



# City of Petersburg Virginia

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## Special Regular City Council Meeting

September 15, 2020  
Live Stream  
12:00 PM

### City Council

Samuel Parham, Mayor – Ward 3  
John A. Hart, Sr., Vice-Mayor – Ward 7  
Treska Wilson-Smith, Councilor – Ward 1  
Darrin Hill, Councilor – Ward 2  
Charlie Cuthbert, Councilor – Ward 4  
W. Howard Myers, Councilor – Ward 5  
Annette Smith-Lee, Councilor – Ward 6

### City Manager

Aretha R. Ferrell-Benavides

- 
1. **Roll Call**
  2. **Prayer**
  3. **Closed Session**
  4. **Moment of Silence**
  5. **Pledge of Allegiance**
  6. **Determination of the Presence of a Quorum**
  7. **Proclamations/Recognitions**
  8. **Reports/responses to previous public information period**
  9. **Communication/Special Reports**
    - a. City Manager Report - Aretha Ferrell-Benavides, City Manager
    - b. Assessor Report - Brian Gordineer, City Assessor
    - c. COVID-19 Update
    - d. Presentation of the City of Petersburg 2021-2025 Strategic Plan.
  10. **Consent Agenda (to include minutes of previous meetings):**
    - a. A request to schedule a public hearing for an Ordinance to amend and readopt Section 38-97 and 38-98 of the city code, changing the effective date and area of the Technology Zone; of the 2000 Code of Petersburg as amended.
    - b. A Request to schedule a Public Hearing and City Council consideration of a petition for a Special Use Permit for the property at 1300 E Washington Street.
    - c. A request to schedule a Public Hearing and City Council Consideration of a petition to rezone the property at 1000 Diamond Street.
    - d. A request to schedule a public hearing and to consider approval of the City of Petersburg Consolidated Plan, as required by the U.S. Department of Housing and Urban Development.

- e. Request to schedule a public hearing and consider authorization to vacate undeveloped street Right-of-Way adjacent to City-owned parcels previously approved for sale by the City Council and associated with the Harbor festival and event space development.
- f. Request to vacate an undeveloped Alley Right-of-Way associated with the Petersburg Transit Station and future parking deck.
- g. Minutes of the Special Closed Session City Council Meeting
- h. Request to schedule a public hearing for the disposition of properties located at 333 University Boulevard, 347 University Boulevard, 351-353 University Boulevard, 357 University Boulevard, 1237 Halifax Street, 100 Ball Park Road, 1015 Commerce Street, 10 North Jefferson, 125 East Washington Street, 2233 Halifax Road for the October 6, 2020, City Council Meeting.

**11. Official Public Hearings**

**12. Public Information Period**

**A public information period, limited in time to 30 minutes, shall be part of an Order of Business at each regular council meeting. Each speaker shall be a resident or business owner of the City and shall be limited to three minutes. No speaker will be permitted to speak on any item scheduled for consideration on the regular docket of the meeting at which the speaker is to speak. The order of speakers, limited by the 30-minute time period, shall be determined as follows:**

- a. **First, in chronological order of the notice, persons who have notified the Clerk no later than 12:00 noon of the day of the meeting,**
- b. **Second, in chronological order of their sign up, persons who have signed a sign-up sheet placed by the Clerk in the rear of the meeting room prior to the meeting removed from consent agenda**

**13. Business or reports from the Mayor or other Members of City Council**

**14. Items removed from Consent Agenda**

**15. Unfinished Business**

- a. Consideration of appointment/s to the Anti-Poverty Commission.

**16. New Business**

- a. Consideration of an appropriation for Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020, 2nd round - \$2,734,818
- b. Consideration for Virginia Department of Criminal Justice Services COVID-19 Prepared and Ready Grant -\$5,907
- c. Consideration to authorize the City Manager to sign a Deed of Utility Easement between the City of Petersburg and Prince George County for temporary construction and variable width utility easements across City property at 6104 County Drive, Prince George, VA
- d. Resolution to Amend and Re-Adopt Article VII of the City of Petersburg's Personnel Policies and Procedures Manual Pertaining to Grievance and Appeal Procedures.
- e. Consideration of appointment to the Petersburg Area Regional Tourism (PART) Board.
- f. Consideration of appointment/s to the Planning Commission.

- g. Consideration of appointments to the Community Development Block Grant Citizen Advisory Board.

