be responsible for providing such financial information requested and/or deemed necessary by the FINANCE COMMITTEE to perform the duties of its charge. The President of Council (Mayor) shall be authorized, in accordance with Rule 410 of the Rules of City Council, to name/appoint individuals as the members of the FINANCE COMMITTEE with the concurrence of City Council. Nothing herein shall authorize the President of Council (Mayor) to increase or decrease the number of members of the FINANCE COMMITTEE. The term of each membership shall be two (2) year(s). Members shall serve at the pleasure of the President of Council (Mayor). The City Treasurer may be invited, but not required, to attend and speak at any meeting of the FINANCE COMMITTEE.

FURTHER RESOLVED that FINANCE COMMITTEE shall meet no fewer than _____ time every _____, and shall provide a report of its activities (and, as circumstances deem necessary, recommendation(s)) to the City Council on a _____ basis.

**A RESOLUTION ESTABLISHING
THE HOPEWELL CITY COUNCIL
STANDING COMMITTEE FOR FINANCE**

WHEREAS, the Hopewell City Council is empowered by Chapter IV, §4 of the Hopewell City Charter and §15.2-1411 of the Virginia Code (1950), as amended, to establish and appoint such advisory committees as the City Council deems necessary or desirable; and

WHEREAS, the City Council desires to establish a standing committee devoted exclusively to _____
_____ pro
provide policy level oversight and guidance on financial issues; now therefore

BE IT RESOLVED this _____ day of _____, September, 2021, that the Hopewell City Council hereby establishes a standing committee of the City Council which shall be known as the FINANCE COMMITTEE; be it

FURTHER RESOLVED that the FINANCE COMMITTEE shall be authorized/charged to perform oversight and advisory the following duties on behalf of the City Council:

- (1) the operating budget;
 - (2) capital improvement budget;
 - (3) review of financial reporting documents;
 - (4) long-term financing;
 - (5) other items requiring fiscal policy direction and input; and
 - (6) inform City Council on any matters related to the City's fiscal and financial health
- ; be it

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FURTHER RESOLVED that the FINANCE COMMITTEE shall be comprised of _____ two (2) members, _____ of which shall be a current members of the City Council. The City Manager and Finance Director is-are hereby designated and shall serve as the administrative/technical support staff for the FINANCE COMMITTEE and shall, in addition to providing such support as requested by the FINANCE COMMITTEE, be responsible for providing such financial information requested and/or deemed necessary by the FINANCE COMMITTEE to perform the duties of its charge. The President of Council (Mayor) shall be authorized, in accordance with Rule 410 of the Rules of City Council, to name/appoint individuals as the members of the FINANCE COMMITTEE with the concurrence of City Council. Nothing herein shall authorize the President of Council (Mayor) to increase or decrease the number of members of the FINANCE COMMITTEE. The term of each membership shall be _____ two (2) year(s). Members shall serve at the pleasure of the President of Council (Mayor). The City Treasurer shall-may be invited, but not required, to attend and speak at any meeting of the FINANCE COMMITTEE.

FURTHER RESOLVED that FINANCE COMMITTEE shall meet no fewer than _____ time every _____, and shall provide a report of its activities (and, as circumstances deem necessary, recommendation(s)) to the City Council on a _____ basis.

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

COUNCIL AGENDA ITEM TITLE: Fraud, Waste, and Abuse Policy

ISSUE: City Council supported the request to solicit the support of the City Attorney to draft a fraud, waste and abuse policy in coordination with the City Manager. The draft policy was developed last year and is awaiting approval from City Council. The goal is establish system for complaints related to City resources that is an ordinance to provide the responsibility parties the ability to investigate claims. Providing a pathway for anonymous submissions and formal safeguard will help to mitigate misuse of City resources. The original request included an option for the City Attorney to conduct an initial unbiased review prior to elevating issues to other members of the City Administration to separate functions of management/oversight.

RECOMMENDATION: Recommend City Council take action on adopting a policy.

TIMING: Immediate.

BACKGROUND: n/a

FISCAL IMPACT: Cost and resource savings.

ENCLOSED DOCUMENTS:

- o Fraud, waste and abuse draft policy.

CITY COUNCILOR: Jasmine Gore, Ward 4

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call**SUMMARY:**

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



FRAUD, WASTE & ABUSE POLICY

MISSION STATEMENT

The City of Hopewell is committed to safeguarding public assets and resources. The City of Hopewell is likewise committed to preventing fraud, waste, and abuse of those public assets and resources. In order to ensure and maintain the integrity of its business and operation practices, this Fraud, Waste & Abuse Policy is intended to, and shall, apply every City of Hopewell employee, department head, official (whether administrative, appointed, or elected), vendor, contractor, or any other person or entity engaging in business activity with the City.

A. Purpose

The City of Hopewell's Fraud, Waste, & Abuse Policy ("Policy") serves to inform that each City of Hopewell ("City") employee, department head, and official (whether administrative, appointed or elected) is a public steward and is, individually, responsible for reporting evidence of fraud, waste, and abuse when such is observed or is suspected. This Policy should operate to increase awareness of circumstances that constitute or may foreseeably lead to fraud, waste, and abuse; as well as to protect the City from dishonest, unethical, careless and irresponsible persons and/or entities.

B. Scope

This Policy shall apply to any fraud, suspected fraud, waste, suspected waste, abuse, and suspected abuse involving any City employee, department head, official, vendor, contractor, or any other person or entity engaging in business activity with the City.

C. Whistleblower Protection

The City expects its personnel, officials, and vendors to report evidence or suspicion of fraud, waste, and abuse and all are encouraged to do so. The City will not retaliate, nor will it tolerate retaliation against those who, in good faith, report fraud, waste, or abuse. Furthermore, the City will not retaliate nor tolerate retaliation against those who participate in an investigation

of fraud, waste, or abuse. Any employee or official who believes s/he has experienced retaliation for making or assisting in the investigation of a report of fraud, waste, or abuse should this belief or suspicion immediately to the Director of Human Resources. Upon receipt, the Director of Human Resources shall notify such report to the City Manager, with copy to the City Attorney and City Council. All reports of retaliation shall be investigated and the written findings shall be reported out to the City Council, City Manager and the City Attorney for appropriate action, if any.

D. Reporting Fraud, Waste or Abuse

While face-to-face communication is always the best form of communicating, face-to-face reporting is not be required to make a report under this Policy. Any person who makes a report shall retain the right to disclose their identity or remain anonymous.

If possible, each report of fraud, waste, or abuse should include the following information:

1. The name(s) of the individual(s) involved or suspected
2. Factual summary/details of what happened and why you think that it is wrong or illegal
3. Description of where it happened and when (i.e., date and/or timeline)
4. The name(s) of any person who witnessed what happened or may have information regarding what happened
5. The City department or agency impacted or involved; and
6. Any documentation or other supporting evidence you have, know of or believes exists.

E. How to Make A Report

A report may be made by any of the following methods:

1. Fraud Hotline – Anonymous
2. Online/Email Reporting
3. Fax
4. In Person

F. Who Is Eligible to/Can Report

Employees, Department Heads, Officials

Contractors, Vendors

Citizens

Other Interested Parties

G. To Whom to Make a Report

In addition to any other reporting option provided herein, the _____ shall be authorized to receive and investigate all reports made pursuant to this Policy.

A report of fraud, waste, or abuse may be made in person or through the fraud hotline, online reporting, or by email directly to the _____.

An employee may make a report to their immediate supervisor or department head. If the employee believes that his or her supervisor is involved, the Employee may make his or her report to the City Manager or directly to _____.

The City employee or official who receives a report of fraud, waste, or abuse shall deliver the same in writing to the _____ who shall conduct an investigation as provided herein.

The City employee or official who receives a report of fraud, waste, or abuse but fails to pass on the report to the _____ shall be subject to disciplinary action, up to and including termination.

The City employee or official who obstructs or fails to cooperate with an investigation shall be subject to disciplinary action, up to and including termination.

H. Sample Activity of What to Report (this list is not intended to be exhaustive)

Any misconduct affiliated with City contracts or procurement

Theft of City resources (e.g., cash, equipment, supplies, time)

Record Falsification

Payroll fraud or time abuse

Kickbacks or bribes

Intentional misuse of City property or equipment

Contractor Fraud

Gross mismanagement of resources, including careless expenditures

Gross disregard of policy and procedural controls

I. Definitions

"Abuse" means the excessive or improper use of something, or the employment of something in a manner contrary to the natural or legal rules for its use; the intentional destruction, diversion, manipulation, misapplication, maltreatment, or misuse of resources owned or operated by the City; or extravagant or excessive use so as to abuse one's position or authority. Examples of abuse include, but are not limited to:

- Using City equipment or supplies to engage in or conduct non-City business or outside employment
- Using position (paid or volunteer) or information/access derived therefrom to obtain anything of value, e.g., money, property, contract, service(s), or other personal gain
- Utilizing non-public City information to get non-City business
- Profiting from use of non-public information derived solely from access as City employee or vendor/contractor
- Accepting or seeking material value for personal benefit from a vendor or potential vendor
- Excessive use of small purchase or purchase order authority to authorize activities that primarily benefits the user

"Fraud" means the intentional deception perpetrated by an individual or individuals, or an organization or organizations, either internal or external to the City, which could result in a tangible or intangible benefit to themselves, others, or the City or could cause detriment to others or the City. Fraud includes a false representation of a matter of fact, whether by words or by conduct, by false or misleading statements, or by concealment of that which should have been disclosed, which deceives and is intended to deceive. Examples of fraud include, but are not limited to:

- Stealing, misappropriation of funds, supplies, etc.
- Forgery or the unauthorized alteration of any document
- Intentional misrepresentation of a payroll record
- Knowingly make a false entry in a City record
- Claiming to hold and/or using an education degree that is fraudulent, fictitious or that has been revoked
- Making a false state or representation to obtain property, credit, services or a position of employment (whether paid or volunteer)

"Waste" means the intentional or unintentional, thoughtless or careless expenditure, consumption, mismanagement, use, or squandering of resources owned or operated by the locality to the

detriment or potential detriment of the locality. Waste also includes incurring unnecessary costs because of inefficient or ineffective practices, systems, or controls. Examples of waste include, but are not limited to:

- Carelessly or intentionally ruining or destroying materials or equipment
- Purchase of unnecessary or unneeded supplies or equipment
- Purchase of goods and services at (obviously) inflated prices
- Failure or refusal to recycle major resources or reduce waste

J. Procedures

1. All reports will be reviewed and investigated by the _____. If warranted, the allegations may be jointly investigated with another agency or referred to the Commonwealth's Attorney.

2. If the report is made via voicemail, the voicemail message shall be transcribed.

3. Investigation findings shall be reported out to the City Manager and the City Council, even if the investigation is concluded as "unfounded".

4. If an investigation concludes that the report was "founded", i.e., substantiated as true, the Finance Department and the Department of Human Resources shall also receive a copy of the investigation report. Should the investigation document criminal activity, a copy of the report shall be sent to the Chief of Police and Commonwealth's Attorney.

5. If an investigation concludes that the report was "founded", i.e., substantiated as true, and the City realizes a savings of tax dollars as a result of the report, the reporter—if his or her identity has been disclosed, shall be entitled to a maximum monetary reward equal to ten percent (10%) of the savings realized or \$5,000.00, whichever is the lesser amount.

***** Possible other terms for the Policy, to-wit: penalty for vendors/contractors found to have engaged in fraud, waste, and abuse. If City Council wants to expand policy to include these penalties, should also determine: the grounds for finding, notification of finding and period of protest, procedures for protest/appeal, etc.*

K. Debarment Policy and Procedures

The Fraud and Abuse Debarment Policy ("Debarment Policy) shall apply to a vendor or contractor who has, after investigation, been found to engage in fraudulent or unlawful activity to obtain from or maintain business with the City.

Sample Activity that May Lead to Debarment

- *Use of forged or falsified documents for any reason, including with the intent to deceive the City*
- *Failure to provide adequate documentation as evidence, as requested by the City, in any investigation commenced under the Policy*
- *Failure to respond to requests for information regarding vendor/contractor performance of a City contract/purchase order and payment(s)*
- *Violation of the terms of solicitation after bid submission*

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

COUNCIL AGENDA ITEM TITLE:

Review and revise the membership criteria of the Hopewell Historic Preservation Sub-Committee

ISSUE: HPC is having difficulty recruiting members that meet the criteria outlined for the committee.

RECOMMENDATION: Consider the recommendations of the HPC members and revise accordingly

TIMING: Action is requested at the September 28, 2021 City Council Meeting.

BACKGROUND: The HPC is an ad hoc committee of City Council created in 2004. The criteria for membership is based on the project underway at time of the committee's inception. Now reinstated for the Shiloh Lodge rehabilitation project, the membership criteria should be reevaluated to reflect the needs of the work at hand.

ENCLOSED DOCUMENTS:

- 2003 Membership Criteria

STAFF:

Tevya W. Griffin, Director Department of Development/ Staff for HPC
Chris Ward, Senior Planner

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

Roll Call

SUMMARY:

Y N

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

Y N

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

HISTORIC PRESERVATION COMMITTEE

History as determined from City Council minutes

The Archaeological Dig Committee recommended the formation of a Historic Preservation Subcommittee of City Council. The committee will coordinate all activities Associated with the uncovering, preserving and interpreting the history of Hopewell.

The committee will be comprised of the following: 3 City Councilors; 1 College of William & Mary; 1 ARB; 1 National Park Service; 1 Historic Hopewell Foundation; 2 At-large Citizens appointed by City Council

City Staff Representative – non-voting members; 1 Department of Planning; 1 Department of Parks & Recreation; 1 Department of Tourism

TIMELINE

- June 24, 2003: Appointments to HPC subcommittee (Carl Kindervater, Jr. and Deborah Bine).
HPC Town Hall/Road Show Report.
- September 9, 2003: Report from HPC Subcommittee.
Appointment to HPC Subcommittee (Jim Micklem).
- February 3, 2004: Report from HPC Subcommittee (Councilor Steve Taylor).
- April 27, 2004: Resignation from HPC of Deborah Bine.
- June 22, 2004 Presentation from HPC Subcommittee (Councilor Steve Taylor).
- July 13, 2004 Appointment to HPC Subcommittee (Paul Karnes).
- November 23, 2004 Appointment to HPC Subcommittee (Councilor Martin).
- May 10, 2005 Dissolve Council Liaison Committee-Archaeological Dig-College of William & Mary because it was incorporated into HPC.
- August 9, 2005 Request to set work session to discuss possible relocation of Regional Enterprises
- September 12, 2006 Mayor Taylor – set date for work session 10/10/06 – Cultural Resources Management Plan.
- September 26, 2006 Appointments to HPC (Bailey and Emerson).

November 28, 2006 Special Meeting/Work Session – Cultural Resources Management Plan presentation.

September 11, 2007 CCR-Mayor Taylor – HPC seeks Council approval – 1) Proposal for architectural documentation of kit houses within city; 2) Proposal for archaeological evaluation of Site 44PG463, Bailey Creek Knoll. Council approved both projects and allocated \$17,500 from Arch Account, \$12,000 from Matching Grant Fund, and \$500 from Bond Agency Fee Account.

Appointment to HPC (Jane McCullen).

August 12, 2008 Appointment to HPC (Stokes).

October 14, 2008 Appointments to HPC (Michael Pritchard and Jeanie Langford).

September 22, 2009 HPC Report on kit homes, Bailey’s Creek, and Cultural Resource Management Plan.

February 9, 2010 Appointment to HPC (Libbie Newsome).

February 8, 2011 Appointment to HPC (Stokes as Co-Chair).

April 12, 2011 Appointment to HPC (Toni Cortese).

May 8, 2012 Appointment to HPC (Christina Callis).

Chart of proposed changes (11 members)

| Current Membership Criteria | Proposed Criteria | Reason for request |
|---|--|---|
| 3 City Council Members | 2 City Council Members, add 1 at large member non residency requirement) | Quorum of Council |
| 1 National Park Service Superintendent | Will act as an advisor | National Park Service member cannot vote due to potential conflict of interest per federal guidelines |
| 1 Department of Development representative – non voting member | 1 Department of Development representative <i>voting</i> member | Department of Development provides expertise in subject matter. |
| 1 College of William and Mary Student | Add an at large member (non residency requirement) | Too specific and based on availability of student. |
| 1 Director of Development is staff for the Committee | Make Senior Planner staff for the Committee | Director will act as a member. Senior Planner will fulfill staff functions (minutes, agenda, etc.) |
| 1 Historic Hopewell Foundation representative | No change | No change |
| 2 at large citizens | No change | No change |
| 1 Department of Tourism- non voting member | 1 Chamber of Commerce Staff representative <i>voting</i> member | Name change. Provides expertise in subject matter |
| 1 Department of Recreation and Parks representative – non voting member | 1 Department of Recreation and Parks representative <i>voting</i> member | Department of Recreation and Parks provides expertise in subject matter. |
| 1 Architectural Review Board | No change | No change |

Proposed Membership Criteria (11 members)

- 2 City Council Members
- 2 at large members with expertise relevant to project (example: Virginia State University Student, past member of Shiloh Lodge, architect, other professional)
- 2 at large citizens
- 1 Architectural Review Board member
- 1 Department of Tourism (Chamber of Commerce) representative, as a voting member
- 1 Recreation and Parks, representative, as a voting member
- 1 Department of Development, as a voting member
- 1 Historic Hopewell Foundation
- Senior Planner staff member

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

COUNCIL AGENDA ITEM TITLE:

Residency Waiver Request from Tevya W. Griffin, Director of Development

ISSUE: In accordance with the Hopewell City Code, Section 2.4, if a Director currently resides outside of the City and chooses to relocate it must be within the City of Hopewell. The ordinance provides the opportunity for a waiver of this requirement if approved by City Council.

RECOMMENDATION: City Council review the request and take action.

TIMING: The request will be represented at the September 28, 2021 City Council meeting.

BACKGROUND: Reference letter to City Manager dated August 19, 2021

ENCLOSED DOCUMENTS:

- Residency Waiver letter to City Manager

STAFF:

Tevya W. Griffin, AICP, Director Department of Development

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call**SUMMARY:**

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

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



THE Griffin's

August 19, 2021

John M. Altman, Jr.
City Manager
300 North Main Street
Hopewell, Virginia 23860

Dear Mr. Altman,


I am writing to formally request a waiver of Section 2.4, Residency requirements for certain city officers and department heads, in accordance with sub-section (c), which reads, "The City Council may waive any provision or requirement of this section. City Council may grant a waiver by ordinance, resolution, or motion."

I am requesting a waiver to live outside of the city. We have not moved or chosen a new primary residence at this time. However, I can say with certainty that it will be within the Richmond Metropolitan Statistical Area (MSA).

In May of this year, my husband and I discussed placing our primary residence on the market in efforts to purchase a larger dwelling to accommodate our family. It was at that time we contacted our real estate agent and requested an assessment of our home. After the assessment was completed, we concluded that it was in the best interest of our family circumstances and future goals to take advantage of the current housing market.

My husband's job requires travel during the day and some nights within the City of Richmond and Henrico County. Moving to Hopewell, farther away from these resources is not an option for my family at this time. I am requesting your assistance in moving this request forward to City Council for consideration. I am happy to answer any questions. My hope is that this item can be placed on the September 14, 2021 City Council meeting agenda.

Sincerely,


Tevya W. Griffin

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

COUNCIL AGENDA ITEM TITLE: Virginia Opioid Abatement Fund & Settlement Allocation MOU

ISSUE: Memorandum of Understanding Relating to the Allocation and Use of Proceeds from Any Opioid Litigation or Settlement

RECOMMENDATION: Staff recommends approval of the resolution and authorization of the City Manager to sign the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding.

TIMING: Action is requested at the September 28, 2021 meeting.

BACKGROUND: In the fall of 2018, City Council authorized retaining Weitz & Luxenburg, P.C., as lead counsel, and Marks and Harrison, P.C. to prosecute and adjust for the City a claim for past and future damages and/or expenditures caused by the conduct of pharmaceutical manufacturers, distributors and/or retailers of opioids.

ENCLOSED DOCUMENTS:

- Resolution Authorizing Execution of the Settlement MOU
- Memorandum to National Opioid Consortium's Virginia Clients
- Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding

STAFF:**SUMMARY:**

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

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

John M. Altman, Jr., City Manager

SUMMARY:

Y N

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

Y N

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

RESOLUTION NO. 2021-_____

**A RESOLUTION AUTHORIZING CITY MANAGER TO EXECUTE
THE VIRGINIA ABATEMENT FUND AND
SETTLEMENT ALLOCATION MEMORANDUM OF UNDERSTANDING
ON BEHALF OF
THE CITY OF HOPEWELL, VIRGINIA**

WHEREAS, the City of Hopewell, through their elected representatives and counsel, and the Commonwealth of Virginia, through the Office of the Attorney General, are separately engaged in litigation seeking to recover costs incurred and to be incurred in abating the opioid addiction epidemic that plagues Virginia communities;

WHEREAS, the City of Hopewell and the Commonwealth of Virginia share a common desire to abate and alleviate the impacts of the opioid addiction epidemic and to maximize litigation recoveries from those third parties responsible for the same;

WHEREAS, in order to advance their common interests, the City of Hopewell and the Commonwealth of Virginia, through counsel, have extensively negotiated the terms of a memorandum of understanding relating to the allocation and use of such litigation recoveries;

WHEREAS, the City of Hopewell's outside opioid litigation counsel has recommended that the City approve the proposed memorandum of understanding; and

WHEREAS, the City Attorney has reviewed the available information about the proposed memorandum of understanding and concurs with the recommendation of outside counsel;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hopewell, assembled on this day at which a quorum is present, that the City Council hereby authorizes and approves, or confirms authorization and approval of the Virginia Abatement Fund and Settlement Allocation Memorandum of Understanding attached hereto and incorporated herein by reference thereto as Exhibit "A", and directs the City Manager to execute and enter into such Memorandum of Understanding on behalf of the City of Hopewell.

Witness this signature and seal

Mayor Patience A. Bennett, Ward 7

VOTING AYE:

VOTING NAY:

ABSTAINING:

ABSENT:

ATTEST:

Mollie Bess, City Clerk

MEMORANDUM

TO: National Opioid Consortium's Virginia Clients

DATE: July 15, 2021

FROM:

| | |
|---|--|
| Burton LeBlanc, Esq. Baron & Budd 3102 Oak Lawn, Avenue Suite 110 Dallas, TX 75219 | Aaron L. Harrah, Esq. Hill, Peterson, Carper, Bee & Deitzler, PLLC NorthGate Business Park 500 Tracy Way Charleston, WV 25311 |
| Bert Ketchum, Esq. Greene, Ketchum, Bailey & Twell LLP 419 11th Street Huntington, WV 25701 | Christopher I. Jacobs, Esq. Kalfus & Nachman 870 N. Military Hwy. Suite 300 Norfolk, VA 23502 |
| Terry G. Kilgore, Esq. Kilgore Law Office P.O. Box 669 Gate City, VA 24521 | Jake Daniel, Esq. Daniel Thomas 139 E. Main St. Yanceyville, NC 27379 |

**RE: Virginia Opioid Abatement Fund and Settlement Allocation
Memorandum of Understanding (the "MOU")**

From the outset of the opioid litigation, one vitally important aspect of the overall efforts to advance our Virginia clients' interests has been the ultimate allocation of litigation recoveries between the Commonwealth, on the one hand, and the local governments, on the other. Your counsel, and other attorneys representing other Virginia local governments, have been involved in negotiations with the Virginia Office of the Attorney General ("OAG") on this and other topics since 2019. The goal of these negotiations has been to ensure that local governments participate meaningfully in any opioid litigation recoveries rather than all monies flowing directly into the Commonwealth's general fund.

Outside local government counsel, including your attorneys, and the OAG have recently concluded their negotiations. These negotiations are memorialized in a written MOU that was previously emailed to you and attached for your convenience. The key features of the MOU are as follows:

- 30% of gross opioid litigation recoveries are allocated directly to participating Virginia localities (15% totally unrestricted and 15% for opioid abatement uses). In contrast, the Commonwealth directly receives only 15% of gross opioid litigation

recoveries. Amongst the local governments, funds are divided according to an allocation methodology that factors in indicators of opioid epidemic impact such as emergency department visits, overdose deaths, and pill shipment volumes.

- The remaining 55% of the gross opioid litigation recoveries flow through the Opioid Abatement Authority Fund which was established by the General Assembly at this year's legislative session. Your attorneys were heavily involved with the OAG in the drafting of this legislation and its navigation through the General Assembly. The Opioid Abatement Authority legislation earmarks fully 50% of the funds that flow through the Authority for local government use and an additional 35% for uses for which local governments, along with state agencies, are eligible.
- The MOU ensures that any contingent attorneys' fees and litigation expenses are born ratably by all Virginia localities that participate in a settlement, whether or not they hired counsel and chose to litigate.
- The MOU also provided local government protections relative to the Board that governs the Opioid Abatement Authority. Five of eleven Board seats are drawn from local government affiliates (one elected official, two Community Service Board representatives, one Sheriff, and one local government attorney). In contrast, only three (3) Board members are drawn from the state government.

Accordingly, your attorneys recommend their local Virginia government clients approve the MOU.

**VIRGINIA OPIOID ABATEMENT FUND AND
SETTLEMENT ALLOCATION MEMORANDUM OF UNDERSTANDING**

WHEREAS, the people of the Commonwealth of Virginia and its communities have been harmed through the national and statewide epidemic caused by licit and illicit opioid use and distribution within the Commonwealth of Virginia;

WHEREAS, the Commonwealth of Virginia, through the Office of Attorney General Mark R. Herring, and certain Political Subdivisions, through their elected representatives and counsel, are separately engaged in litigation seeking to hold those entities in the Pharmaceutical Supply Chain accountable for the damage caused;

WHEREAS, the Commonwealth of Virginia and its Political Subdivisions share a common desire to abate and alleviate the impacts of the opioid epidemic throughout Virginia; and now

THEREFORE, the Commonwealth of Virginia and certain of its Political Subdivisions, subject to completing formal documents effectuating the Parties' agreements, enter into this Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding ("MOU") relating to the allocation and use of the proceeds of any Settlements as described herein.

A. Definitions

As used in this Virginia Term Sheet:

1. "The Commonwealth" shall mean the Commonwealth of Virginia acting through its Attorney General.
2. "Political Subdivision(s)" shall mean the Virginia counties and independent cities represented by Counsel.
3. "Participating Political Subdivisions" shall mean the Political Subdivisions, along with all Virginia counties and independent cities who agree to become signatories to this MOU and to be bound by the terms of future Settlements.

4. "Counsel" shall mean the undersigned private attorneys representing the Political Subdivisions.
5. "The Parties" shall mean the Commonwealth of Virginia, the Political Subdivisions, and Counsel.
6. "Negotiating Committee" shall mean a three-member representative group of the Parties. The Commonwealth shall be represented by the Virginia Attorney General or his designees. The Political Subdivisions and Counsel shall be represented by W. Edgar Spivey of Kaufman & Canoles, P.C. or his designee, and J. Burton LeBlanc of Baron & Budd, P.C. or his designee.
7. "Settlement" shall mean the negotiated resolution of legal or equitable claims against a Pharmaceutical Supply Chain Participant named in Complaints filed by all the Political Subdivisions in court on or before April 30, 2020 when that resolution has been jointly entered into by the Commonwealth, the Political Subdivisions, and Counsel. "Settlement" also shall include the approval by a United States Bankruptcy Court of a plan of reorganization or liquidation of a Pharmaceutical Supply Chain Participant, or any other determination, ruling, or decision by a United States Bankruptcy Court, in which legal or equitable claims against the Pharmaceutical Supply Chain Participant by the Commonwealth and the Political Subdivisions are settled, adjudicated, released, or otherwise resolved.
8. "Opioid Funds" shall mean monetary amounts obtained through a Settlement as defined in this MOU.
9. "Approved Abatement Purposes" shall mean efforts to treat, prevent, or reduce opioid use disorder or the misuse of opioids or to otherwise abate or remediate the

opioid epidemic, including but not limited to those efforts described in Section C(4)(a) through (j) of this MOU. In addition, "Approved Abatement Purposes" shall include the types of efforts approved for funding by the Authority that is defined in Section C(1). "Approved Abatement Purposes" also shall include any other abatement or remediation purposes to the extent such purposes are described in a Settlement.

10. "Pharmaceutical Supply Chain" shall mean the process and channels through which opioids or opioid products are manufactured, marketed, promoted, distributed or dispensed.
11. "Pharmaceutical Supply Chain Participant" shall mean any entity that engages in or has engaged in the manufacture, marketing, promotion, distribution, or dispensing of an opioid analgesic.

B. Allocation of Settlement Proceeds

1. All Opioid Funds shall be initially divided with fifteen percent (15%) going to the Participating Political Subdivisions ("Subdivision Share"), seventy percent (70%) going to the Virginia Opioid Abatement Fund and to other Approved Abatement Purposes as further described herein ("Opioid Abatement Share"), and fifteen percent (15%) going to the Commonwealth of Virginia ("Commonwealth Share").
2. The Subdivision Share shall be allocated and paid to the Participating Political Subdivisions in accordance with the division of proceeds referenced in the schedule attached hereto as Exhibit A. The shares of Virginia counties and independent cities who elect not to become Participating Political Subdivisions, if any, shall be reallocated ratably to the Participating Political Subdivisions.

3. In the event a Participating Political Subdivision merges, dissolves, or ceases to exist, the allocation percentage for that Participating Political Subdivision shall be redistributed equitably based on the composition of the successor subdivision.
4. The Commonwealth Share shall be deposited to the Attorney General's Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund with moneys transferred to the Commonwealth's General Fund as provided by law. To the extent a Settlement requires that all Opioid Funds be used only for abatement or similar purposes, then the Commonwealth Share shall be deposited and distributed accordingly.
5. The Opioid Abatement Share of 70% of the Opioid Funds shall be allocated and paid as follows:
 - a. Fifty-five percent (55%) of the Opioid Funds shall be allocated and paid to the Virginia Opioid Abatement Fund ("Fund").
 - b. Fifteen percent (15%) of the Opioid Funds shall be allocated and paid to the Participating Political Subdivisions and shall be used for Approved Abatement Purposes ("Direct Subdivision Abatement Share"). Upon request, a Participating Political Subdivision shall make publicly available information showing the purposes for which the Participating Political Subdivision used Direct Subdivision Abatement Share funds. The Direct Subdivision Abatement Share shall be allocated and paid to the Participating Political Subdivisions in accordance with the division of proceeds referenced in the schedule attached hereto as Exhibit A. The shares of Virginia counties and independent cities who

elect not to become Participating Political Subdivisions, if any, shall be reallocated ratably to the Participating Political Subdivisions.

6. To the extent a Settlement requires that all Opioid Funds be used only for abatement or similar purposes, then the Subdivision Share and the Commonwealth Share shall be used for Approved Abatement Purposes.
7. To receive funds allocated under this MOU from any Settlement, the Commonwealth and the Participating Political Subdivisions will comply with the terms of any such Settlement, including, among other things, any reporting requirements or restrictions on the use of funds for administrative purposes.

C. Virginia Opioid Abatement Fund and Virginia Opioid Abatement Authority

1. The Parties have sought creation of a Virginia Opioid Abatement Authority (“Authority”) through legislation submitted to the Virginia General Assembly, which passed in the form attached hereto as Exhibit B. The Authority shall administer the Fund, which also shall be created through the legislation. The Authority shall seek to abate and remediate the opioid epidemic in Virginia through financial support from the Fund in the form of grants, donations, or other assistance, for efforts to treat, prevent, and reduce opioid use disorder and the misuse of opioids in Virginia.
2. The Authority shall be governed by a Board of Directors consisting of 11 members as follows: (i) the Secretary of Health and Human Resources, or his designee; (ii) the Chair of the Senate Committee on Finance and Appropriations or his designee and the Chair of the House Committee on Appropriations or his designee; (iii) an elected member of the governing body of a Participating Political Subdivision, to

be selected from a list of three submitted jointly by the Virginia Association of Counties and the Virginia Municipal League; (iv) one representative of a community services board or behavioral health authority of an urban or suburban region containing Participating Political Subdivisions and one representative of a community services board or behavioral health authority of a rural region containing Participating Political Subdivisions, each to be selected from lists of three submitted by the Virginia Association of Community Services Boards; (v) one sheriff of a Participating Political Subdivision, to be selected from a list of three submitted by the Virginia Sheriffs' Association; (vi) one licensed, practicing City or County Attorney of a Participating Political Subdivision, to be selected from a list of three submitted by the Local Government Attorneys of Virginia; (vii) two medical professionals with expertise in public and behavioral health administration or opioid use disorders and their treatment; and (viii) one representative of the addiction and recovery community.

- a. The members appointed pursuant to clause (i) shall serve ex officio, and the members appointed pursuant to clauses (iii) through (viii) shall be appointed by the Governor.
- b. After an initial staggering of terms, members of the Board shall serve terms of four years. No member shall be eligible to serve more than two terms. Any appointment to fill a vacancy shall be for the unexpired term. A person appointed to fill a vacancy may be appointed to serve two additional terms. Ex officio members shall serve terms coincident with their terms of office.

- c. The Board shall elect annually a chairman and vice-chairman from among its membership. The chairman, or in his absence the vice-chairman, shall preside at all meetings of the Board. A majority of the members of the Board serving at any one time shall constitute a quorum for the transaction of business. The Board shall meet annually or more frequently at the call of the chairman.
3. The Authority shall establish specific criteria and procedures for awards from the Fund; establish requirements for the submission of funding requests; evaluate funding requests in accordance with the criteria established by the Authority; make awards from the Fund in a manner that distributes funds equitably among all community services board regions of the Commonwealth, including the establishment of minimum percentages of funds that must be awarded to each Participating Political Subdivision; and evaluate the implementation and results of all efforts receiving support from the Authority.
4. The Authority may make grants and disbursements from the Fund that support efforts to treat, prevent, or reduce opioid use disorder or the misuse of opioids or otherwise abate or remediate the opioid epidemic. Such efforts may include but shall not be limited to the following:
 - a. Support treatment of opioid use disorder and any co-occurring substance use disorder or mental health conditions through evidence-based or evidence-informed methods, programs, or strategies.
 - b. Support people in recovery from opioid use disorder and any co-occurring substance use disorder or mental health conditions through evidence-based or evidence-informed methods, programs, or strategies;

- c. Provide connections to care for people who have, or are at risk of developing, opioid use disorder and any co-occurring substance use disorder or mental health conditions through evidence-based or evidence-informed methods, programs, or strategies;
- d. Support efforts, including law-enforcement programs, to address the needs of persons with opioid use disorder and any co-occurring substance use disorder or mental health conditions who are involved, or are at risk of becoming involved, in the criminal justice system through evidence-based or evidence-informed methods, programs, or strategies;
- e. Support drug treatment and recovery courts that provide evidence-based or evidence-informed options for people with opioid use disorder and any co-occurring substance use disorder or mental health conditions;
- f. Support efforts to address the needs of pregnant or parenting women with opioid use disorder and any co-occurring substance use disorder or mental health conditions, and the needs of their families, including babies with neonatal abstinence syndrome, through evidence-based or evidence-informed methods, programs, or strategies;
- g. Support efforts to prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids through evidence-based or evidence-informed methods, programs, or strategies;
- h. Support efforts to discourage or prevent misuse of opioids through evidence-based or evidence-informed methods, programs, or strategies;

- i. Support efforts to prevent or reduce overdose deaths or other opioid-related harms through evidence-based or evidence-informed methods, programs, or strategies; and
 - j. Support efforts to provide comprehensive resources for patients seeking opioid detoxification, including detoxification services.
5. The Authority shall provide financial support only for efforts that satisfy the following conditions:
 - a. The efforts shall be conducted or managed by a Virginia state agency or Participating Political Subdivision;
 - b. No support provided by the Authority shall be used by the recipient to supplant funding for an existing program or continue funding an existing program at its current amount of funding;
 - c. No support provided by the Authority shall be used by the recipient for indirect costs incurred in the administration of the financial support or for any other purpose proscribed by the Authority; and
 - d. Recipients of support provided by the Authority shall agree to provide the Authority with such information regarding the implementation of the effort and allow such monitoring and review of the effort as may be required by the Authority to ensure compliance with the terms under which the support is provided.
6. The Authority shall give priority to applications for financial support for efforts that:

- a. Collaborate with an existing program or organization that has an established record of success treating, preventing or reducing opioid use disorder or the misuse of opioids;
 - b. Treat, prevent, or reduce opioid use disorder or the misuse of opioids in a community with a high incidence of opioid use disorder or opioid death rate relative to population;
 - c. Treat, prevent or reduce opioid use disorder or the misuse of opioids in a historically economically disadvantaged community, as that term is defined in Va. Code § 56-576; or
 - d. Include a monetary match from or on behalf of the applicant, with higher priority given to an effort with a larger matching amount.
7. For every deposit to the Fund, the Authority shall allocate a portion to the following purposes:
- a. Fifteen percent (15%) shall be restricted for use by state agencies;
 - b. Fifteen percent (15%) shall be restricted for use by Participating Political Subdivisions with these funds distributed in accordance with the division of proceeds referenced in the schedule attached hereto as Exhibit A. The shares of Virginia counties and independent cities who elect not to become Participating Political Subdivisions, if any, shall be reallocated ratably to the Participating Political Subdivisions.
 - c. Thirty-five percent (35%) shall be restricted for use for regional efforts (a partnership of at least two Participating Political Subdivisions within a community services board region); and

- d. Thirty-five percent (35%) shall be unrestricted and may be used to fund the Authority's staffing and administrative costs and may be distributed for use by state agencies, by the Participating Political Subdivisions, or for regional efforts in addition to the amounts set forth in subparagraphs 7(a)-(c), provided that the Authority shall ensure that such funds are used to accomplish the purposes described above or invested as described immediately below.
8. In distributing money from the Fund, the Authority shall balance immediate and anticipated needs with projected receipts of funds in order to best accomplish the purposes for which the Authority is established.
9. The Board may designate any amount from the Fund to be invested, reinvested, and managed by the Board of the Virginia Retirement System.