**17. City Manager's Agenda**

**18. Business or reports from the Clerk**

**19. Business or reports from the City Attorney**

**20. Adjournment**



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** September 15, 2020

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:**

**FROM:**

**RE:** City Manager Report - Aretha Ferrell-Benavides, City Manager

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**PURPOSE:**

**REASON:**

**RECOMMENDATION:**

**BACKGROUND:**

**COST TO CITY:**

**BUDGETED ITEM:**

**REVENUE TO CITY:**

**CITY COUNCIL HEARING DATE:**

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:**

**AFFECTED AGENCIES:**

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:**

**REQUIRED CHANGES TO WORK PROGRAMS:**

**ATTACHMENTS:** None



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** September 15, 2020

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:**

**FROM:** Brian Gordineer

**RE:** Assessor Report - Brian Gordineer, City Assessor

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**PURPOSE:**

**REASON:**

**RECOMMENDATION:**

**BACKGROUND:**

**COST TO CITY:**

**BUDGETED ITEM:**

**REVENUE TO CITY:**

**CITY COUNCIL HEARING DATE:**

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:**

**AFFECTED AGENCIES:**

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:**

**REQUIRED CHANGES TO WORK PROGRAMS:**

**ATTACHMENTS:**

1. 20200911\_Council Assessor Report - GIS Update

# City Assessor's Report

September 15, 2020



**CITY ASSESSOR'S OFFICE**

Brian E. Gordineer, AAS – City Assessor

# New GIS – Dec. 31, 2020

## Complete

Jul. 1, 2019

Jul. 1, 2019 – present

Jan. 1, 2020

Jul. 1, 2020

**GIS Analyst hired**

**GIS Analyst begins data audit**

**User Group begins monthly meetings**

**ESRI and Geodecision software funded**

## In Process

Jul. 1, 2019 – present

Dec. 31, 2020

**ESRI implementation and Geodecisions  
design customization**

**GIS Website fully operational**



**CITY ASSESSOR'S OFFICE**

Brian E. Gordineer, AAS – City Assessor

# Questions



**CITY ASSESSOR'S OFFICE**

Brian E. Gordineer, AAS – City Assessor



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** September 15, 2020

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:**

**FROM:**

**RE:** COVID-19 Update

**PURPOSE:**

**REASON:**

**RECOMMENDATION:**

**BACKGROUND:**

**COST TO CITY:**

**BUDGETED ITEM:**

**REVENUE TO CITY:**

**CITY COUNCIL HEARING DATE:**

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:**

**AFFECTED AGENCIES:**

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:**

**REQUIRED CHANGES TO WORK PROGRAMS:**

**ATTACHMENTS:** None



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** September 15, 2020

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** Aretha Ferrell-Benavides, City Manager

**FROM:** Robert Floyd

**RE:** **Presentation of the City of Petersburg 2021-2025 Strategic Plan.**

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**PURPOSE:**

**REASON:**

**RECOMMENDATION:**

**BACKGROUND:**

**COST TO CITY:**

**BUDGETED ITEM:**

**REVENUE TO CITY:**

**CITY COUNCIL HEARING DATE:**

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:**

**AFFECTED AGENCIES:**

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:**

**REQUIRED CHANGES TO WORK PROGRAMS:**

**ATTACHMENTS:**

1. Strategic Plan

# *City of Petersburg* VIRGINIA



## 2021-2025 Strategic Plan



# OUR LEADERSHIP



**Mayor**  
**Samuel Parham**  
Ward 3

**Vice Mayor**  
**John A. Hart, Sr.**  
Ward 7

**Councilmember**  
**Charlie Cuthbert**  
Ward 4

**Councilmember**  
**Treska Wilson-Smith**  
Ward 1

**Councilmember**  
**W. Howard Myers**  
Ward 5

**Councilmember**  
**Darrin Hill**  
Ward 2

**Councilmember**  
**Annette Smith-Lee**  
Ward 6

# OUR EXECUTIVE TEAM



**Aretha R. Ferrell-Benavides**  
City Manager



**Lionel D. Lyons**  
Deputy City Manager  
Development



**Kenneth Miller**  
Deputy City Manager  
Public Safety



**Darnetta K. Tyus**  
Deputy City Manager  
Community Affairs

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## Department Legend

<b>BP</b> – Budget and Procurement	<b>IT</b> – Information Technology
<b>CA</b> – Community Affairs	<b>L</b> – Library
<b>CC</b> – City Council	<b>NS</b> – Neighborhood Services
<b>CMO</b> – City Manager Office	<b>P</b> – Police
<b>COR</b> – Commissioner Of Revenue	<b>PCD</b> – Planning and Community Development
<b>CT</b> – City Treasurer	<b>PCPS</b> – Petersburg City Public Schools
<b>ED</b> – Economic Development	<b>PU</b> – Public Utilities
<b>F</b> - Fire	<b>RCE</b> – Recreation and Community Engagement
<b>FC</b> – Finance and Collections	<b>SS</b> – Social Services
<b>GP</b> - Golf and Parks	<b>S</b> – Sheriff
<b>GS</b> – General Services	<b>T</b> – Tourism
<b>HR</b> – Human Resources	<b>TR</b> – Transit