D. Payment of Counsel and Litigation Expenses

1. The Parties anticipate that any national Settlement will provide for payment of all or a portion of the attorneys' fees and litigation expenses of named plaintiff Participating Political Subdivisions. Counsel for any named plaintiff Participating Political Subdivision that seeks to recover attorneys' fees and litigation expenses from Settlement funds shall first seek to recover such fees and expenses from any national Settlement fund established to pay such fees and expenses. For such purposes, the Parties agree that the monetary recoveries obtained via Settlement are attributable to the Commonwealth and the Political Subdivisions 50% each.
2. In addition, the Parties agree that a supplemental attorneys' fees and costs fund (the "Deficiency Fund") will be created; provided, however, that such Deficiency Fund may not violate the terms of any national Settlement. In such event, the Parties

agree to exert diligent efforts to accomplish an alternate arrangement that preserves the payment of counsel and litigation expenses outlined hereunder. Administration of the Deficiency Fund shall be the responsibility of the Political Subdivisions, and the costs of administration may be paid out of the Deficiency Fund.

3. The Deficiency Fund is to be used to compensate counsel for the Participating Political Subdivisions that filed suit on or prior to April 30, 2020. Eligible contingent fee contracts shall have been executed on or before April 30, 2020.
4. The Deficiency Fund shall be funded as follows: from any national Settlement, the funds deposited in the Deficiency Fund shall be 25% of the Subdivision Share and 25% of the Direct Subdivision Abatement Share of each payment (annual or otherwise) that is allocated to the Commonwealth of Virginia (including its political subdivisions) for that Settlement. These funds shall be deposited to the Deficiency Fund prior to distribution to the Participating Political Subdivisions. No portion of the Deficiency Fund shall be drawn from the Commonwealth Share or the Fund.
5. The maximum percentage of any contingency fee agreement permitted for compensation shall be 25% of the portion of the Subdivision Share and the Direct Subdivision Abatement Share attributable to the named plaintiff Participating Political Subdivision that is a party to the contingency fee agreement, plus expenses attributable to that named plaintiff Participating Political Subdivision. Under no circumstances may counsel collect more for its work on behalf of a named plaintiff Participating Political Subdivision than it would under its contingency agreement with that named plaintiff Participating Political Subdivision.

6. To the extent that funds available in the designated amounts or percentages set forth in this Section D are inadequate to fully pay amounts due under contingent fee contracts, funds shall be distributed to private counsel for named plaintiff Participating Political Subdivisions who filed suit and entered into contingent fee contracts prior to April 30, 2020 on a pro rata basis based on the percentage of the total population of named plaintiff Participating Political Subdivisions contained in the named plaintiff Participating Political Subdivision that private counsel represents.
7. Any funds remaining in the Deficiency Fund in excess of the amounts needed to cover private counsel's representation agreements shall revert to the Participating Political Subdivisions and be allocated to the sources from which they derived.
8. Any attorneys' fees related to representation of the Commonwealth of Virginia shall not be paid from the Subdivision Share, the Direct Subdivision Abatement Share, or the Fund but shall be drawn directly from the Commonwealth Share or through other sources. Any payments of attorneys' fees related to representation of the Commonwealth of Virginia from such other sources shall not be deemed Opioid Funds subject to allocation under this MOU.

E. Settlement Negotiations

1. The Negotiating Committee members agree to inform each other in advance of any negotiations relating to any Virginia-only Settlement with a Pharmaceutical Supply Chain Participant that includes both the Commonwealth and its Political Subdivisions and shall provide each other the opportunity to participate in such negotiations.

2. The Parties further agree to keep each other reasonably informed of all other global settlement negotiations with Pharmaceutical Supply Chain Participants. Neither this provision, nor any other, shall be construed to state or imply that the Commonwealth or the Political Subdivisions are unauthorized to engage in settlement negotiations with Pharmaceutical Supply Chain Participants without prior consent or contemporaneous participation of the other, or that either party is entitled to participate as an active or direct participant in settlement negotiations with the other. Rather, while the Commonwealth's and the Political Subdivisions' efforts to achieve worthwhile settlements are to be collaborative, incremental stages need not be so.
3. As this is a Virginia-specific effort, the Negotiating Committee shall be chaired by the Attorney General or his designee.
4. The Commonwealth of Virginia, the Political Subdivisions, or Counsel may withdraw from coordinated Settlement discussions detailed in this Section upon 5 days' written notice to the remaining Committee Members and counsel for any affected Pharmaceutical Supply Chain Participant. The withdrawal of any Member releases the remaining Committee Members from the restrictions and obligations in this Section E.
5. The obligations in this Section E shall not affect any Party's right to proceed with trial or, within 30 days of the date upon which a trial involving that Party's claims against a specific Pharmaceutical Supply Chain Participant is scheduled to begin, reach a case-specific resolution with that particular Pharmaceutical Supply Chain Participant.

6. Nothing in this MOU alters or changes the right of the Commonwealth or any Political Subdivision to pursue its own claim. The intent of this MOU is to join the Parties to reach a Settlement or Settlements.

Acknowledgment of Agreement

We, the undersigned, have participated in the drafting of the above MOU, including comments solicited from client Political Subdivisions. This document has been collaboratively drafted to maintain all individual claims while allowing the Commonwealth and its Political Subdivisions to cooperate in exploring all possible means of resolution. Nothing in this agreement binds any party to any specific outcome. Any resolution under this document will require acceptance by the Commonwealth of Virginia and the Participating Political Subdivisions.

We, the undersigned, hereby accept the VIRGINIA OPIOID ABATEMENT FUND AND SETTLEMENT ALLOCATION MEMORANDUM OF UNDERSTANDING. We understand that the purpose of this MOU is to permit collaboration between the Commonwealth of Virginia and Political Subdivisions to explore and potentially effectuate earlier resolution of the Opioid Litigation against Pharmaceutical Supply Chain Participants. We also understand that an additional purpose is to create an effective means of distributing any potential Settlement funds obtained under this MOU between the Commonwealth of Virginia and the Participating Political Subdivisions in a manner that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Virginia.

Executed this _____ day of _____, 2021.

FOR THE COMMONWEALTH OF VIRGINIA:

MARK R. HERRING
ATTORNEY GENERAL

FOR POLITICAL SUBDIVISIONS AND COUNSEL (list firms)

EXHIBIT A

Table 1: Opioid Settlement Allocations to Counties and Independent Cities

| Location | % | Location | % | Location | % |
|-----------------------|--------|---------------------|--------|---------------------|--------|
| Accomack | 0.348% | Franklin City | 0.079% | Norton City | 0.110% |
| Albemarle | 0.863% | Frederick | 1.277% | Nottoway | 0.133% |
| Alexandria City | 1.162% | Fredericksburg City | 0.524% | Orange | 0.638% |
| Alleghany | 0.213% | Galax City | 0.139% | Page | 0.410% |
| Amelia | 0.100% | Giles | 0.409% | Patrick | 0.329% |
| Amherst | 0.299% | Gloucester | 0.424% | Petersburg City | 0.395% |
| Appomattox | 0.133% | Goochland | 0.225% | Pittsylvania | 0.750% |
| Arlington | 1.378% | Grayson | 0.224% | Poquoson City | 0.186% |
| Augusta | 0.835% | Greene | 0.178% | Portsmouth City | 1.937% |
| Bath | 0.037% | Greensville | 0.124% | Powhatan | 0.262% |
| Bedford | 0.777% | Halifax | 0.353% | Prince Edward | 0.190% |
| Bland | 0.147% | Hampton City | 1.538% | Prince George | 0.351% |
| Botetourt | 0.362% | Hanover | 1.079% | Prince William | 3.556% |
| Bristol City | 0.434% | Harrisonburg City | 0.523% | Pulaski | 1.061% |
| Brunswick | 0.107% | Henrico | 4.473% | Radford City | 0.247% |
| Buchanan | 0.929% | Henry | 1.220% | Rappahannock | 0.091% |
| Buckingham | 0.127% | Highland | 0.023% | Richmond | 0.084% |
| Buena Vista City | 0.078% | Hopewell City | 0.344% | Richmond City | 4.225% |
| Campbell | 0.456% | Isle of Wight | 0.356% | Roanoke | 1.498% |
| Caroline | 0.318% | James City | 0.612% | Roanoke City | 1.859% |
| Carroll | 0.440% | King George | 0.306% | Rockbridge | 0.235% |
| Charles City | 0.073% | King William | 0.178% | Rockingham | 0.614% |
| Charlotte | 0.138% | King and Queen | 0.072% | Russell | 1.064% |
| Charlottesville City | 0.463% | Lancaster | 0.135% | Salem City | 0.786% |
| Chesapeake City | 2.912% | Lee | 0.556% | Scott | 0.421% |
| Chesterfield | 4.088% | Lexington City | 0.093% | Shenandoah | 0.660% |
| Clarke | 0.125% | Loudoun | 2.567% | Smyth | 0.592% |
| Colonial Heights City | 0.283% | Louisa | 0.449% | Southampton | 0.137% |
| Covington City | 0.100% | Lunenburg | 0.088% | Spotsylvania | 1.417% |
| Craig | 0.070% | Lynchburg City | 0.816% | Stafford | 1.443% |
| Culpeper | 0.790% | Madison | 0.163% | Staunton City | 0.440% |
| Cumberland | 0.100% | Manassas City | 0.452% | Suffolk City | 0.710% |
| Danville City | 0.637% | Manassas Park City | 0.095% | Surry | 0.058% |
| Dickenson | 0.948% | Martinsville City | 0.494% | Sussex | 0.081% |
| Dinwiddie | 0.196% | Mathews | 0.088% | Tazewell | 1.606% |
| Emporia City | 0.050% | Mecklenburg | 0.344% | Virginia Beach City | 4.859% |
| Essex | 0.101% | Middlesex | 0.108% | Warren | 0.766% |
| Fairfax | 8.672% | Montgomery | 1.205% | Washington | 0.996% |

| | | | | | |
|-------------------|--------|-------------------|--------|-------------------|--------|
| Fairfax City | 0.269% | Nelson | 0.147% | Waynesboro City | 0.363% |
| Falls Church City | 0.102% | New Kent | 0.156% | Westmoreland | 0.223% |
| Fauquier | 1.210% | Newport News City | 2.047% | Williamsburg City | 0.086% |
| Floyd | 0.182% | Norfolk City | 3.388% | Winchester City | 0.649% |
| Fluvanna | 0.194% | Northampton | 0.122% | Wise | 1.756% |
| Franklin | 0.954% | Northumberland | 0.129% | Wythe | 0.642% |
| | | | | York | 0.561% |

EXHIBIT B

Va. Code Ann. § 2.2-2365

Current through the 2021 Regular Session and Special Session I of the General Assembly

VA - Code of Virginia (Annotated) > TITLE 2.2. ADMINISTRATION OF GOVERNMENT > SUBTITLE I. ORGANIZATION OF STATE GOVERNMENT > PART D. STATE AUTHORITIES, BOARDS, COMMISSIONS, COUNCILS, FOUNDATIONS AND OTHER COLLEGIAL BODIES > CHAPTER 22. AUTHORITIES > ARTICLE 12. OPIOID ABATEMENT AUTHORITY

§ 2.2-2365. Definitions

As used in this article, unless the context requires a different meaning:

"*Authority*" means the Opioid Abatement Authority.

"*Board*" means the board of directors of the Authority.

"*Community services board region*" means a region as determined by the Department of Behavioral Health and Developmental Services for purposes of administering Chapter 5 (§ 37.2-500 et seq.) of Title 37.2.

"*Fund*" means the Opioid Abatement Fund.

"*Historically economically disadvantaged community*" means the same as such term is defined in § 56-576.

"*Local apportionment formula*" means any formula submitted to the Attorney General by participating localities pursuant to the provisions of subsection B of § 2.2-507.3.

"*Participating locality*" means any county or independent city that agrees to be bound by the terms of a settlement agreement entered into by the Attorney General relating to claims regarding the manufacturing, marketing, distribution, or sale of opioids, and that releases its own such claims.

"*Regional effort*" means any effort involving a partnership of at least two participating localities within a community services board region.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EFFECTIVE DATE. --

This section is effective July 1, 2021.

End of Document

Va. Code Ann. § 2.2-2366

Current through the 2021 Regular Session and Special Session I of the General Assembly

VA - Code of Virginia (Annotated) > TITLE 2.2. ADMINISTRATION OF GOVERNMENT > SUBTITLE I. ORGANIZATION OF STATE GOVERNMENT > PART D. STATE AUTHORITIES, BOARDS, COMMISSIONS, COUNCILS, FOUNDATIONS AND OTHER COLLEGIAL BODIES > CHAPTER 22. AUTHORITIES > ARTICLE 12. OPIOID ABATEMENT AUTHORITY

§ 2.2-2366. Opioid Abatement Authority established

The Opioid Abatement Authority is established as an independent body. The purpose of the Authority is to abate and remediate the opioid epidemic in the Commonwealth through financial support from the Fund, in the form of grants, donations, or other assistance, for efforts to treat, prevent, and reduce opioid use disorder and the misuse of opioids in the Commonwealth. The Authority's exercise of powers conferred by this article shall be deemed to be the performance of an essential governmental function and matters of public necessity for which public moneys may be spent and private property acquired.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EFFECTIVE DATE. --

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Va. Code Ann. § 2.2-2367

Current through the 2021 Regular Session and Special Session I of the General Assembly

VA - Code of Virginia (Annotated) > TITLE 2.2. ADMINISTRATION OF GOVERNMENT > SUBTITLE I. ORGANIZATION OF STATE GOVERNMENT > PART D. STATE AUTHORITIES, BOARDS, COMMISSIONS, COUNCILS, FOUNDATIONS AND OTHER COLLEGIAL BODIES > CHAPTER 22. AUTHORITIES > ARTICLE 12. OPIOID ABATEMENT AUTHORITY

§ 2.2-2367. Board of directors; members

A. The Authority shall be governed by a board of directors consisting of 11 members as follows: (i) the Secretary of Health and Human Resources or his designee; (ii) the Chair of the Senate Committee on Finance and Appropriations or his designee and the Chair of the House Committee on Appropriations or his designee; (iii) an elected member of the governing body of a participating locality, to be selected from a list of three submitted jointly by the Virginia Association of Counties and the Virginia Municipal League; (iv) one representative of a community services board or behavioral health authority serving an urban or suburban region containing participating localities and one representative of a community services board or behavioral health authority serving a rural region containing participating localities, each to be selected from lists of three submitted by the Virginia Association of Community Services Boards; (v) one sheriff of a participating locality, to be selected from a list of three submitted by the Virginia Sheriffs' Association; (vi) one licensed, practicing county or city attorney of a participating locality, to be selected from a list of three submitted by the Local Government Attorneys of Virginia; (vii) two medical professionals with expertise in public and behavioral health administration or opioid use disorders and their treatment; and (viii) one representative of the addiction and recovery community.

The member appointed pursuant to clause (i) shall serve *ex officio*, and the members appointed pursuant to clauses (iii) through (viii) shall be appointed by the Governor. If the term of the office to which a member appointed pursuant to clause (iii) or (v) was elected expires prior to the expiration of his term as a member of the board, the Governor may authorize such member to complete the remainder of his term as a member or may appoint a new member who satisfies the criteria of clause (iii) or (v), as applicable, to complete the remainder of the term.

B.1. After an initial staggering of terms, members of the Board shall serve terms of four years. No member shall be eligible to serve more than two terms. Any appointment to fill a vacancy shall be for the unexpired term. A person appointed to fill a vacancy may be appointed to serve two additional terms.

2. *Ex officio* members shall serve terms coincident with their terms of office.

C. The Board shall elect annually a chairman and vice-chairman from among its membership. The chairman, or in his absence the vice-chairman, shall preside at all meetings of the Board.

D. A majority of the members of the Board serving at any one time shall constitute a quorum for the transaction of business.

E. The Board shall meet annually or more frequently at the call of the chairman.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EDITOR'S NOTE. --

Acts 2021, Sp. Sess. I, cc. 306 and 307, cl. 2 provides: "That the initial appointments of nonlegislative citizen members to the board of directors of the Opioid Abatement Authority shall be staggered as follows: (i) two nonlegislative citizen members appointed by the Governor shall be appointed for a term of one year, (ii) two nonlegislative citizen members appointed by the Governor shall be appointed for a term of two years, (iii) two nonlegislative citizen members appointed by the Governor shall be appointed for a term of three years, and (iv) two nonlegislative citizen members appointed by the Governor shall be appointed for a term of four years. For purposes of this enactment, "nonlegislative citizen member" means any member identified in clauses (iii) through (viii) of § 2.2-2367 of the Code of Virginia, as created by this act. Any nonlegislative citizen member appointed to an initial term of less than four years shall be eligible to serve two additional full four-year terms."

EFFECTIVE DATE. --

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Va. Code Ann. § 2.2-2368

Current through the 2021 Regular Session and Special Session I of the General Assembly

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§ 2.2-2368. Duties of the Authority

The Authority shall:

1. Establish specific criteria and procedures for awards from the Fund;
2. Establish requirements for the submission of funding requests;
3. Evaluate funding requests in accordance with the criteria established by the Authority and the provisions of this article;
4. Make awards from the Fund in a manner that distributes funds equitably among all community services board regions of the Commonwealth, including the establishment of mandatory minimum percentages of funds to be awarded from the Commonwealth to each participating locality;
5. Evaluate the implementation and results of all efforts receiving support from the Authority; and
6. Administer the Fund in accordance with the provisions of this article.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

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Va. Code Ann. § 2.2-2369

Current through the 2021 Regular Session and Special Session I of the General Assembly

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§ 2.2-2369. Powers of the Authority

In order to carry out its purposes, the Authority may:

1. Make grants and disbursements from the Fund that support efforts to treat, prevent, and reduce opioid use disorder and the misuse of opioids or otherwise abate or remediate the opioid epidemic;
2. Pay expenditures from the Fund that are necessary to carry out the purposes of this article;
3. Contract for the services of consultants to assist in the evaluation of the efforts funded by the Authority;
4. Contract for other professional services to assist the Authority in the performance of its duties and responsibilities;
5. Accept, hold, administer, and solicit gifts, grants, bequests, contributions, or other assistance from federal agencies, the Commonwealth, or any other public or private source to carry out the purposes of this article;
6. Enter into any agreement or contract relating to the acceptance or use of any grant, assistance, or support provided by or to the Authority or otherwise in furtherance of the purposes of this article;
7. Perform any lawful acts necessary or appropriate to carry out the purposes of the Authority; and
8. Employ such staff as is necessary to perform the Authority's duties. The Authority may determine the duties of such staff and fix the salaries and compensation of such staff, which shall be paid from the Fund. Staff of the Authority shall be treated as state employees for purposes of participation in the Virginia Retirement System, health insurance, and all other employee benefits offered by the Commonwealth to its classified employees. Staff of the Authority shall not be subject to the provisions of Chapter 29 (§ 2.2-2900 et seq.) of Title 2.2.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

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Va. Code Ann. § 2.2-2370

Current through the 2021 Regular Session and Special Session I of the General Assembly

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§ 2.2-2370. Conditions and restrictions on financial assistance

A. The Authority shall provide financial support only for efforts that satisfy the following conditions:

1. The efforts shall be designed to treat, prevent, or reduce opioid use disorder or the misuse of opioids or otherwise abate or remediate the opioid epidemic, which may include efforts to:

a. Support treatment of opioid use disorder and any co-occurring substance use disorder or mental health conditions through evidence-based or evidence-informed methods, programs, or strategies;

b. Support people in recovery from opioid use disorder and any co-occurring substance use disorder or mental health conditions through evidence-based or evidence-informed methods, programs, or strategies;

c. Provide connections to care for people who have, or are at risk of developing, opioid use disorder and any co-occurring substance use disorder or mental health conditions through evidence-based or evidence-informed methods, programs, or strategies;

d. Support efforts, including law-enforcement programs, to address the needs of persons with opioid use disorder and any co-occurring substance use disorder or mental health conditions who are involved in, or are at risk of becoming involved in, the criminal justice system through evidence-based or evidence-informed methods, programs, or strategies;

e. Support drug treatment and recovery courts that provide evidence-based or evidence-informed options for people with opioid use disorder and any co-occurring substance use disorder or mental health conditions;

f. Support efforts to address the needs of pregnant or parenting women with opioid use disorder and any co-occurring substance use disorder or mental health conditions and the needs of their families, including infants with neonatal abstinence syndrome, through evidence-based or evidence-informed methods, programs, or strategies;

g. Support efforts to prevent overprescribing and ensure appropriate prescribing and dispensing of opioids through evidence-based or evidence-informed methods, programs, or strategies;

h. Support efforts to discourage or prevent misuse of opioids through evidence-based or evidence-informed methods, programs, or strategies;

i. Support efforts to prevent or reduce overdose deaths or other opioid-related harms through evidence-based or evidence-informed methods, programs, or strategies; and

j. Support efforts to provide comprehensive resources for patients seeking opioid detoxification, including detoxification services;

2. The efforts shall be conducted or managed by any agency of the Commonwealth or participating locality;

3. No support provided by the Authority shall be used by the recipient to supplant funding for an existing program or continue funding an existing program at its current amount of funding;

4. No support provided by the Authority shall be used by the recipient for indirect costs incurred in the administration of the financial support or for any other purpose proscribed by the Authority; and

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5. Recipients of support provided by the Authority shall agree to provide the Authority with such information regarding the implementation of the effort and allow such monitoring and review of the effort as may be required by the Authority to ensure compliance with the terms under which the support is provided.

B. The Authority shall give priority to applications for financial support for efforts that:

1. Collaborate with an existing program or organization that has an established record of success treating, preventing, or reducing opioid use disorder or the misuse of opioids;
2. Treat, prevent, or reduce opioid use disorder or the misuse of opioids in a community with a high incidence of opioid use disorder or opioid death rate, relative to population;
3. Treat, prevent, or reduce opioid use disorder or the misuse of opioids in a historically economically disadvantaged community; or
4. Include a monetary match from or on behalf of the applicant, with higher priority given to an effort with a larger matching amount.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EFFECTIVE DATE. --

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Va. Code Ann. § 2.2-2371

Current through the 2021 Regular Session and Special Session I of the General Assembly

VA - Code of Virginia (Annotated) > TITLE 2.2. ADMINISTRATION OF GOVERNMENT > SUBTITLE I. ORGANIZATION OF STATE GOVERNMENT > PART D. STATE AUTHORITIES, BOARDS, COMMISSIONS, COUNCILS, FOUNDATIONS AND OTHER COLLEGIAL BODIES > CHAPTER 22. AUTHORITIES > ARTICLE 12. OPIOID ABATEMENT AUTHORITY

§ 2.2-2371. Cooperation with other agencies

All agencies of the Commonwealth shall cooperate with the Authority and, upon request, assist the Authority in the performance of its duties and responsibilities.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EFFECTIVE DATE. --

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Va. Code Ann. § 2.2-2372

Current through the 2021 Regular Session and Special Session I of the General Assembly

VA - Code of Virginia (Annotated) > TITLE 2.2. ADMINISTRATION OF GOVERNMENT > SUBTITLE I. ORGANIZATION OF STATE GOVERNMENT > PART D. STATE AUTHORITIES, BOARDS, COMMISSIONS, COUNCILS, FOUNDATIONS AND OTHER COLLEGIAL BODIES > CHAPTER 22. AUTHORITIES > ARTICLE 12. OPIOID ABATEMENT AUTHORITY

§ 2.2-2372. Form and audit of accounts and records

A. The accounts and records of the Authority showing the receipt and disbursement of funds from whatever source derived shall be in such form as the Auditor of Public Accounts prescribes.

B. The accounts and records of the Authority are subject to an annual audit by the Auditor of Public Accounts or his legal representative.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EFFECTIVE DATE. --

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Va. Code Ann. § 2.2-2373

Current through the 2021 Regular Session and Special Session I of the General Assembly

VA - Code of Virginia (Annotated) > TITLE 2.2. ADMINISTRATION OF GOVERNMENT > SUBTITLE I. ORGANIZATION OF STATE GOVERNMENT > PART D. STATE AUTHORITIES, BOARDS, COMMISSIONS, COUNCILS, FOUNDATIONS AND OTHER COLLEGIAL BODIES > CHAPTER 22. AUTHORITIES > ARTICLE 12. OPIOID ABATEMENT AUTHORITY

§ 2.2-2373. Annual report

The Authority shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the Authority no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website. The executive summary shall include information regarding efforts supported by the Authority and expenditures from the Fund.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EFFECTIVE DATE. --

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Va. Code Ann. § 2.2-2374

Current through the 2021 Regular Session and Special Session I of the General Assembly

VA - Code of Virginia (Annotated) > TITLE 2.2. ADMINISTRATION OF GOVERNMENT > SUBTITLE I. ORGANIZATION OF STATE GOVERNMENT > PART D. STATE AUTHORITIES, BOARDS, COMMISSIONS, COUNCILS, FOUNDATIONS AND OTHER COLLEGIAL BODIES > CHAPTER 22. AUTHORITIES > ARTICLE 12. OPIOID ABATEMENT AUTHORITY

§ 2.2-2374. Opioid Abatement Fund

A. There is hereby created in the state treasury a special, nonreverting fund to be known as the Opioid Abatement Fund, referred to in this section as "the Fund," to be administered by the Authority. All funds appropriated to the Fund, all funds designated by the Attorney General under § 2.2-507.3 from settlements, judgments, verdicts, and other court orders relating to claims regarding the manufacturing, marketing, distribution, or sale of opioids, and any gifts, donations, grants, bequests, and other funds received on the Fund's behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund at the end of each fiscal year, including interest thereon, shall not revert to the general fund but shall remain in the Fund. Expenditures and disbursements from the Fund, which may consist of grants or loans, shall be authorized by majority vote of the Board.

B. Moneys in the Fund shall be used to provide grants and loans to any agency of the Commonwealth or participating locality for the purposes determined by the Authority in accordance with this article and in consultation with the Office of the Attorney General. The Authority shall develop guidelines, procedures, and criteria for the application for and award of grants or loans in consultation with the Office of the Attorney General. Such guidelines, procedures, and criteria shall comply with the terms of any applicable settlement, judgment, verdict, or other court order, or any agreement related thereto between the Attorney General and participating localities.

C. The Authority shall fund all staffing and administrative costs from the Fund. Its expenditures for staffing and administration shall be limited to those that are reasonable for carrying out the purposes of this article.

D. For every deposit to the Fund, the Authority shall allocate a portion to the following purposes:

1. Fifteen percent shall be restricted for use by state agencies;
2. Fifteen percent shall be restricted for use by participating localities, provided that if the terms of a settlement, judgment, verdict, or other court order, or any agreement related thereto between the Attorney General and participating localities, require this portion to be distributed according to a local apportionment formula, this portion shall be distributed in accordance with such formula;
3. Thirty-five percent shall be restricted for use for regional efforts; and
4. Thirty-five percent shall be unrestricted. Unrestricted funds may be used to fund the Authority's staffing and administrative costs and may be distributed for use by state agencies, by participating localities, or for regional efforts in addition to the amounts set forth in subdivisions 1, 2, and 3, provided that the Authority shall ensure that such funds are used to accomplish the purposes of this article or invested under subsection F.

E. In distributing money from the Fund under subsection D, the Authority shall balance immediate and anticipated needs with projected receipts of funds to best accomplish the purposes for which the Authority is established.

Va. Code Ann. § 2.2-2374

F. The Board may designate any amount from the Fund to be invested, reinvested, and managed by the Board of the Virginia Retirement System as provided in § 51.1-124.40. The State Treasurer is not liable for losses suffered by the Virginia Retirement System on investments made under the authority of this section.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EFFECTIVE DATE. --

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Va. Code Ann. § 2.2-2375

Current through the 2021 Regular Session and Special Session I of the General Assembly

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§ 2.2-2375. Exemption from taxes or assessments

The exercise of the powers granted by this article shall be in all respects for the benefit of the people of the Commonwealth, for the increase of their commerce and prosperity, and for the improvement of their health and living conditions, and as the operation and maintenance of projects by the Authority and the undertaking of activities in furtherance of the purpose of the Authority constitute the performance of essential governmental functions, the Authority shall not be required to pay any taxes or assessments upon any project or any property acquired or used by the Authority under the provisions of this article or upon the income therefrom, including sales and use taxes on tangible personal property used in the operations of the Authority, and shall at all times be free from state and local taxation. The exemption granted in this section shall not be construed to extend to persons conducting on the premises of a facility businesses for which local or state taxes would otherwise be required.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EFFECTIVE DATE. --

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Va. Code Ann. § 2.2-2376

Current through the 2021 Regular Session and Special Session I of the General Assembly

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§ 2.2-2376. Exemption of Authority from personnel and procurement procedures

The provisions of the Virginia Personnel Act (§ 2.2-2900 et seq.) and the Virginia Public Procurement Act (§ 2.2-4300 et seq.) shall not apply to the Authority in the exercise of any power conferred under this article.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EFFECTIVE DATE. --

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End of Document

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

COUNCIL AGENDA ITEM TITLE: Stormwater Resilience Plan

ISSUE: Follow-up Discussion and Adoption of the Stormwater Resilience Plan Tour to facilitate future grant applications.

RECOMMENDATION: Staff recommends adoption of the Stormwater Resilience Plan

TIMING: Action is requested at the September 28, 2021 meeting.

BACKGROUND: The City Engineer’s Office and the Department of Public Works developed the City of Hopewell Stormwater Resilience Plan which placed stormwater drainage improvement projects into 1 of 5 categories – Public Works Stormwater, Short Range, Intermediate Range, Long Range and Channel-Outfall. City Council toured stormwater projects and received an overview of projects that were recently completed, are scheduled for construction, and are in the planning phase. Additionally, the connectivity between the projects was discussed along with some of the challenges associated with the projects.

ENCLOSED DOCUMENTS:

- Stormwater Resilience Plan
- Stormwater Program Revenue Overview
- VPDES Industrial Utility Fee Credit

STAFF:

Johnnie E. Butler, City Engineer

SUMMARY:

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

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

Austin B. Anderson, Construction Manager
Stephen Edwards, Stormwater Program Manager

FOR IN MEETING USE ONLY

MOTION: _____

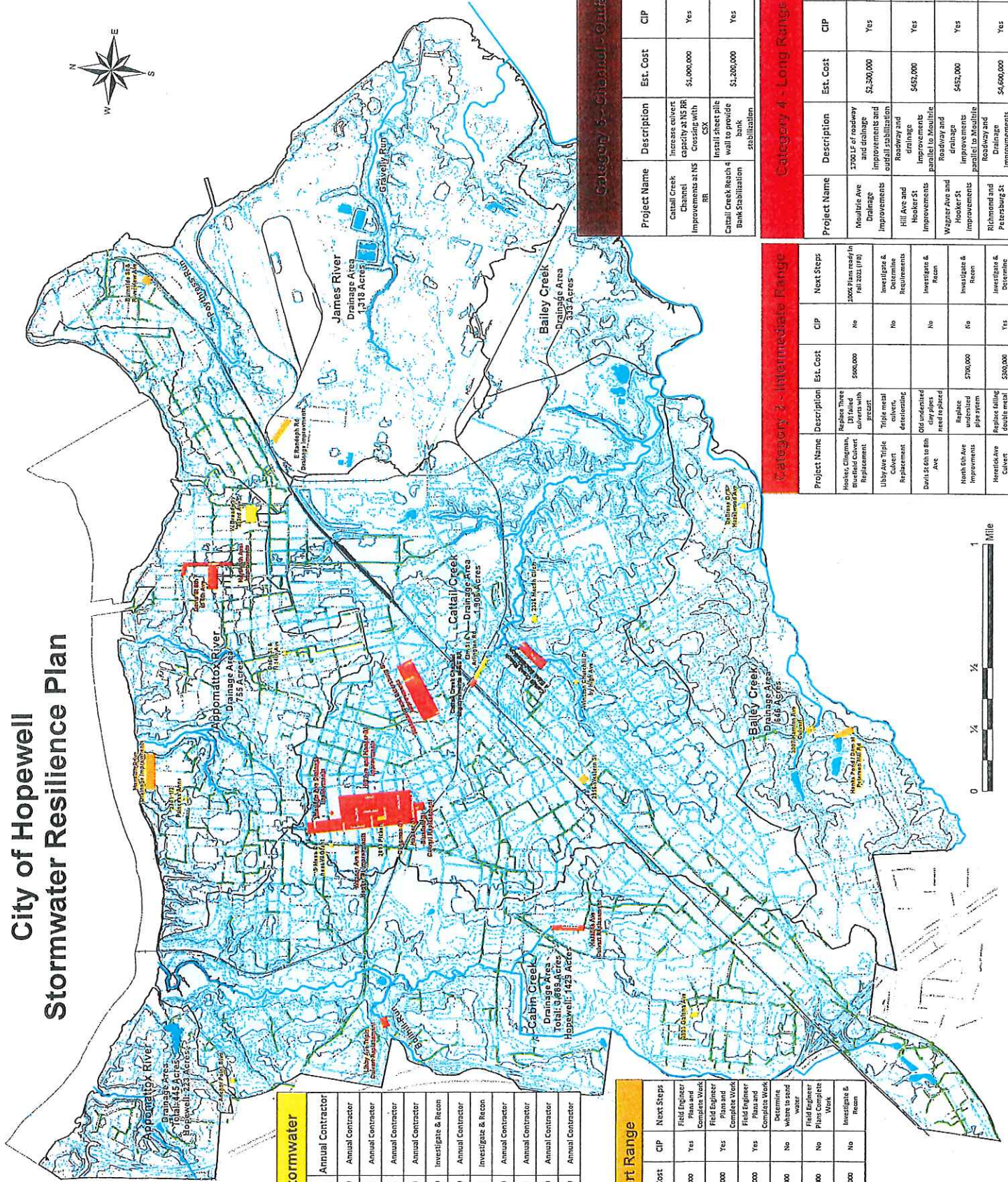
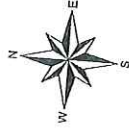
Roll Call

SUMMARY:

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

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

City of Hopewell Stormwater Resilience Plan



Category 1 - PW Stormwater

| Project Name | Description | Est. Cost | Annual Contractor |
|--|--|-----------|---------------------|
| Anchor Point Blvd | Need to rebuild pipe | \$10,000 | Annual Contractor |
| 2813 Pickets St | 15' single well pipe failure | \$5,000 | Annual Contractor |
| S Mesa Dr near W Green | Separation of pipe | \$5,000 | Annual Contractor |
| 2705 1/2 Prince Anne | Manhole pipe failure need to replace | \$15,000 | Annual Contractor |
| W Broadway & 1st Ave | Pipe not draining, unclean to 1/2 | \$15,000 | Investigate & Recon |
| Dolin St & N 14th Ave | Pipe separating under road | \$10,000 | Annual Contractor |
| 2318 Madelin Circle | Separation of pipe | \$6,000 | Investigate & Recon |
| Arlington Rd | Clean debris from channel | \$15,000 | Annual Contractor |
| Bellrose Dr & Hazlewood Ave | Replace top slab of inlet | \$1,000 | Annual Contractor |
| Winston Churchhill Dr by 3903 Galena Ave | Recess endwall falling out of pipe half full of roots. | \$15,000 | Annual Contractor |
| | | \$25,000 | Annual Contractor |

Category 2 - Short Range

| Project Name | Description | Est. Cost | CIP | Next Steps |
|-------------------------------------|---|-------------|-----|--|
| Hanks Road/2nd at Peterson Mill Rd | Full S/S overflow, clean, with Outfall Protection | 970,000 | Yes | Field Engineer Complete Work |
| Mission Drive Drainage Improvements | Install Curbs & Curb, Drive Way Areas | \$4,000,000 | Yes | Field Engineer Plans and Complete Work |
| E Randolph Rd Drainage Improvements | R-1 curb, sidewalk Drainage Collection | \$100,000 | Yes | Field Engineer Plans and Complete Work |
| Burndick St & Rosecrans Ave | Two inlets not connected to an outfall | \$30,000 | No | Determine where to send water |
| 3215 Western St | System engaged beyond cleaning | \$30,000 | No | Field Engineer Plans Complete Work |
| 3307 Hampton Ave | Constant Flooding | \$100,000 | No | Investigate & Recon |