# CITY MANAGER'S MESSAGE

Honorable Mayor and Members of City Council,

It is my honor to present to you, the residents, and the business of the City of Petersburg, the City's 2021-2025 Strategic Plan. This Plan is a roadmap that City staff will utilize to maintain and enhance services for the community. The strategic planning process has resulted in City staff recommending a set of objectives and action items that are necessary to achieve the strategic goals adopted by City Council.

The City of Petersburg has overcome a multitude of hardships throughout the years and through the perseverance displayed by the City Council, staff, and residents. Thus, the City is capable of meeting current and future obstacles that may arise. This Strategic Plan reflects the City's dedication to collaboratively working together for the advancement of the community. In an effort to achieve the strategic goals, the City is fully committed to executing the defined objectives and action items to better serve the residents of Petersburg.

The Strategic Plan will be fundamental in our ongoing growth and will be our foundation for developing the annual operating and capital budgets. Staff will provide City Council and residents with frequent updates regarding the status of the various action items. As with any plan, the Strategic Plan will be monitored and evaluated continuously with the understanding that objectives and action items may require amending as the City of Petersburg evolves and progresses forward.

It is prudent that we continue to look at our past, present, and future to make any and all necessary decisions to protect this great City. I am excited to face the adversities that are ahead and have the utmost confidence in City staff to execute the objectives and action items moving forward to achieve the strategic goals.

*Aretha R. Ferrell-Benavides*

Aretha R. Ferrell-Benavides  
City Manager

# OVERVIEW

The City of Petersburg's 2021-2025 Strategic Plan is a roadmap that will direct the City's fulfillment of its vision and goals. This strategic plan is the result of months of rigorous work by the Petersburg City Council along with City staff that illustrates where we are as City, where we would like to be moving forward, and how we plan to make this a reality.

## **The Strategic Plan is intended to:**

- Provide direction in future policy implementation and decision-making
- Provide City staff with the necessary guidance to achieve the City's goals
- Create a shared vision and commitment of City Council, City staff, and Petersburg residents.

The City of Petersburg's 2021-2025 Strategic Plan identifies actions and activities that City departments will consummate throughout the next five years. This document highlights the strategic goals, objectives action items that will be met, departments responsible, and the target date of achievement. These goals, objectives, and action items are structured in a manner that, when completed, will aid in reaching the City's vision for 2025.

Formally incorporated as a City in 1748, Petersburg, Virginia is rich in history and character. Rising from the banks of the Appomattox River, Petersburg was once in the forefront of industry and commercial opportunity and the second largest City in Virginia. Petersburg boasts history, geography and beautifully intact historic districts. Visible reminders of Petersburg's prominent role in the emergence of the country are evident in the rich range of architecture and the unique character of the neighborhoods. The Petersburg Old Towne Historic District is on the National Register of Historic Places, offering architectural variety, restaurants, shops, and housing. Historical sites range from battlefields to old houses, including the Petersburg National Battlefield Park (which preserves the sites of the Civil Wars' Siege of Petersburg and the Battle of Crater), Pamplin Historical Park, Blandford Church and Cemetery, National Museum of the Civil War, Centre Hill Mansion, and the Exchange Museum.

# STRATEGIC PLAN DEVELOPMENT

The City of Petersburg's Strategic Plan was developed from 2019 through 2020. The process was/is as follows:

1. City Council held a retreat on October 27-28, 2019 which resulted in the adoption of Council's strategic goals for the next five years and create a vision for 2025.
2. Senior Staff held a retreat on December 12, 2019 to discuss the Council's strategic goals and vision, and then develop objectives and action items that would be necessary to achieve the goals.
3. The City Manager and staff continued to meet to further refine the objectives and action items for the strategic goals.
4. Presentation of the completed Strategic Plan to Council with discussion and feedback.
5. Council adopts the Strategic Plan.
6. Track and monitor the Strategic Plan and revisions as necessary.