Category 3 - Channel Outfall

| Project Name | Description | Est. Cost | CIP | Next Steps |
|---|--|-------------|-----|---------------------------------------|
| Cattail Creek Channel Improvements at NS RR | Increase culvert capacity at NS RR Crossing with CSX | \$1,000,000 | Yes | Awaiting CIP Funding US House of Rep. |
| Cattail Creek Reach 4 Bank Stabilization | Install sheet pile bank stabilization | \$1,200,000 | Yes | Awaiting FEMA Pre-Disaster Mitigation |

Category 4 - Long Range

| Project Name | Description | Est. Cost | CIP | Next Steps |
|------------------------------------|--|-------------|-----|------------------------------------|
| Moultrie Ave Drainage Improvements | 2700 LF of roadway and drainage improvements and outfall stabilization | \$3,200,000 | Yes | 100% Plans Ready in Fall 2021 (F8) |
| Hill Ave and Hooker St | Roadway and drainage improvements parallel to Moultrie | \$453,000 | Yes | VOTRSP - PE Start in FY 25 |
| Wagner Ave and Hooker St | Roadway and drainage improvements parallel to Moultrie | \$453,000 | Yes | VOTRSP - PE Start in FY 25 |
| Richmond and Petersburg St | Roadway and drainage improvements parallel to Moultrie | \$4,600,000 | Yes | VOTRSP - PE Start in FY 27 |

Category 5 - Intermediate Range

| Project Name | Description | Est. Cost | CIP | Next Steps |
|---|---|-----------|-----|--------------------------------------|
| Hooker, Cligman, Mitchell Culvert Replacement | Replace Three (3) failed culverts with 30" pipe | 500,000 | No | 200% Plans ready in Fall 2021 (F9) |
| Libby Ave Triple Culvert Replacement | Triple metal culvert replacement | | No | Investigate & Determine Requirements |
| Davis St to 8th Ave | Old undrained day pipes need replaced | | No | Investigate & Recon |
| North 6th Ave Improvements | Rebuild undersized pipe system | 2700,000 | No | Investigate & Recon |
| Herndrick Ave Culvert Replacement | Replace failing double metal culvert | 600,000 | Yes | Investigate & Determine Requirements |



| Level of Service | Revenue | | | Project Budget | | |
|--------------------|-------------------|----------------|-------------------|-------------------|----------------|-------------------|
| | Predicted (FY 15) | Actual (FY 20) | Projected (FY 20) | Predicted (FY 15) | Actual (FY 20) | Projected (FY 20) |
| LOS 5 \$8/ERU | \$2.7M | | \$2.3M | \$1.6M | | \$892K |
| LOS 4 \$6/ERU | \$2.1M | | \$1.8M | \$1.1M | | \$669K |
| LOS 3 \$5/ERU | \$1.8M | | \$1.5M | \$925K | | \$557K |
| LOS 2 \$4.5/ERU | \$1.4M | | \$1.2M | \$725K | | \$501K |
| LOS 1 \$4/ERU | \$1.0M | \$0.85M | | \$675K | \$0.6M | |

1. Projected Revenue and Project Budget based on actual data from FY 2020.
2. Actual FY 2020 Revenue was 86% of Predicted Revenue, which was used to project revenue for higher fees
3. Project Budget includes MS4 Projects and Maintenance (Category 1 & 2 from SWRP).
4. The annual VPDES Industrial Permit 90% Utility Fee Credit is approximately \$318K - See Table 1.
5. The third party billing service costs \$102K per year to administer the stormwater fees.
 If the stormwater fees are added to the real estate bill, any savings would go towards projects.

VPDES Industrial Utility Fee Credit
Table 1

| Facility Name | Facility Address | Impervious Cover (sq.ft.) | Equivalent Residential Units (ERU) (2,100 sq.ft. each) | Annual Fee @ (\$4/ERU)*12 | Utility Fee Credit | Invoiced Amount |
|-----------------------|-------------------------------------|---------------------------|--|---------------------------|--------------------|-----------------|
| ASHLAND INC | PO BOX 182586 COLUMBUS, OH 43218 | 5,114,665 | 2436 | \$116,928 | 90% | \$11,693 |
| EVONIK CORPORATION | P.O. BOX 868 THEODORE, AL 36590 | 874,710 | 417 | \$20,016 | 90% | \$2,002 |
| ADVANSIX INC HOPEWELL | 905 Randolph Rd PID: 0480015 | 8,829,996 | 4,205 | \$201,840 | 90% | \$20,184 |
| | 912 Randolph Rd PID: 0480011 | 673,824 | 321 | \$15,408.00 | 90% | \$1,541 |
| TOTAL | | | | \$354,192 | | \$35,419 |

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

COUNCIL AGENDA ITEM TITLE: American Rescue Plan Act Funds

ISSUE: Presentation of American Rescue Plan Act Funds

RECOMMENDATION: Staff recommends receipt of the information. No Action is requested.

TIMING: N/A

BACKGROUND: Congress passed and the President signed the *American Rescue Plan Act (ARPA) of 2021*, which for the first time provided direct Federal funding to localities. The City will receive a total of \$9,998,813 in two (2) tranches (payments), the first in 2021 and the second in 2022. The City will receive \$5,622,819 from the "Metro Cities" allocation and an additional \$4,375,994 from the "Counties" allocations. The City has received the first payment of each allocation for a total of \$4,999,406.50. The funds have to be obligated by 2024 and spent by 2026. Delaying the development of a plan to use the funds will allow the City time to review and react to the finalized guidance from the U.S. Department of Treasury, which is still under review, and time to incorporate feedback from City Council and the community.

At the July 13, 2021 City Council meeting, Council budgeted \$4,999,406.50 of ARPA Funds in the General Fund and appropriated \$469,914 to Fund 11, Capital Projects, to replace the funds used to provide a 2.5% COLA for employees and purchase an ambulance.

ENCLOSED DOCUMENTS:

- American Rescue Plan Act Presentation

SUMMARY:

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

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

STAFF:

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

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call

SUMMARY:

Y N

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

Y N

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

American Rescue Plan Act

Presentation for City Council

September 14, 2021

Amount of Funding

- Hopewell is entitled to receive **\$9,998,813**
 - “metropolitan cities” allocation = \$5,622,819
 - under the “fewer than 50,000” = \$4,375,994
- Virginia’s Independent Cities were considered county-equivalents because of the public services that are delivered, like public education
- The funds will come to the City in two tranches, directly from the U.S. Treasury to the City of Hopewell
- The first payment of \$4,999,406.50 has been received.
- The balance will arrive in May 2022.

Use of Funds as determined by ARPA

1. To respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality
2. To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;
3. For the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency;
4. To make necessary investments in water, sewer, or broadband infrastructure.

1st Category

To respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality

Eligible uses for the Public Health Emergency

- Covid-19 mitigation and prevention (contact tracing, testing, ventilation improvement, capital investments in public facilities to meet pandemic operational needs)
- Medical expenses, including costs for medical services for individuals with “Long Covid”
- Meeting behavioral health care needs including addiction treatment, due to a national spike in overdose deaths
- Addressing disparities in public health outcomes, and economic outcomes in our communities
- Generally as broad as the CARES Act

1st Category – cont’

To respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality

- Assistance to unemployed workers such as job training
- Deposits into the State unemployment insurance trust fund
- Loans or grants to small businesses and non-profits to mitigate financial hardship such as declines in revenues, or to support the cost of rent, mortgage, payroll and benefits
- Aid to impacted industries such as tourism, travel and hospitality
- Assistance to households such as: utility assistance, counseling and legal aid to prevent homelessness, food assistance, rent, mortgage, home repairs, emergency assistance for burials, weatherization, internet access
 - There is a 4-step analysis to determine the eligibility of assistance to households, unless the household is located in a Qualified Census Tract. More on the next slide

2nd Category

To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay or grants to eligible workers

Essential workers – “those workers needed to maintain continuity or operations of essential critical infrastructure”

Essential work – work requiring the physical presence at a jobsite

Amount

- up to \$13 per hour, above the salary
- Maximum ARPA premium payment cannot exceed \$25,000 per eligible worker
- compensation prioritized for lower income eligible workers who performed essential work

Categories of essential workers:

- Healthcare workers
- Public health and safety
- childcare
- Education
- Sanitation
- Transportation
- Food production service

Payments in this category have enhanced reporting requirements.

3rd Category

Provision of Government Services to the
Extent of any Revenue Reduction Resulting
from the COVID-19 Public Health Emergency

What does “Revenue Reduction”
Mean?

- Recipients’ reduction in revenue is measured relative to the revenue collected in the most recent full fiscal year prior to emergency.
- U.S. Treasury provides a methodology for calculating revenue lost due to the COVID-19 public health emergency

3rd Category – con't

Provision of Government Services to the
Extent of any Revenue Reduction Resulting
from the COVID-19 Public Health Emergency

Revenue replacement

For the purposes of the revenue replacement category, we are looking only at General Revenue

- Excludes: refunds, proceeds from issuance of debt or sale of investments, utility income
- The US Treasury's formula places a predetermined 4.1% annual growth rate into their formula

General calculation steps:

1. Identify the revenue collected in the most recent full fiscal year prior to the pandemic. This is the base year.
2. Estimate the growth rate the city would have experienced using either 4.1% or the average annual revenue growth in the three full fiscal years prior to the public health emergency, whichever is higher.
3. Identify actual revenue collected over the past 12 months.
4. Lost revenue is equal to the expected growth rate less actuals.

3rd Category – con't

Replenished expenses must directly relate to the provision of government services

Government Services include:

- Maintenance or pay-go funded building of infrastructure, including roads;
- Modernization of cybersecurity;
- Health Services;
- Environmental Remediation;
- School or Educational Services; and
- Provision of Police, Fire and Other Public Safety Services

3rd Category – con't

Government Services Do Not Include:

- Replenishing Financial Reserves;
- Interest or Principal on Any Outstanding Debt Instrument;
- Expenses Associated with Financial Indebtedness for Borrowed Money;
- Satisfaction of a Settlement or Judgement;
- Judicially Confirmed Debt Restricting in a Judicial, Administrative, or Regulatory Proceeding.

4th Category

Make Necessary Investments in Water, Sewer, and /or Broadband Infrastructure

Water infrastructure projects – must be aligned with types or categories of projects eligible for financial assistance through the EPA's Clean Water State Revolving Fund, or the Drinking Water State Revolving Fund

Sewer projects – may include construction of publically owned treatment infrastructure, including infrastructure which manages and treats stormwater or subsurface drainage water, facilitate water reuse

U.S. Treasury encourages using Recovery Funds for projects that:

- Improve drinking water infrastructure
- Consolidate or establish drinking water systems
- Support cybersecurity needs to protect water or sewer infrastructure
- Support efforts to address climate changes
- Provide relief in cases of a natural disaster

4th Category

Make Necessary Investments in Water, Sewer,
and /or Broadband Infrastructure

- Broadband** – projects must “be designed to provide service...to unserved and underserved households and businesses.”
- *Unserved and underserved households or businesses* means one or more households or businesses that are not currently served by a wireline connection that reliably delivers at least 25 Mbps download speed and 3 Mbps of upload speed.
 - Eligible broadband projects must reliably meet or exceed symmetrical 100 Mbps download speed and upload speeds;
 - If the required speeds cannot be achieved, then the project would be expected to meet or exceed 100 Mbps download with a minimum of 20 Mbps upload speed and be scalable to a minimum of 100 Mbps symmetrical for download and upload speeds

Deadline for Use of ARPA Funds

- Payments from ARPA Funds be used only to cover costs incurred by the local government by December 31, 2024
- “Incurred” means that the payments must be obligated by December 31, 2024.
- U.S. Treasury defines “obligation” as “an order placed for property and services and entering into contracts, sub-awards, and similar transactions that require payment.”

Ineligible Use of ARPA Funds

- ARPA funds cannot be used for:
- Contributions to rain-day funds, financial reserves, or similar funds
 - Tax cuts
 - Any payment of interest or principal on outstanding debt instruments
 - Fees or issuance costs for new debt
 - A settlement, judgment, consent decree or judicially confirmed debt

ARPA Reporting Requirements

- One interim report
 - To include recipient's expenditures by category from the date of the award to July 31, 2021
 - Report must be submitted by August 31, 2021
- Quarterly reports through the end of the award period which is December 31, 2026
 - To include financial data, information on contracts and sub-awards over \$50,000, types of projects funded
 - The first quarterly report is for the time period from award of funds to September 30, 2021, and must be submitted by October 31, 2021

Questions

COMMUNICATIONS

FROM

CITIZENS

REGULAR BUSINESS

R-1



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

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

Order of Business:

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

Action:

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

COUNCIL AGENDA ITEM TITLE:

FY 2023 VDOT Revenue Sharing Program Applications

ISSUE: The current application cycle for the VDOT Revenue Sharing Program started on May 17, 2021 for funding in fiscal years 2027 and 2028. This funding will be available July 1, 2026 and July 1, 2027, respectively.

City staff has identified two (2) new projects and created the following pre-applications:

1. Application ID 8211: Pavement Rehabilitation – Various Local Streets
2. Application ID 8255: Richmond St and Petersburg St Improvements

The total local match for both projects over FY 2027 and 2028 would be \$3,324,162 with a total estimated value of work at \$6,648,324. For VDOT to consider the City's applications for Revenue Sharing Program matching state funds in FY 2027 and 2028, applications must include a resolution supporting each project and committing to the required local funding.

City staff also requests that the City formally add each project to the City's current Capital Improvement Program (CIP).

RECOMMENDATION: City staff recommends approval.

TIMING: Staff requests council action on September 28, 2021. The local funding commitment, project endorsement and CIP resolution is required no later than October 1, 2021 at 5 PM.

BACKGROUND: FY 2023 Revenue Sharing Program Letter dated April 15, 2021

ENCLOSED DOCUMENTS:**SUMMARY:**

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

- FY 2023 Revenue Sharing Program Letter dated April 15, 2021
- Project Cost Estimates
- Draft Resolution
- FY 2027 and 2028 Revenue Sharing Program Project Location Map

STAFF:

Johnnie Butler, City Engineer

Austin Anderson, Construction Manager

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call

SUMMARY:

Y N

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

Y N

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



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219-2000

Stephen C. Brich, P.E.
Commissioner

April 15, 2021

To: County Administrators/City and Town Managers

Subject: FY 2023 Revenue Sharing Program

The next application cycle for the Revenue Sharing Program will begin on May 17, 2021 for funding in fiscal years 2027 and 2028. This funding will be made available July 1, 2026 and July 1, 2027, respectively.

Applicants must submit a pre-application by July 1, 2021 at 5 PM in order to be considered for funding. All applications will be submitted via a web-based application procedure and will require your locality to be registered with an appropriate SMART Portal log-in account. If you have previously applied for Revenue Sharing, Transportation Alternatives, Highway Safety Improvement, State of Good Repair, or SMART Scale funds through the SMART Portal, you will use the same log-in credentials.

Timeline for FY23 Revenue Sharing Application Submittal:

- **May 17, 2021:** Pre-Application cycle for FY23 opens. Your locality will enter required information via the SMART Portal. Pre-application **must** be submitted by the deadline in order to be considered for funding.
 - **Deadline for Pre-Application submission is July 1, 2021 at 5PM.**
- **No Later Than August 15, 2021:** If your pre-application is approved and screened in, access will be provided to your locality's full application to be completed and to upload required additional documentation. Please note that your locality resolution supporting this application and committing to the required local funding, along with all other required documentation, must be uploaded with your application by the full application deadline in order for your application to be considered. No extra time is being provided for resolution submittal.(change from past years)
 - **Deadline for full application completion is October 1, 2021 at 5PM.**

As you develop your project applications, we encourage you to work closely with your District contacts regarding your project scope, budget, and schedule. Transportation projects can pose unique challenges and VDOT District staff can provide invaluable insight that may help you ensure you submit a completed application which addresses those challenges.

As noted above, applicants must include a resolution committing to their local matching share. With this funding commitment, the Department's expectation is that the local project administration agreement will be executed and the project started expeditiously after the funds are authorized. Failure to execute the project administration agreement and initiate the project within established time-frames can jeopardize project funding.

The Department looks forward to working with you during the upcoming months regarding your application for Revenue Sharing Program funding for FY2023. I encourage you to contact your local District VDOT representative for guidance in preparing your pre-application and full application or to discuss candidate projects. If you have any questions about the Program you may contact Michele Piccolomini at (804) 786-9125 or by email at Michele.Piccolomini@VDOT.virginia.gov. You may also reach me at (804) 786-6663 or by email at Russ.dudley@VDOT.virginia.gov.

Sincerely,

Russell Dudley
Director, Local Assistance Division

**VDOT FY2023 REVENUE SHARING APPLICATION ID 8211
PAVEMENT REHABILITATION - VARIOUS LOCAL STREETS
DETAILED COST ESTIMATE**

| PHASE | Item Description | Unit | Quantity | Unit Price (Dollars and Cents) | Extension (Quantity X Unit Price) |
|-------|--|------|----------|--------------------------------|--------------------------------------|
| PE | LOCALITY PRELIMINARY ENGINEERING FEE | | | | \$ 50,000.00 |
| PE | ESTIMATED VDOT PROJECT EXPENSES - PRELIMINARY ENGINEERING | | | | \$ 12,000.00 |
| PE | RISKS/CONTINGENCY/UNKNOWN + INFLATION | | | | \$ 28,322.00 |
| PE | TOTAL PE PHASE (SURVEY, ENVIRONMENTAL, DESIGN) + CONTINGENCY/INFLATION | | | | \$ 90,322.00 |
| CN | MOBILIZATION | LS | 1 | \$15,000.00 | \$ 15,000.00 |
| CN | DRAINAGE IMPROVEMENTS | LS | 1 | \$100,000.00 | \$ 100,000.00 |
| CN | TRAFFIC CONTROL | LS | 1 | \$15,000.00 | \$ 15,000.00 |
| CN | PAVEMENT MILLING 0" TO 2" (EDGE MILLING ONLY) | SY | 105000 | \$3.50 | \$ 367,500.00 |
| CN | ASPHALT SM-9.5D VARIOUS STREETS SEE INCLUDED MAP | TN | 11800 | \$85.00 | \$ 1,003,000.00 |
| CN | LOCALITY CONSTRUCTION ESTIMATE SUBTOTAL | | | | \$ 1,500,500.00 |
| CN | ESTIMATED VDOT PROJECT EXPENSES - CONSTRUCTION | | | | \$ 30,000.00 |
| CN | RISKS/CONTINGENCY/UNKNOWN + INFLATION | | | | \$ 362,812.00 |
| CN | TOTAL CN PHASE + CONTINGENCY/INFLATION | | | | \$ 1,893,312.00 |
| | TOTAL ESTIMATE | | | | \$ 1,983,634.00 |

**VDOT FY2023 REVENUE SHARING APPLICATION ID 8255
RICHMOND ST AND PETERSBURG ST DRAINAGE AND ROADWAY IMPROVEMENTS
DETAILED COST ESTIMATE**

| PHASE | Item Description | Unit | Quantity | Unit Price (Dollars and Cents) | Extension (Quantity X Unit Price) |
|-------|--|------|----------|--------------------------------|-----------------------------------|
| PE | LOCALITY PRELIMINARY ENGINEERING FEE | | | | \$ 544,185.00 |
| PE | ESTIMATED VDOT PROJECT EXPENSES - PRELIMINARY ENGINEERING | | | | \$ 30,000.00 |
| PE | RISKS/CONTINGENCY/UNKNOWNS + INFLATION | | | | \$ 262,299.00 |
| PE | TOTAL PE PHASE (SURVEY, ENVIRONMENTAL, DESIGN) + CONTINGENCY/INFLATION | | | | \$ 836,484.00 |
| CN | MOBILIZATION / TRAFFIC CONTROL | LS | 1 | \$200,000.00 | \$ 200,000.00 |
| CN | GRADING IMPROVEMENTS | LS | 1 | \$220,000.00 | \$ 220,000.00 |
| CN | DRAINAGE IMPROVEMENTS | LS | 1 | \$900,000.00 | \$ 900,000.00 |
| CN | PAVEMENT IMPROVEMENTS | LS | 1 | \$300,000.00 | \$ 300,000.00 |
| CN | EROSION CONTROL / PROTECTIVE MEASURES | LS | 1 | \$50,000.00 | \$ 50,000.00 |
| CN | CONCRETE / INCIDENTAL ITEMS | LS | 1 | \$560,000.00 | \$ 560,000.00 |
| CN | LOCALITY CONSTRUCTION ESTIMATE SUBTOTAL | | | | \$ 2,230,000.00 |
| CN | ESTIMATED VDOT PROJECT EXPENSES - CONSTRUCTION | | | | \$ 66,740.00 |
| CN | RISKS/CONTINGENCY/UNKNOWNS + INFLATION | | | | \$ 1,531,466.00 |
| CN | TOTAL CN PHASE + CONTINGENCY/INFLATION | | | | \$ 3,828,206.00 |
| | TOTAL ESTIMATE | | | | \$ 4,664,690.00 |

Note: The Construction Estimate is based on the recently completed Revenue Sharing Projects of similar purpose, scope and need: Pine Ave Improvements (UPC 108708), Hummel Ross Road Improvements (UPC 108709), Prince Henry Ave Improvements (UPC 113284).

RESOLUTION NO. R2021- _____

**CITY OF HOPEWELL FY 2023 VDOT
REVENUE SHARING PROGRAM APPLICATIONS**

WHEREAS, The City of Hopewell desires to submit an application for an allocation of funds of up to \$3,324,162.00 through the Virginia Department of Transportation Fiscal Year 2023 Revenue Sharing Program; and,

WHEREAS, \$3,324,162.00 of these funds are requested to fund Application ID 8211 Pavement Rehabilitation – Various Local Streets and Application ID 8255 Richmond St and Petersburg St Improvements; and

WHEREAS, The City of Hopewell hereby supports this application for an allocation of \$3,324,162.00 through the Virginia Department of Transportation Fiscal Year 2023 Revenue Sharing Program and each project is hereby added to the City of Hopewell Capital Improvement Program; now therefore

BE IT RESOLVED this 28th day of September 2021 that the Hopewell City Council hereby resolves and approves as follows:

1. The City of Hopewell's commitment to fund its local share of preliminary engineering, right-of-way and construction (as applicable) of this project under agreement with the Virginia Department of Transportation in accordance with the project financial documents, which shall be incorporated as if fully set forth herein;

2. That the City Manager is hereby authorized to execute the agreements and all other such documents that may be necessary to effectuate this approved project with the Virginia Department of Transportation.

Witness this signature and seal

Mayor Patience Bennett, Ward 7

VOTING AYE:

VOTING NAY:

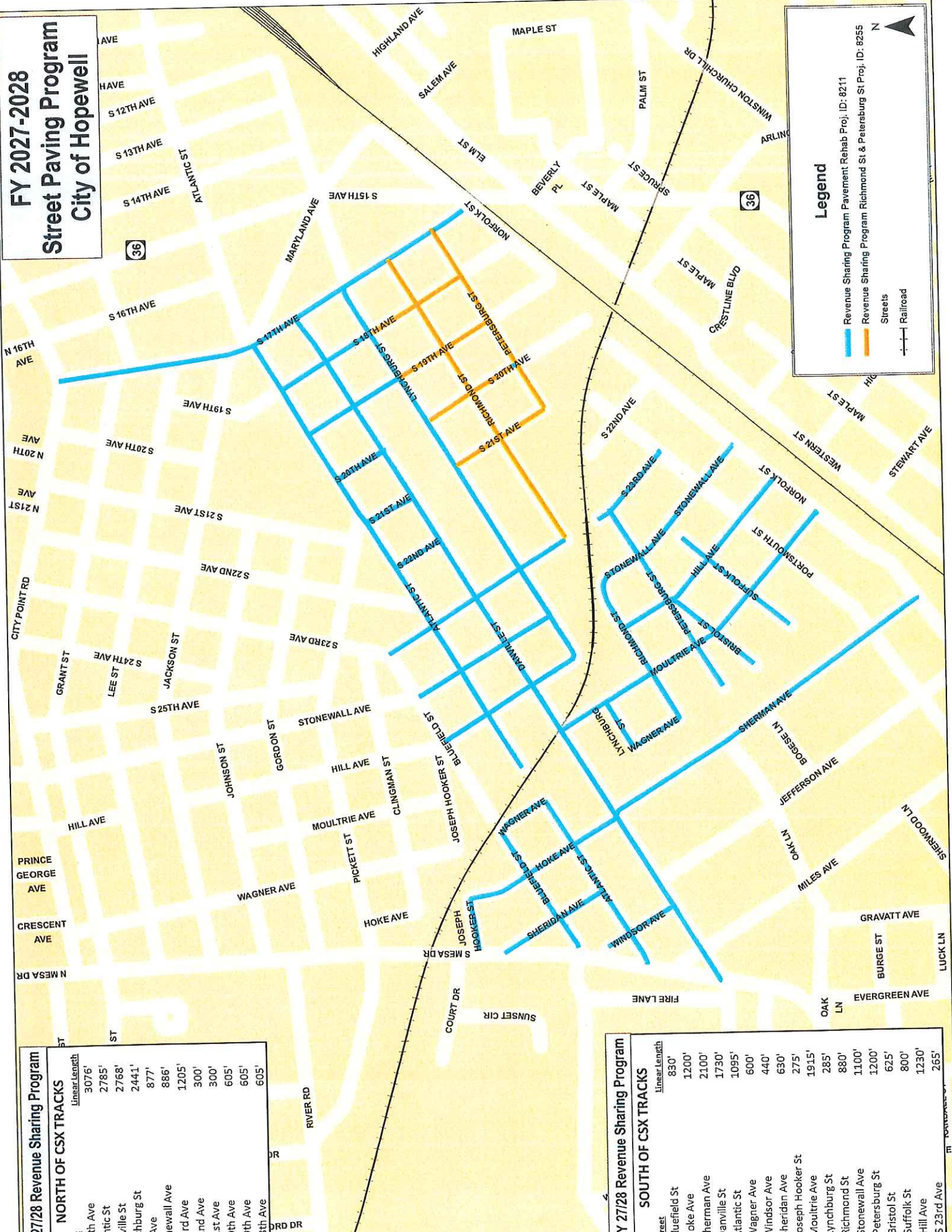
ABSTAINING:

ABSENT:

ATTEST:

Mollie Bess, City Clerk

FY 2027-2028 Street Paving Program City of Hopewell



Legend

- Revenue Sharing Program Pavement Rehab Proj. ID: 8211
- Revenue Sharing Program Richmond St & Petersburg St Proj. ID: 8255
- Streets
- Railroad

FY 27/28 Revenue Sharing Program

| Street | Linear Length |
|---------------|---------------|
| N 17th Ave | 3076' |
| Atlantic St | 2785' |
| Danville St | 2768' |
| Lynchburg St | 2441' |
| Hill Ave | 877' |
| Stonewall Ave | 886' |
| S 23rd Ave | 1205' |
| S 22nd Ave | 300' |
| S 21st Ave | 300' |
| S 20th Ave | 605' |
| S 19th Ave | 605' |
| S 18th Ave | 605' |

FY 27/28 Revenue Sharing Program

| Street | Linear Length |
|------------------|---------------|
| Bluefield St | 830' |
| Hoke Ave | 1200' |
| Sherman Ave | 2100' |
| Danville St | 1730' |
| Atlantic St | 1095' |
| Wagner Ave | 600' |
| Windsor Ave | 440' |
| Sheridan Ave | 630' |
| Joseph Hooker St | 275' |
| Moultrie Ave | 1915' |
| Lynchburg St | 285' |
| Richmond St | 880' |
| Stonewall Ave | 1100' |
| Petersburg St | 1200' |
| Bristol St | 625' |
| Suffolk St | 800' |
| Hill Ave | 1230' |
| S 23rd Ave | 265' |

R-2



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

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

Order of Business:

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

Action:

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

COUNCIL AGENDA ITEM TITLE:

FY 2023 and FY 2024 VDOT Transportation Alternatives Program Applications

ISSUE: The current application cycle for the VDOT Transportation Alternatives Program started on May 17, 2021 for funding in fiscal years 2023 and 2024. This funding will be available October 1, 2022 and October 1, 2023, respectively.

City staff has identified one (1) new project and created the following pre-application:

1. Application ID 8258: W Randolph Rd Shared Use Path

This program allows a maximum 80% federal reimbursement of eligible project costs and requires a 20% local match contribution. The total local match for both projects over FY 2023 and 2024 would be \$399,800 with a total estimated value of work at \$1,999,000. For VDOT to consider the City's applications for Revenue Sharing Program matching state funds in FY 2023 and 2024, applications must include a resolution supporting the project and committing to the required local funding.

City staff also requests that the City formally add each project to the City's current Capital Improvement Program (CIP).

RECOMMENDATION: City staff recommends approval.

TIMING: Staff requests council action on September 28, 2021. The local funding commitment, project endorsement and CIP resolution is required no later than October 1, 2021 at 5 PM.

BACKGROUND: FY 2023 and 2024 Transportation Alternatives letter dated April 15, 2021

SUMMARY:

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

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

The Transportation Alternatives Set-Aside Program does not fund traditional roadway projects or provide maintenance for these facilities. Instead, it focuses on providing pedestrian and bicycle facilities, community improvements and mitigating the negative impacts of the highway system.

The Transportation Alternatives Program is part of the Federal-aid Highway System. It is not a traditional grant program with funding provided up front; but rather a reimbursable program. The City must first incur project expenses and then request reimbursement. If VDOT selects this application for funding, the City will need to provide the local match of \$399,800 over fiscal years 2023 and 2024 as part of the overall City Capital Improvement Program.

The purpose and need of this project is to link the City's proposed bicycle lane routes (Active Connections Bicycle Lanes Project) and provide a safe and accessible path along Route 10 (W Randolph Rd). The project will include the necessary modifications to the traffic signal at 6th Ave and Route 10 to add a pedestrian/bicycle phase that will allow users to safely navigate the crossing and continue to destinations along the City's bicycle network. This segment of Route 10 (W Randolph Rd) is on the "Proposed Bicycle Improvements" map found in the City's Comprehensive Plan 2018 – 2023.

ENCLOSED DOCUMENTS:

- FY 2023 and 2024 Transportation Alternatives Program Letter dated April 15, 2021
- Project Cost Estimate
- W Randolph Rd Shared Use Path - Preliminary Design
- Draft Resolution
- Proposed Bicycle Improvements Map – Hopewell Comprehensive Plan 2018 - 2023

STAFF:

Johnnie Butler, City Engineer

Austin Anderson, Construction Manager

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call

SUMMARY:

Y N

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

Y N

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



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219-2000

Stephen C. Brich, P.E.
Commissioner

April 15, 2021

To: County Administrators/City and Town Managers, other Eligible Applicants

Subject: FY 2023 and FY 2024 Transportation Alternatives Program Applications

The next application cycle for the Transportation Alternatives Program will begin on May 17, 2021 for funding in fiscal years 2023 and 2024. This funding will be made available October 1, 2022 and October 1, 2023, respectively.

Applicants must submit a pre-application by July 1, 2021 at 5 PM in order to be considered for funding. All applications will be submitted via a web-based application procedure and will require your locality to be registered with an appropriate SMART Portal log-in account. If you have previously applied for Transportation Alternatives, Revenue Sharing, Highway Safety Improvement, State of Good Repair, or SMART Scale funds through the SMART Portal, you will use the same log-in credentials.

Timeline for FY2023 and FY2024 Transportation Alternatives Application Submittal:

- **May 17, 2021:** Pre-Application cycle for FY 2023 and FY2024 opens. Your locality will enter required information via the SMART Portal. A Pre-application **must** be submitted by the deadline in order to be considered for funding.
 - o **Deadline for Pre-Application submission is July 1, 2021 at 5PM.**
- **No Later Than August 15, 2021:** After your pre-application is approved, access will be provided to your locality's full application to be completed and to upload required additional documentation. Please note that your locality resolution supporting this application and committing to the required local funding, along with all other required documentation, must be uploaded with your application in order for your application to be considered.
 - o **Deadline for application submission is October 1, 2021 at 5PM.**

As you develop your project applications, we encourage you to work closely with your District contacts regarding your project scope, budget, and schedule. Federal-aid projects can pose unique requirements and VDOT District staff can provide invaluable insight that may help you ensure you submit a complete application which addresses those requirements.

As noted above, applicants must include a resolution committing to their local matching share. With this funding commitment, the Department's expectation is that the local project administration agreement will be executed and the project started expeditiously after the federal funds are authorized. Failure to execute the project administration agreement and initiate the project within established time-frames can jeopardize project funding.

The Department looks forward to working with you during the upcoming months regarding your application for Transportation Alternatives Program funding for FY2022 and FY2023. I encourage you to contact your local VDOT representative for guidance in preparing your pre-application or to discuss candidate projects. If you have any questions about the Program you may contact Penny Forrest at (804) 786-9810 or by email at Penny.forrest@vdot.virginia.gov. You may also reach me at (804) 786-6663 or by email at Russ.dudley@vdot.virginia.gov

Russell Dudley
Director, Local Assistance Division

Route 10 (W. Randolph Road) Shared Use Path - 2nd Street Termini
Opinion of Probable Project Costs - 09/8/2021
Non-inflated Costs are in FY21 Dollars

| Item | Description | Unit | Quantity | Unit Cost | Extension |
|--|---|------|----------|--------------|---------------------|
| Construction Costs | | | | | \$ 81,000 |
| A | General Contract Items | | | | |
| A1 | Construction Surveying & Mobilization | LS | 1 | \$ 61,000.00 | \$ 61,000 |
| A2 | Field Office Type II | MO | 8 | \$ 2,500.00 | \$ 20,000 |
| | | | | | \$ 30,500 |
| Grading and Pavement Items | | | | | |
| B1 | Regular Excavation | CY | 400 | \$ 25.00 | \$ 10,000 |
| B2 | Borrow Excavation | CY | 300 | \$ 25.00 | \$ 7,500 |
| B3 | Full Depth Pavement | SY | 100 | \$ 95.00 | \$ 9,500 |
| B4 | Demolition of Pavement (Flexible) | SY | 100 | \$ 15.00 | \$ 1,500 |
| B5 | Saw-cut Asphalt Conc. (Full Depth) | LF | 200 | \$ 10.00 | \$ 2,000 |
| | | | | | \$ 62,000 |
| Drainage Items | | | | | |
| B6 | Storm Sewer Pipe 18" | LF | 200 | \$ 150.00 | \$ 30,000 |
| B7 | Drainage Structures (DI/MH) | EA | 4 | \$ 8,000.00 | \$ 32,000 |
| | | | | | \$ 103,000 |
| Incidental Items | | | | | |
| B8 | Curb and Gutter (CG-2) | LF | 500 | \$ 40.00 | \$ 20,000 |
| B9 | Shared Use Path (8') | SY | 1,200 | \$ 35.00 | \$ 42,000 |
| B10 | Detectable Warning Surface | SY | 40 | \$ 500.00 | \$ 20,000 |
| B11 | Demolition of Conc. Sidewalk | SY | 900 | \$ 20.00 | \$ 18,000 |
| B12 | Entrance Gutter (CG-9D) | SY | 20 | \$ 150.00 | \$ 3,000 |
| | | | | | \$ 100,000 |
| Lump Sum Items | | | | | |
| B13 | Traffic Signal Modifications | EA | 1 | \$ 100,000 | \$ 100,000 |
| | | | | | \$ 340,000 |
| M | Overall Project Items | | | | |
| M1 | Erosion and Sediment Control | LS | 1 | \$ 40,000 | \$ 40,000 |
| M2 | Signing & Marking | LS | 1 | \$ 30,000 | \$ 30,000 |
| M3 | Maintenance of Traffic | LS | 1 | \$ 70,000 | \$ 70,000 |
| M4 | SWM BMPs | EA | 2 | \$ 100,000 | \$ 200,000 |
| Construction Totals | | | | | |
| Construction Contract Subtotal | | | | | \$ 716,500 |
| | Construction Contingency (10%) | LS | 1 | \$ 72,000 | \$ 72,000 |
| | Unidentified Risk (25%) | LS | 1 | \$ 180,000 | \$ 180,000 |
| | | | | | \$ 968,500 |
| Construction Contract Total | | | | | |
| | State Forces (0.5%) | LS | 1 | \$ 4,000 | \$ 4,000 |
| | Incentive (5%) | LS | 1 | \$ 36,000 | \$ 36,000 |
| | Construction Engineering & Inspection (15%) | LS | 1 | \$ 108,000 | \$ 108,000 |
| Total Construction Phase | | | | | \$ 1,116,500 |
| Preliminary Engineering | | | | | |
| | Preliminary Engineering (30%) | LS | 1 | \$ 215,000 | \$ 215,000 |
| | Nutrient Credits | LB | 2 | \$ 15,000 | \$ 30,000 |
| Total Preliminary Engineering Phase | | | | | \$ 245,000 |
| Right of Way | | | | | |
| | Right of Way | | | | \$ 390,000 |
| | Utilities | | | | \$ 20,000 |
| Total Right of Way Phase | | | | | \$ 410,000 |