# VISION & VALUES

## **Vision:**

Petersburg is a vibrant, welcoming, and engaged community for all

## **Values:**

- \* Citizen/Customer Focus
- \* Competent and Responsive Staff
- \* Open and Honest Communications
  - \* Fiscally Sound and Sustainable Operations
- \* Understanding of and Respect for the Council/Manager Form of Government

# STRATEGIC GOALS

## **Goal #1:**

Promote economic development to attract new businesses and strengthen the City's tax base

## **Goal #2:**

Support community development activities to enhance neighborhoods and improve housing

## **Goal #3:**

Provide good governance for efficient, effective, and equitable service delivery, productive citizen engagement, and community improvement

## **Goal #4:**

Celebrate Petersburg's history and culture

# Goal 1: Economic Development

**Goal: Promote economic development to attract new businesses and strengthen the City's tax base**

The City of Petersburg is a city with endless potential for economic development. Petersburg must create a welcoming culture that is enticing to potential developers. In addition to creating this culture, the City must ensure that all external partners are being utilized to maximize the impact of potential developments. In an effort to increase development in Petersburg, there needs to be an emphasis on having a readily available and skilled workforce. Focusing on these aspects will result in further development that will increase the revenue streams for the City. By creating additional revenue, the City will be able to reinvest more resources back into the community.



# Goal 1: Economic Development

## Objective #1: Foster Commercial, Retail, Industrial, and Logistical Development

Action	Target Date	Department
<ul style="list-style-type: none"><li>Develop and implement Economic Development Plan within the Comprehensive plan</li></ul>	Summer 2021	ED, PCD
<ul style="list-style-type: none"><li>Develop and implement Marketing Strategy</li></ul>	Summer 2021	ED, T, CMO
<ul style="list-style-type: none"><li>Establish Downtown Revitalization Plan</li></ul>	Summer 2021	ED, PCD, T, CMO
<ul style="list-style-type: none"><li>Establish Gateway Revitalization Plan</li></ul>	Summer 2021	ED, PCD, T, CMO
<ul style="list-style-type: none"><li>Develop a written process for proposed development review</li></ul>	Winter 2021	ED, PCD, CMO
<ul style="list-style-type: none"><li>Create industry clusters including local and regional partners to assist in developing and launching recruitment strategies for each of Petersburg's target industries: biosciences, retail, hospitality, and manufacturing</li></ul>	Ongoing	ED, PCD, CMO

# Goal 1: Economic Development

## Objective #1: Strengthen Petersburg's Workforce

Action	Target Date	Department
<ul style="list-style-type: none"> <li>Partner with other organizations to assess employment needs, common challenges, growth potential, future, etc. and strategies to address them</li> </ul>	Spring 2021	ED, CA
<ul style="list-style-type: none"> <li>Establish a technical action team to design and implement a model to address critical community workforce development needs</li> </ul>	Spring 2022	ED, CA, PCPS
<ul style="list-style-type: none"> <li>Establish local taskforce of education, business, and nonprofit leaders to create workforce readiness and job development opportunities for youth, young adults, unemployed and underemployed residents with limited skills and work history</li> </ul>	Spring 2023	ED, CA, PCPS
<ul style="list-style-type: none"> <li>Identify and help promote opportunities for on –the-job training programs with businesses</li> </ul>	Summer 2023	ED, CA
<ul style="list-style-type: none"> <li>Evaluate transit bus routes to reflect community workforce needs</li> </ul>	Ongoing	TR
<ul style="list-style-type: none"> <li>Create comprehensive workforce development strategy</li> </ul>	Summer 2022	ED, CA

# Goal 1: Economic Development

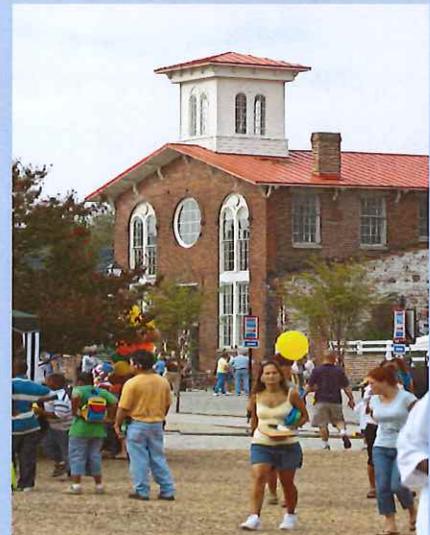
## Objective #3: Diversify and Broaden the City's Tax Base