Total Project Cost in FY2022 Dollars \$ 1,771,500

FUTURE YEAR SUMMARY

2.50%

| Phase Description | FY22 TOTAL Cost | Future Year Cost | |
|-------------------|-----------------|------------------|------|
| Construction | \$ 1,116,500 | \$ 1,295,000.00 | 2022 |
| RW | \$ 410,000 | \$ 453,000.00 | 2028 |
| PE | \$ 245,000 | \$ 251,000.00 | 2026 |
| PROJECT | \$ 1,771,500 | \$ 1,999,000.00 | 2023 |
| | | | FY |

RIGHT OF WAY SUMMARY

| Parcel | Owner | PARCEL ID | Total Take | Land Assessment | Building Assessment | Parcel Area (AC) | Assessed \$/SF | Market Increase | Assumed \$/SF | SF Take | Assessed RW Cost | Total | Damages |
|--------|--------------------------|-----------|------------|-----------------|---------------------|------------------|----------------|-----------------|---------------|---------|------------------|---------------|--------------|
| 001 | SYLVIA L BELL | 0111340 | NO | \$ 38,900.00 | \$ 47,200.00 | 0.132 | \$ 6.77 | 10% | \$ 7.44 | 1033 | \$ 7,687.42 | \$ 7,687.42 | \$ 1,921.86 |
| 002 | COLONIAL 21 INC | 0111315 | NO | \$ 62,000.00 | \$ 55,400.00 | 0.189 | \$ 7.53 | 10% | \$ 8.28 | 1063 | \$ 8,805.78 | \$ 8,805.78 | \$ 2,201.45 |
| 003 | ROSE HARRIS TRUSTEE | 0111425 | NO | \$ 32,200.00 | \$ 67,000.00 | 0.185 | \$ 4.00 | 10% | \$ 4.40 | 1400 | \$ 6,153.43 | \$ 6,153.43 | \$ 1,538.36 |
| 004 | AMANDA FLEHNER | 0111210 | YES | \$ 26,800.00 | \$ 25,800.00 | 0.137 | \$ 4.49 | 10% | \$ 4.94 | 5968 | \$ 29,480.00 | \$ 29,480.00 | \$ 7,370.00 |
| 005 | TRACEY LYNN FRAME | 0111180 | NO | \$ 42,100.00 | \$ 64,800.00 | 0.179 | \$ 5.40 | 10% | \$ 5.94 | 744 | \$ 4,418.83 | \$ 5,000.00 | \$ 1,104.71 |
| 006 | ROSE HARRIS TRUSTEE | 0111155 | NO | \$ 26,900.00 | \$ 49,300.00 | 0.110 | \$ 5.61 | 10% | \$ 6.18 | 725 | \$ 4,477.16 | \$ 5,000.00 | \$ 1,119.29 |
| 007 | ROBERT C. BEBOUT | 0111125 | NO | \$ 19,400.00 | \$ 35,200.00 | 0.113 | \$ 4.71 | 10% | \$ 5.18 | 755 | \$ 3,914.36 | \$ 5,000.00 | \$ 978.59 |
| 008 | EDGAR HERRERA | 0110910 | NO | \$ 23,200.00 | \$ 20,000.00 | 0.099 | \$ 4.50 | 10% | \$ 4.95 | 0 | \$ - | \$ 5,000.00 | \$ - |
| 009 | THOMAS WILLIAMS | 0110905 | NO | \$ 22,400.00 | \$ 47,300.00 | 0.114 | \$ 4.51 | 10% | \$ 4.96 | 390 | \$ 1,895.14 | \$ 5,000.00 | \$ 483.79 |
| 010 | 10 DOORS LLC | 0110835 | YES | \$ 31,500.00 | \$ 44,600.00 | 0.129 | \$ 5.61 | 10% | \$ 6.17 | 5619 | \$ 34,650.00 | \$ 34,650.00 | \$ 8,662.50 |
| 011 | COLONIAL 21 INC | 0110815 | NO | \$ 61,100.00 | \$ 59,500.00 | 0.187 | \$ 7.50 | 10% | \$ 8.25 | 596 | \$ 4,917.57 | \$ 5,000.00 | \$ 1,229.39 |
| 012 | CITY OF HOPEWELL | 0110808 | NO | \$ 2,800.00 | \$ - | 0.047 | \$ 1.37 | 10% | \$ 1.50 | 0 | \$ - | \$ 1.00 | \$ - |
| 013 | CITY OF HOPEWELL | 0110585 | NO | \$ 43,700.00 | \$ - | 0.197 | \$ 5.09 | 10% | \$ 5.60 | 0 | \$ - | \$ 1.00 | \$ - |
| 014 | CITY OF HOPEWELL | 0110572 | NO | \$ 347,900.00 | \$ 1,221,300.00 | 1.451 | \$ 5.50 | 10% | \$ 6.05 | 0 | \$ - | \$ 5,000.00 | \$ - |
| 015 | SOLO WILLIAMS 401K TRUST | 0111835 | NO | \$ 39,300.00 | \$ 29,700.00 | 0.134 | \$ 6.73 | 10% | \$ 7.41 | 0 | \$ - | \$ 5,000.00 | \$ - |
| 016 | DREW MCKINNEY | 0111150 | NO | \$ 25,400.00 | \$ 20,900.00 | 0.129 | \$ 4.52 | 10% | \$ 4.97 | 0 | \$ - | \$ 5,000.00 | \$ - |
| | | | | | | | | | | | | \$ 126,779.63 | \$ 26,609.92 |

See ALT1 Comment

10 Parcels

| | |
|---------------------------|------------|
| Total # of Parcels | 10 |
| Total Acquisition | \$ 127,000 |
| Negotiation Allowance | \$ 13,000 |
| Condemnation Allowance | \$ 39,000 |
| Damages | \$ 26,610 |
| Contingency (25%) | \$ 32,000 |
| Total RW Acq. | \$ 237,610 |
| Total R/W Acq. Consultant | \$ 150,000 |
| Total R/W | \$ 390,000 |
| RW Acq Cor | \$ 15,000 |

25%



CITY OF HOPEWELL
 TRANSPORTATION ALTERNATIVES PROGRAM
 APPLICATION SUPPORT - TRAIL DESIGN
 ROUTE 10 (W. RANDOLPH ROAD) SHARED USE PATH
 SHEET 1 OF 4

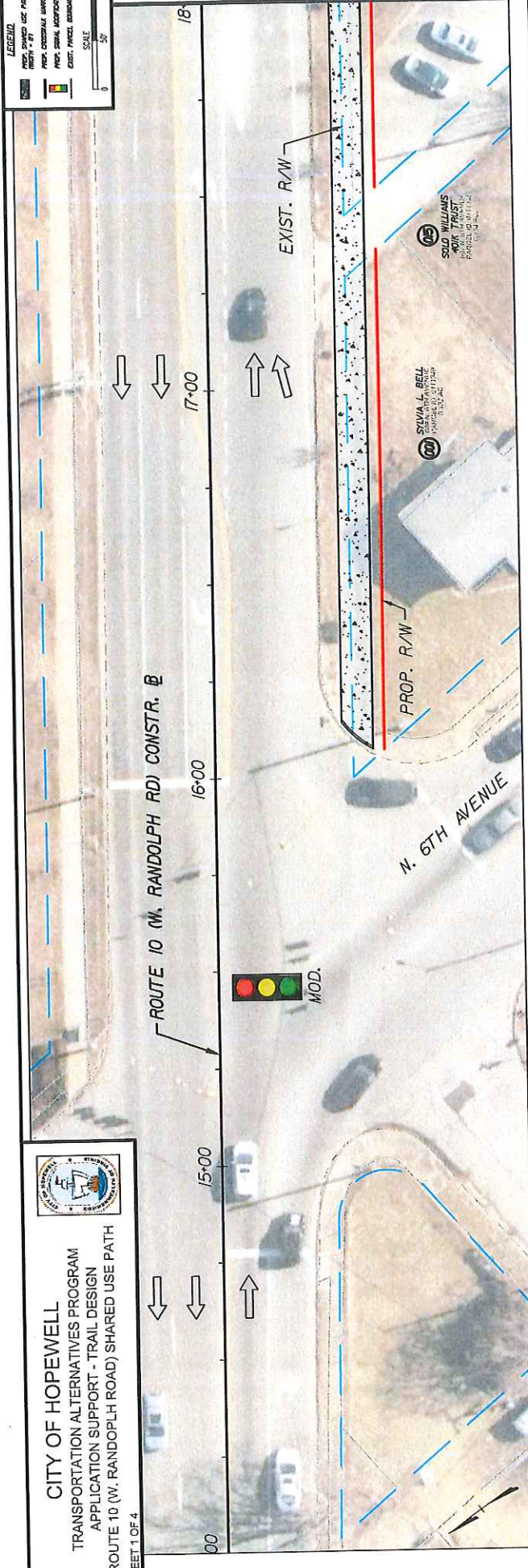
LEGEND

- PROPOSED USE PATH
- PROPOSED CROSSWALK
- PROPOSED SIGNAL
- EXIST. SIGNAL
- EXIST. TRAIL
- EXIST. SIDEWALK
- EXIST. PARKING
- EXIST. DRIVEWAY

SCALE: 1" = 50'

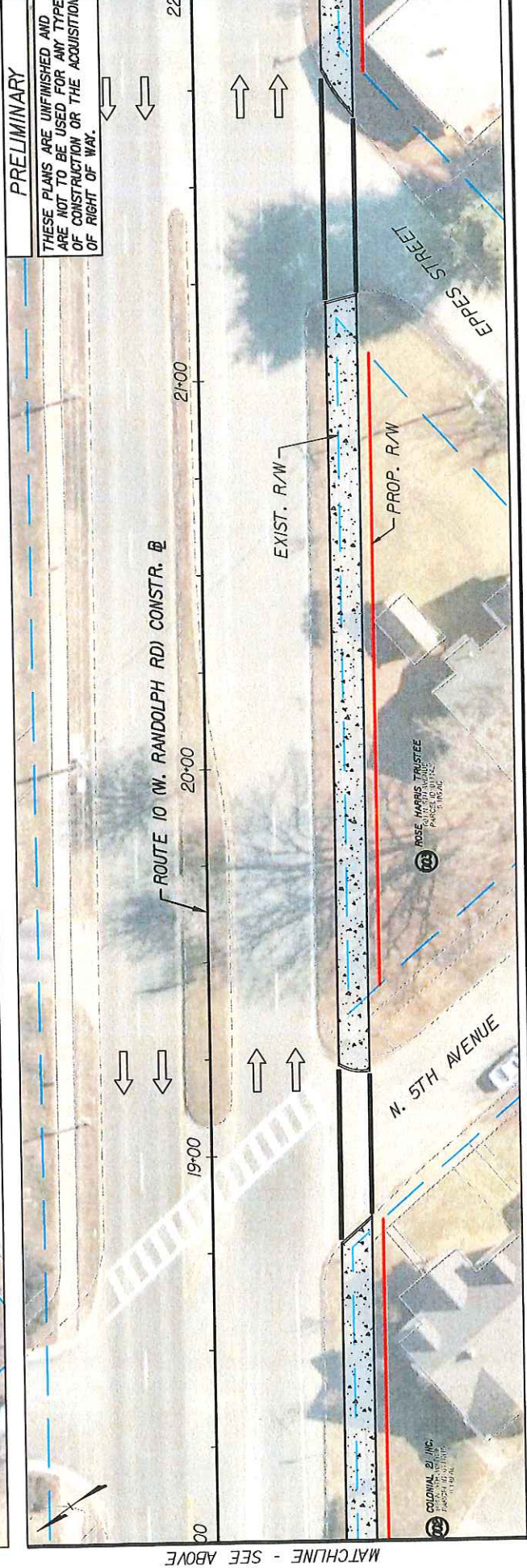
0 50 100

MATCHLINE - SEE BELOW



PRELIMINARY
 THESE PLANS ARE UNFINISHED AND
 ARE NOT TO BE USED FOR ANY TYPE
 OF CONSTRUCTION OR THE ACQUISITION
 OF RIGHT OF WAY.

MATCHLINE - SEE SHEET 2

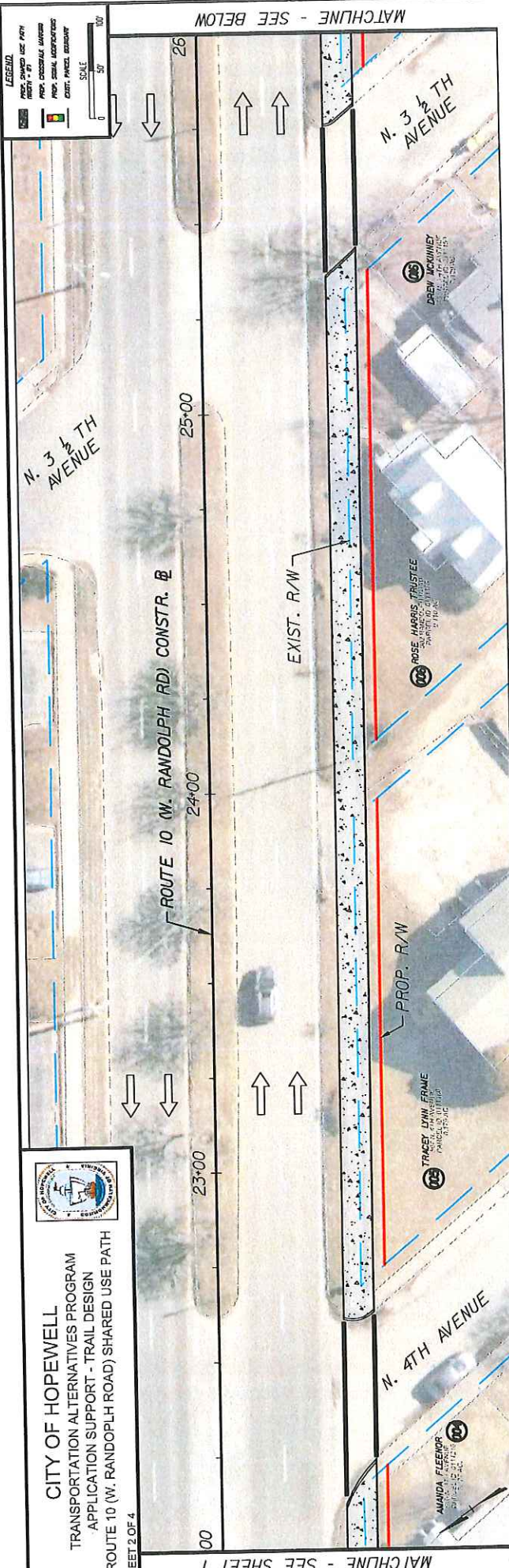


MATCHLINE - SEE ABOVE



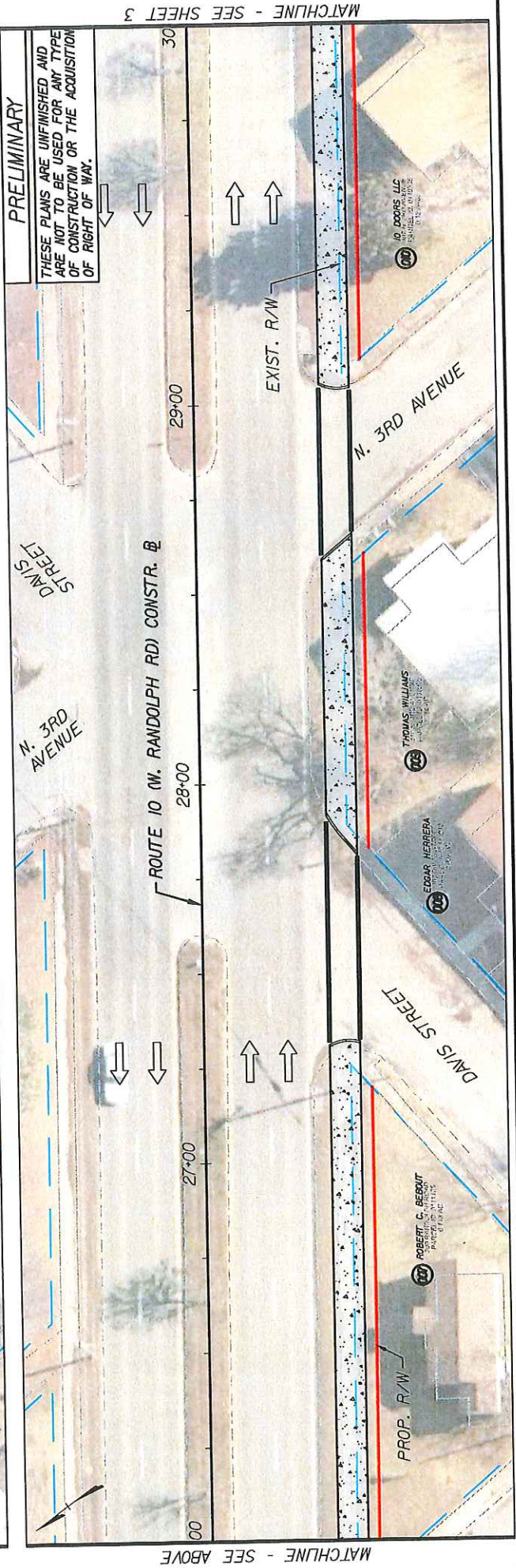
CITY OF HOPEWELL
 TRANSPORTATION ALTERNATIVES PROGRAM
 APPLICATION SUPPORT - TRAIL DESIGN
 ROUTE 10 (W. RANDOLPH ROAD) SHARED USE PATH

SHEET 2 OF 4



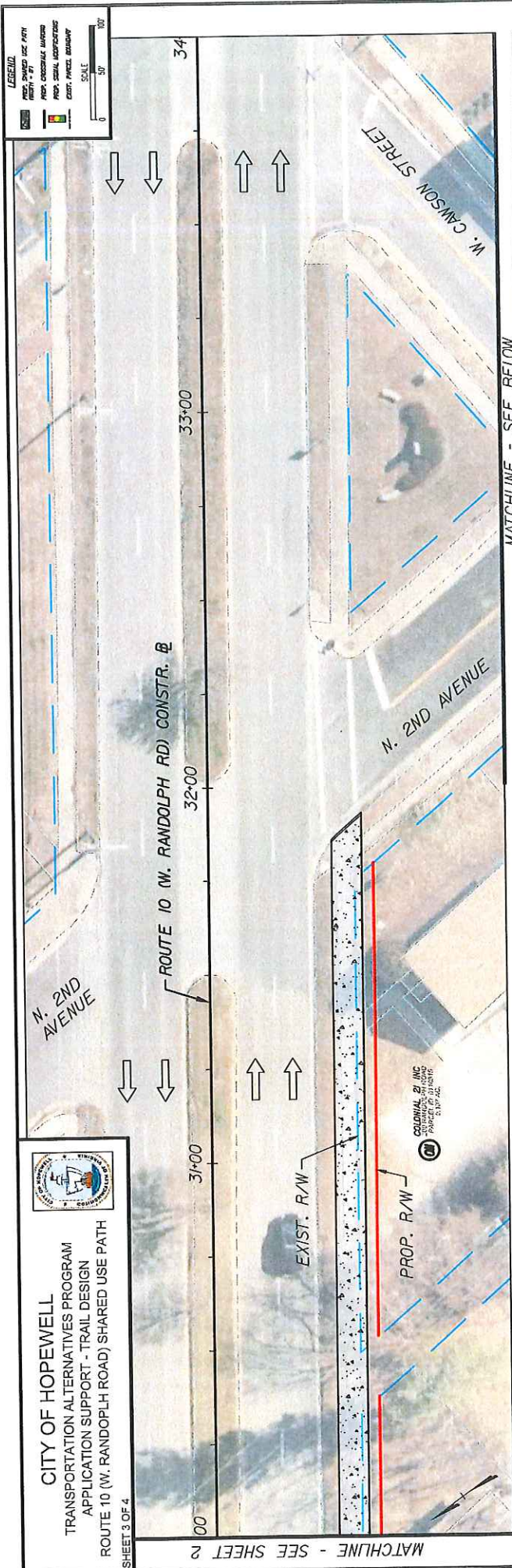
MATCHLINE - SEE BELOW

MATCHLINE - SEE SHEET 1



MATCHLINE - SEE SHEET 3

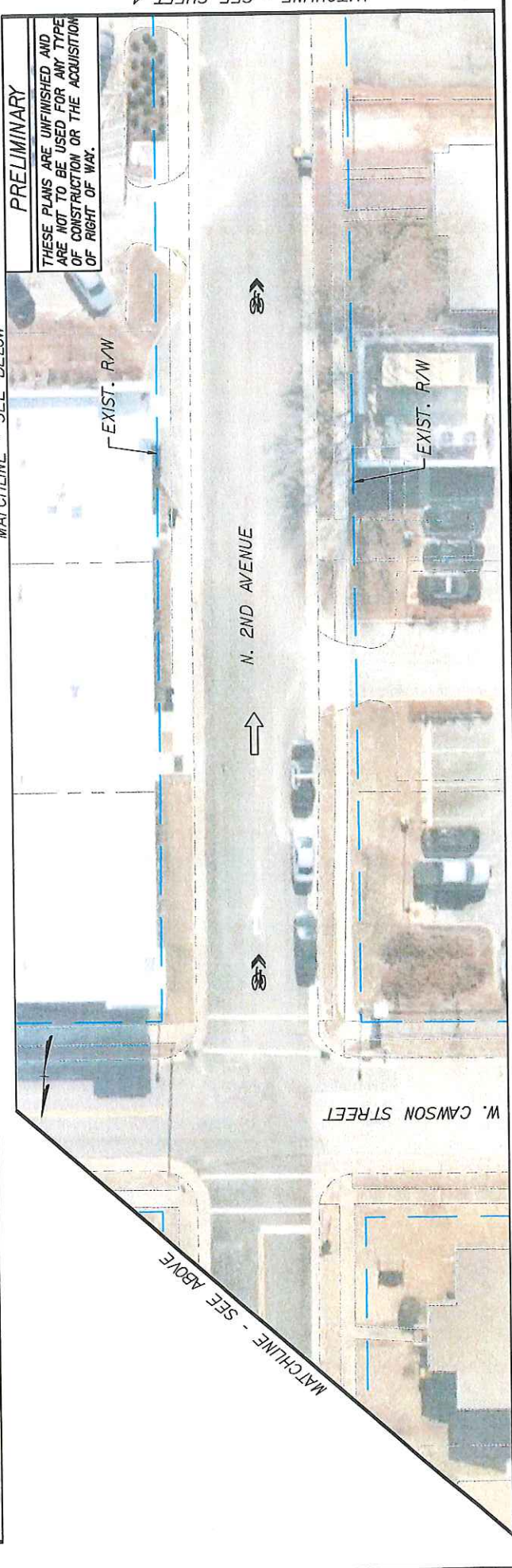
MATCHLINE - SEE ABOVE



CITY OF HOPEWELL
 TRANSPORTATION ALTERNATIVES PROGRAM
 APPLICATION SUPPORT - TRAIL DESIGN
 ROUTE 10 (W. RANDOLPH ROAD) SHARED USE PATH
 SHEET 3 OF 4

MATCHLINE - SEE SHEET 2

MATCHLINE - SEE BELOW



PRELIMINARY

THESE PLANS ARE UNFINISHED AND
 ARE NOT TO BE USED FOR ANY TYPE
 OF CONSTRUCTION OR THE ACQUISITION
 OF RIGHT OF WAY.

MATCHLINE - SEE ABOVE

MATCHLINE - SEE SHEET 4

MATCHLINE - SEE SHEET 3

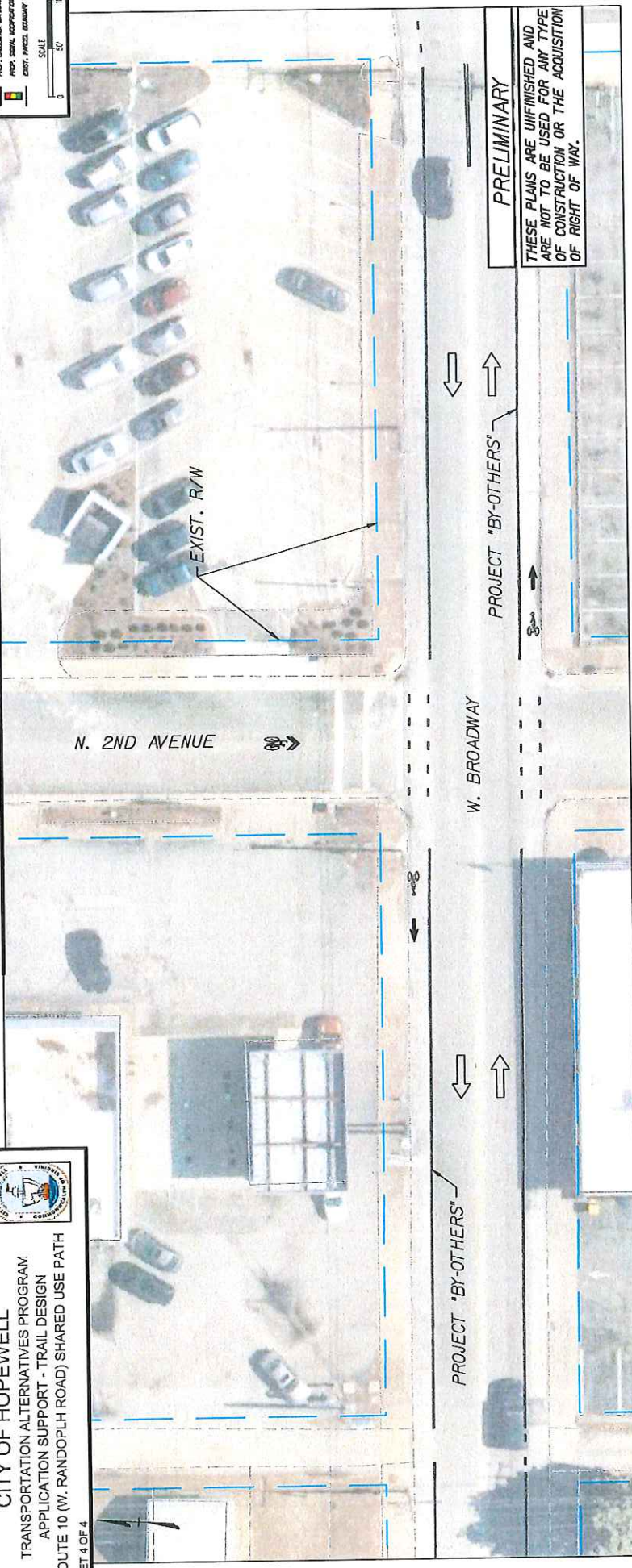
LEGEND

- CITY OF HOPEWELL
- PROJECT "BY-OTHERS"
- PRELIMINARY
- RIGHT OF WAY
- SHARED USE PATH
- BICYCLE LANE
- SIDEWALK
- STREET
- UTILITY

SCALE: 0 50' 100'



CITY OF HOPEWELL
 TRANSPORTATION ALTERNATIVES PROGRAM
 APPLICATION SUPPORT - TRAIL DESIGN
 ROUTE 10 (W. RANDOLPH ROAD) SHARED USE PATH
 SHEET 4 OF 4



PRELIMINARY
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 OF RIGHT OF WAY.

RESOLUTION NO. R2021- _____

**CITY OF HOPEWELL FY 2023 AND 2024 VDOT
TRANSPORTATION ALTERNATIVES PROGRAM APPLICATION**

WHEREAS, The City of Hopewell desires to submit an application for an allocation of funds of up to \$399,800 through the Virginia Department of Transportation Fiscal Year 2023 and 2024 Transportation Alternatives Program; and,

WHEREAS, \$399,800 of these funds are requested to fund Application ID 8258 W Randolph Rd Shared Use Path; and

WHEREAS, The City of Hopewell hereby supports this application for an allocation of \$1,599,200 through the Virginia Department of Transportation Fiscal Year 2023 and 2024 Transportation Alternatives Program and this project is hereby added to the City of Hopewell Capital Improvement Program; now therefore

BE IT RESOLVED this 28th day of September 2021 that the Hopewell City Council hereby resolves and approves as follows:

1. The City of Hopewell's commitment to fund its local share of preliminary engineering, right-of-way and construction (as applicable) of this project under agreement with the Virginia Department of Transportation in accordance with the project financial documents, which shall be incorporated as if fully set forth herein;
2. That the City Manager is hereby authorized to execute the agreements and all other such documents that may be necessary to effectuate this approved project with the Virginia Department of Transportation.

Witness this signature and seal

Mayor Patience Bennett, Ward 7

VOTING AYE:

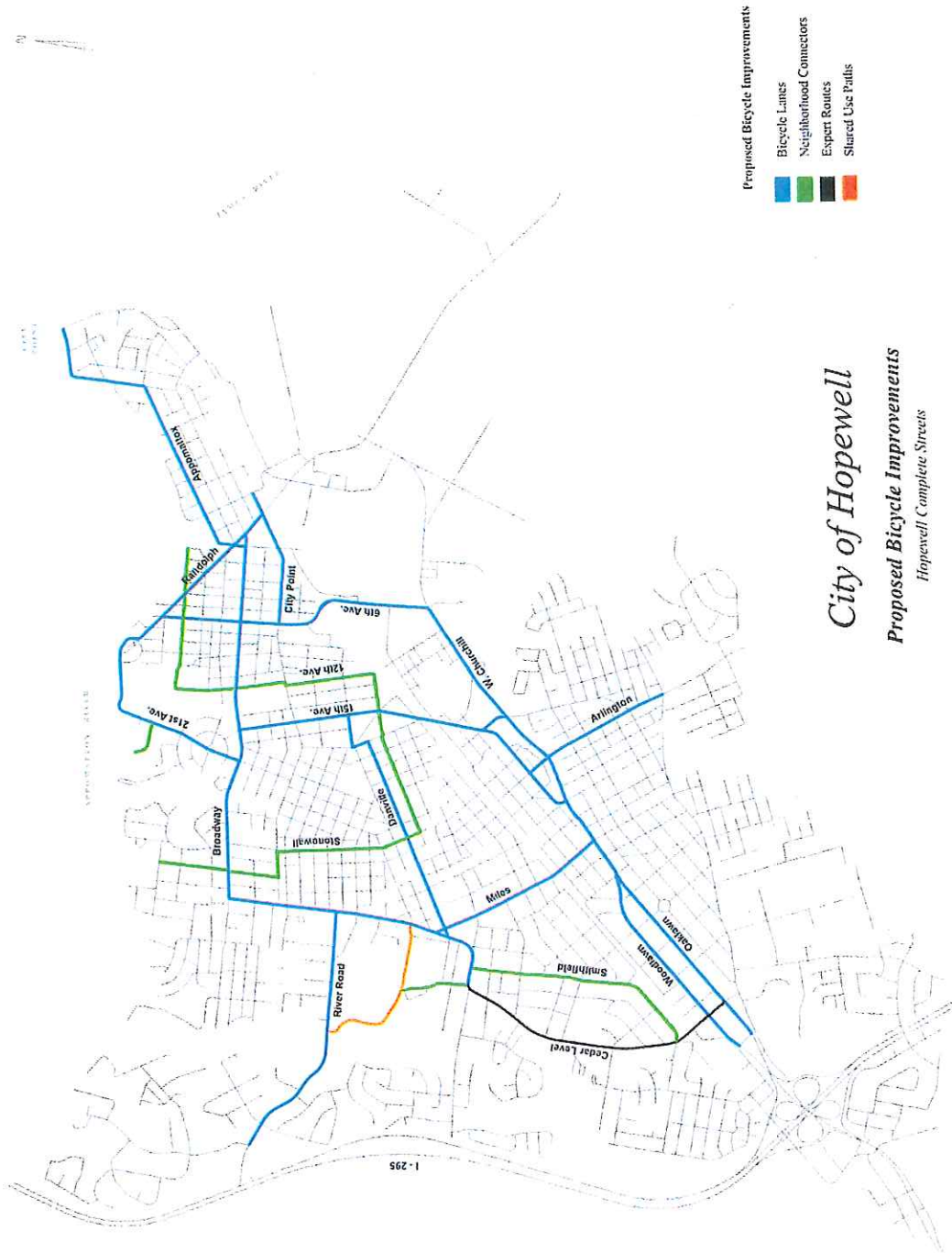
VOTING NAY:

ABSTAINING:

ABSENT:

ATTEST:

Mollie Bess, City Clerk



COUNCILOR REQUESTS

CR-1



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision**Theme:**

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

Order of Business:

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

Action:

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

COUNCIL AGENDA ITEM TITLE:

CCR for Randolph - Time frame between boards and commissions resignations and appointment of replacement recommendations and potential interviews.

ISSUE: The recent resignation of the Chair of the EDA, which was officially received the day of the last regular council meeting, saw a councilor call someone to come in and submit a talent bank application unbeknownst to the rest of council. All Citizens should have an opportunity of at least two weeks after a resignation to put in applications should they want to.

RECOMMENDATION: Create a two week time frame to give an opening at least two weeks prior to Council voting a replacement in, and the Clerk announce to all Council members any upcoming openings.

TIMING: Begin implementation as soon as the vote especially in lieu of the new software.

BACKGROUND: Stated above. Also Council currently interviews for the Planning commission, HRHA, School Board, and EDA. Are there others we want to add?

FISCAL IMPACT: None

ENCLOSED DOCUMENTS:

STAFF:

FOR IN MEETING USE ONLY

MOTION: Authorize the City Clerk to hold all submitted talent bank applications for at specific Board/Commission at least two weeks after a Boards and Commissions member resigns, in order to allow for citizen notification and opportunity to apply. Council should reiterate all boards and commissions which require interviews as well.

Roll Call

CR-2



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

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

Order of Business:

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

Action:

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

COUNCIL AGENDA ITEM TITLE: Adjust Budget to hire an Internal Auditor to establish an Audit Department.

ISSUE: The City of Hopewell has many loopholes in internal operations for lack of policies and/or procedures. As auditor can begin the process of auditing to apprise departments of their internal weaknesses before any annual review. An auditor will save the City tax dollars during annual audits.

RECOMMENDATION: Motion to establish an Internal Auditor's Office w/one full-time employee.

TIMING:

BACKGROUND: Adjust the annual budget to include the hiring of an Internal Auditor and finance Director. The Finance Department must be stabilized to have a full-time employee as the Finance Director.

FISCAL IMPACT: Budget will be affected by \$90,000 to \$140,000 per year

ENCLOSED DOCUMENTS:

- Sample Auditors Job Description

STAFF: City Councilor: Brenda Pelham, Ward 6

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

MOTION: _____

Roll Call

SUMMARY:

Y N

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

Y N

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



Director of Internal Audit

Class Code:
9222

CHESTERFIELD COUNTY
Established Date: Feb 3, 2014
Revision Date: Feb 3, 2014

SALARY RANGE

\$0.00 Hourly
\$0.00 Annually

FLSA:

Exempt

EEO:

EEO4-Officials & Administrators

CLASS CONCEPT:

GENERAL STATEMENT OF DUTIES:

Under administrative direction, performs work of considerable difficulty in planning, coordinating and directing the activities of the Department of Internal Audit, which includes performance, financial, compliance and special audits for evaluation and assessment of internal controls to mitigate risks and to safeguard public assets for Chesterfield County Government and Chesterfield County Public Schools; performs related work as required.

EXAMPLES OF WORK:

- Develops internal audit policies, procedures, and work standards by applying the appropriate audit methodologies
- Conducts comprehensive audit examinations to identify appropriate controls, key business risks, and compliance with state and federal rules and regulations
- Partners with departments to properly assess current practices and evaluate county and schools operations to improve effectiveness and efficiency of services
- Prepares complex analyses, studies and reports to ensure audit findings are properly documented and audit evidence is sufficient
- Provides advisory and consultation services to departments, County Administrator, School Superintendent, Board of Supervisors and School Board on audit findings with recommendations for corrective actions to reduce risk, strengthen controls and improve performance

- Provides training to management on internal controls, business risks, fraud and other related topics
- Promotes high levels of ethical awareness and coordinates the compliance and ethics program to include oversight of the county's fraud, waste and abuse complaints
- Monitors implementation of audit recommendations proposed by Internal Audit, as well as external auditors to ensure corrective actions have been implemented to mitigate risks
- Implements strategic initiatives and directives to support the mission, goals and objects of the organization while fostering a culture of continuous improvement

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES:

Comprehensive knowledge of the principles and practices of accounting, financial auditing and internal control; of laws, rules, regulations and procedures pertinent to public agency auditing and accounting and fraud investigation. Skill in organizing resources, establishing priorities and problem-solving; in operating a personal computer and related software and other standard office equipment. Ability to plan, organize, direct, coordinate, and evaluate internal auditing and special investigation activities; to design and implement an internal audit program to include the identification of potential and actual risk areas; to communicate effectively orally and in writing; to develop and maintain effective working relationships with internal and external customers; to plan, direct, manage and evaluate the work of department staff.

MINIMUM EDUCATION AND EXPERIENCE:

Bachelor's degree in accounting, business administration, finance or a related field (master's degree preferred); ten years of progressively responsible experience in accounting, financial and/or internal audit (preferably government experience), including five years in a supervisory/leadership capacity; or an equivalent combination of training and experience. Certification as a Public Accountant (CPA) or Internal Auditor (CIA) is required.

ADDITIONAL REQUIREMENTS:

This class specification is not intended to describe and does not necessarily list the essential job functions for a given position in a classification.

ADJOURNMENT