Action	Target Date	Department
<ul style="list-style-type: none"> <li>• Conduct SWOT analysis on the revenue streams that flow through the City of Petersburg</li> </ul>	<b>Fall 2021</b>	<b>BP</b>
<ul style="list-style-type: none"> <li>• Develop a plan to transfer or sell City owned property to private investors</li> </ul>	<b>Spring 2021</b>	<b>ED, PCD, CMO</b>
<ul style="list-style-type: none"> <li>• Develop policies and procedures for disposition of City owned properties</li> </ul>	<b>Spring 2021</b>	<b>ED, PCD, CMO</b>
<ul style="list-style-type: none"> <li>• Create incentive packets and products to promote the City at economic development events targeting commercial, retail, and other developments</li> </ul>	<b>Ongoing</b>	<b>ED, PCD, CMO</b>
<ul style="list-style-type: none"> <li>• Evaluate Opportunity Zones and Enterprise Zones</li> </ul>	<b>Annually</b>	<b>ED, PCD, CMO</b>
<ul style="list-style-type: none"> <li>• Develop plan for revenue sharing opportunities with neighboring localities</li> </ul>	<b>Ongoing</b>	<b>ED, PCD, CMO, BP, COR, FC</b>

# Goal 2: Neighborhood Vitality

**Goal: Support community development activities to enhance neighborhoods and improve housing**

In order to be a desirable location for residents, the City must ensure that the communities are able to thrive. Issues of blight, failing infrastructure, and safety must be remedied to allow Petersburg to reach its full potential of being a City suited to live, work and play.



# Goal 2: Neighborhood Vitality

## Objective #1: Prevent Blight and Deterioration

Action	Target Date	Department
• Develop policies and procedures to address blight	Winter 2021	NS, PCD
• Launch a blight prevention initiative	Spring 2021	NS, PCD, CMO
• Collaborate with property owners to comply with the city's code ordinances	Ongoing	NS, PCD
• Identify unrepairable noncompliant housing that needs to be demolished	Spring 2021	NS, PCD
• Identify and address noncompliant blighted lots	Summer 2021	NS, PCD
• Develop and implement city-wide housing plan	Winter 2022	NS, PCD, ED
• Pursue legislation for enhancing enforcement of code ordinances	Annually	CMO, NS, PCD

# Goal 2: Neighborhood Vitality

## Objective #2: Provide Quality Public Health and Safety Services

Action	Target Date	Department
<ul style="list-style-type: none"><li>• Reach full staffing levels of public safety departments</li></ul>	<b>Winter 2022</b>	<b>SS, P, F, PU, HR</b>
<ul style="list-style-type: none"><li>• Develop and uphold sound policies and procedures for public safety</li></ul>	<b>Ongoing</b>	<b>SS, P, F, PU</b>
<ul style="list-style-type: none"><li>• Ensure necessary resources and equipment are available</li></ul>	<b>Annually</b>	<b>SS, P, F, PU, BP</b>
<ul style="list-style-type: none"><li>• Provide opportunities for professional development</li></ul>	<b>Annually</b>	<b>SS, P, F, PU, HR</b>
<ul style="list-style-type: none"><li>• Establish coordination between public health agencies</li></ul>	<b>Ongoing</b>	<b>SS, P, F, PU</b>

# Goal 2: Neighborhood Vitality

## Objective #3: Invest in Infrastructure Improvements

Action	Target Date	Department
• Develop city-wide streetlight upgrade plan	Summer 2021	PU, GS, PCD, CMO
• Update Master Transportation Plan and Prioritization of Road Projects	Spring 2022	TR, GS, PU
• Continue city-wide Pothole Blitz	Ongoing	GS
• Complete the St. Andrews Street Bridge Project	Winter 2021	GS, PU
• Implement 5 year Capital Improvement Plan	Ongoing	ALL DEPARTMENTS
• Develop city-wide sidewalk plan	Spring 2023	PU, GS, PCD, CMO

# Goal 2: Neighborhood Vitality

## Objective #4: Advance Quality of Life by Enhancing Parks and Open Spaces

Action	Target Date	Department
• Assess current state of Petersburg's parks and open spaces	Spring 2021	RCE, T, GP
• Develop map of all playgrounds within the city	Summer 2021	RCE
• Seek opportunities for grant funding to make improvements	Annually	RCE, BP
• Develop a Parks plan	Fall 2023	RCE, PCD
• Promote Petersburg parks and open spaces to residents	Ongoing	T, RCE, CMO

# Goal 3: Good Governance

**Goal: Provide good governance for efficient, effective, and equitable service delivery, productive citizen engagement, and community improvement**

Petersburg is a city that is ethically managed and is continuing to make strides of improvement from previous years. Good governance is implemented by being efficient, effective, and equitable in all city operations. The City will place emphasis on areas of service delivery, citizen engagement, and community improvement.



# Goal 3: Good Governance

## Objective #1: Efficient and Effective Operations

Action	Target Date	Department
<ul style="list-style-type: none"> <li>Assess core business processes</li> </ul>	Summer 2021	ALL DEPARTMENTS
<ul style="list-style-type: none"> <li>Develop a process improvement plan addressing areas of business operations that need to be improved</li> </ul>	Spring 2022	ALL DEPARTMENTS
<ul style="list-style-type: none"> <li>Provide necessary training and resources to personnel</li> </ul>	Annually	ALL DEPARTMENTS
<ul style="list-style-type: none"> <li>Develop departmental performance measures that focus on improving service outcomes</li> </ul>	Fall 2021	BP
<ul style="list-style-type: none"> <li>Develop and implement customer service standards</li> </ul>	Winter 2021	*HR AND ALL DEPARTMENTS

\*Areas in the department column where it lists a specific department preceding "ALL DEPARTMENTS" indicates the department that should take the lead on this specific action item.

# Goal 3: Good Governance

## Objective #2: Demonstrate Collaborative Leadership

Action	Target Date	Department
<ul style="list-style-type: none"><li>• Develop and update policies and procedures utilizing best practices</li></ul>	<b>Annually</b>	<b>ALL DEPARTMENTS</b>
<ul style="list-style-type: none"><li>• Improve and increase inter-departmental communication and collaboration</li></ul>	<b>Ongoing</b>	<b>ALL DEPARTMENTS</b>
<ul style="list-style-type: none"><li>• Strengthen relationships with local, state, and federal entities</li></ul>	<b>Ongoing</b>	<b>ALL DEPARTMENTS</b>
<ul style="list-style-type: none"><li>• Ensure the effective establishment of city appointed boards and Commissions</li></ul>	<b>Ongoing</b>	<b>CC, CMO</b>
<ul style="list-style-type: none"><li>• Establish and maintain effective working relationships between City Council, City Manager, and</li></ul>	<b>Ongoing</b>	<b>CC, CMO, ALL DEPARTMENTS</b>

# Goal 3: Good Governance

## Objective #3: Provide Responsible Fiscal Management

Action	Target Date	Department
• Update financial policies	Annually	BP, FC
• Increase bond rating from BBB- to AA	Winter 2025	FC, CT, COR, BP, CMO
• Build fund balance for General Fund to 60 days in reserve	Winter 2024	CMO, BP
• Develop 5-year capital improvement plan	Spring 2021	BP
• Explore strategies to decrease expenditures and increase revenue	Ongoing	BP AND ALL DEPARTMENTS
• Develop and interactive Budget development process	Summer 2021	BP

# Goal 3: Good Governance

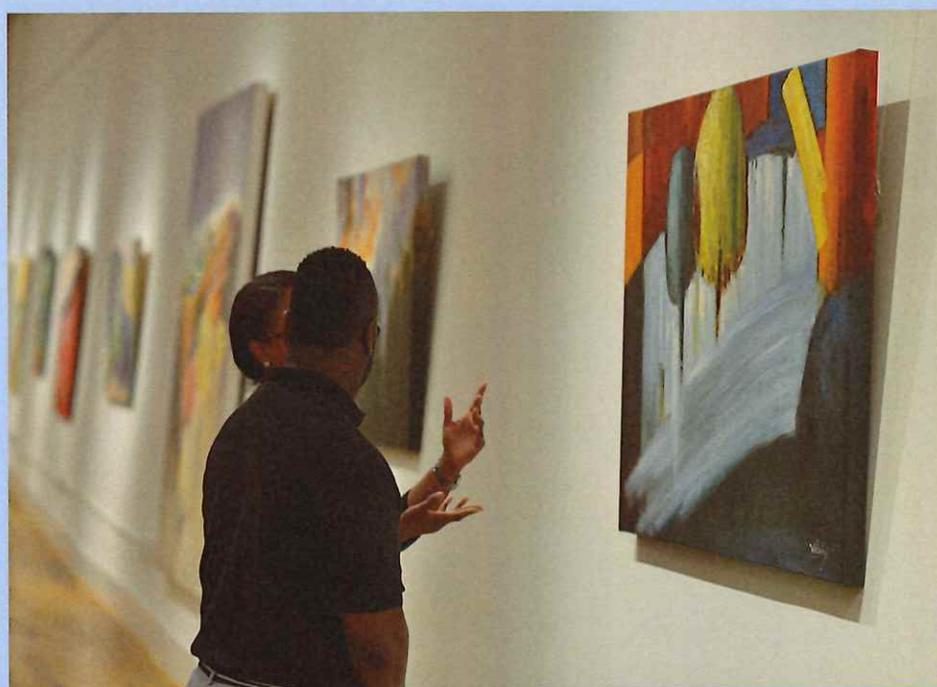
## Objective #4: Expand Accessibility to Government

Action	Target Date	Department
<ul style="list-style-type: none"><li>Enhance contents of local Petersburg channel</li></ul>	Ongoing	CMO
<ul style="list-style-type: none"><li>Purchase video streaming software for City Council meetings</li></ul>	Spring 2021	IT
<ul style="list-style-type: none"><li>Consider options to provide city-wide Wi-Fi</li></ul>	Summer 2021	IT
<ul style="list-style-type: none"><li>Purchase FOIA software to improve the FOIA process</li></ul>	Winter 2021	NS, IT
<ul style="list-style-type: none"><li>Update departmental pages on the City's website</li></ul>	Ongoing	ALL DEPARTMENTS

# Goal 3: Celebrate Petersburg

## Goal: Celebrate Petersburg's History and Culture

Petersburg is a city full of rich history and an everchanging culture. The historical foundation of Petersburg has made the city what it is today. This history needs to be celebrated and preserved to make Petersburg a hub for tourism and festivities.



# Goal 4: Celebrate Petersburg

## Objective #1: Increase Tourism

Action	Target Date	Department
• Create a centralized site for all of Petersburg's historical information	Winter 2021	T
• Strengthen local, regional, state, and federal partnership for tourism	Ongoing	T, ED, L
• Seek grant funding for marketing and tourism	Ongoing	CMO, T, BP
• Redevelop tourism website and social media pages	Winter 2021	T
• Update African American History Brochure	Summer 2021	L, T
• Update Tourism Plan	Summer 2021	T, PCD
• Promote Petersburg to film industries	Ongoing	CMO, T

# Goal 4: Celebrate Petersburg

## Objective #2: Preserve Petersburg's Historical Infrastructure

Action	Target Date	Department
• Complete assessment of all historical buildings	Spring 2022	PCD
• Develop usage plan for: Peabody School McKenney Library	Fall 2021	CC, CMO, L
• Ensure the maintenance and code compliance of privately owned historical buildings	Ongoing	NS
• Develop a maintenance plan for city owned historical buildings	Summer 2021	PU, CMO
• Construct a plan for Wilcox Lake rehabilitation	Winter 2021	CC, CMO, PU
• Complete rehabilitation of Southside Depot	Spring 2024	PU
• Seek alternative funding sources for preservation	Annually	PCD, NS, BP

# Goal 4: Celebrate Petersburg

## Objective #3: Develop Community Pride in Petersburg

Action	Target Date	Department
• Create online central calendar of social events	Spring 2022	CMO, RCE, CA, L, T
• Develop city-wide survey for community event interests	Spring 2022	CMO, RCE, CA, L, T
• Enhance utilization of city-wide websites and social media accounts for community events	Ongoing	ALL DEPARTMENTS
• Market city activities to Petersburg's residents and community	Ongoing	CMO, RCE, CA, L, T
• Strengthen public and private partnerships	Ongoing	CMO, RCE, CA, L, T

# GLOSSARY

**60 Days in Reserve:** Equates to 60 days of the daily operating budget cost.

**Blight Prevention Initiative:** Partnership between City staff and residents to help identify blighted property as well as be proactive towards any future blight.

**Bond Rating AA:** This rating states that a municipality has a very strong capacity to meet its financial commitments. The City of Petersburg aspires to reach this rating by 2025.

**Bond Rating BBB-:** Petersburg's current bond rating from Standard & Poor's. This rating states that the municipality has adequate capacity to meet its financial commitments and is at the low end of the investment grade scale.

**Capital Improvement Plan:** Short range plan (5 years) that identifies capital projects. Capital improvements include projects such as facility upgrades, vehicle/equipment replacement, infrastructure, technology and parks and open spaces.

**Comprehensive Plan:** Long range plan that highlights and guides decisions for the community's future development.

**FOIA:** Freedom of Information Act

**Infrastructure:** Publicly-owned or maintained sidewalks, streets, water/wastewater lines, stormwater systems and other fundamental facilities and systems serving the City of Petersburg.

**Master Transportation Plan:** Long range plan that outlines the development and vision of walkability, bike ability, and drivability within the City.

**Pothole Blitz:** Citizen engagement initiative to repair potholes across all wards.

**Public and Private Partnerships:** Collaborative arrangement amongst private organizations and public organizations to accomplish the same goal.

**Revitalization Plan:** Long range plan for the purpose of fortifying the assets of the City.

**SWOT Analysis:** Strategic analysis that outlines the strengths, weaknesses, opportunities, and threats of the City.

**Tourism Plan:** Long range plan that considers the needs of people traveling to and through the City and utilizes those needs to determine the best resources, programs and activities for their trip.







# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** September 15, 2020

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** Aretha Ferrell-Benavides, City Manager

**FROM:** Jeremy Tennant, Kelly Evko, Carthan Currin, Reginald Tabor

**RE:** **A request to schedule a public hearing for an Ordinance to amend and readopt Section 38-97 and 38-98 of the city code, changing the effective date and area of the Technology Zone; of the 2000 Code of Petersburg as amended.**

**PURPOSE:** The purpose of this Agenda Item is to provide an updated effective date and specify the area of the Technology Zone.

**REASON:** To clarify the boundary of the Technology Zone and extend the application of the Technology Zone beyond the originally proposed expiration dates.

**RECOMMENDATION:** Staff Recommends Approval

**BACKGROUND:** The original area of the Technology Zone was established in 2003 when the ordinance was originally adopted using then an existing parcel of land to designate the boundaries. In 2014 the effective date was extended to expire in January 2020.

**COST TO CITY:** \$0

**BUDGETED ITEM:** \$0

**REVENUE TO CITY:** \$0

**CITY COUNCIL HEARING DATE:**

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:**

**AFFECTED AGENCIES:**

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** Ord. No. 03-52,7-15-2003  
Ord. No. 14-101, 10-21-2014

**REQUIRED CHANGES TO WORK PROGRAMS:**

**ATTACHMENTS:**

1. Layout650
2. Technology Zone Amendment Ordinance\_Final\_Version

# Exhibit A



**AN ORDINANCE TO AMEND AND READOPT SECTION 38-97 AND 38-98 OF THE CITY CODE, CHANGING THE EFFECTIVE DATE AND AREA OF THE TECHNOLOGY ZONE; OF THE 2000 CODE OF PETERSBURG AS AMENDED.**

WHEREAS, the original area of the Technology Zone was established in year 2003 when the Ordinance was originally adopted using a then existing parcel of land to designate the boundaries; and

WHEREAS, the original parcel is being subdivided into separate parcels bearing tax map numbers which differ from those reflected in the current Ordinance Section 38-98; and

WHEREAS, it is the wish of the City to clarify its intention to extend the application of the Technology Zone beyond the originally proposed expiration dates for the Ordinance reflected in Section 38-97; and

WHEREAS, it is the belief of Council that the implementation of these changes will clarify the ordinance and be in the best interests of the City.

NOW therefore BE IT ORDAINED by the City Council of the City of Petersburg, Virginia that Sections 38-97 and 38-98 are hereby amended and re-adopted as follows:

**Sec. 38-97. Effective date.**

This article shall be effective upon adoption by Council

*(Ord. No. 03-52, 7-15-2003; **Ord. No. 14-101, 10-21-2014**)*

**Sec. 38-98. I-95 Technology Zone.**

The I-95 Technology Zone shall consist of all that tract of land located in the City of Petersburg, Virginia, containing approximately 197 acres ~~197.033~~ acres located on the east side of Interstate 95 and on the north side of Wagner Road, further identified as Tax Map Parcel 063010800 and Tax Map Parcel 063010001 ~~063-01-001~~ reference to said Tax Map Parcel which is made by this section and incorporated herein and as further depicted in (Exhibit A).

*(Ord. No. 03-52, 7-15-2003; **Ord. No. 14-101, 10-21-2014**)*

Ordinance \_\_\_\_\_  
adopted by the City of Petersburg Council of the City of Petersburg on:

\_\_\_\_\_

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Clerk of City Council

---

Mayor



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** September 15, 2020

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** Aretha Ferrell-Benavides, City Manager  
Lionel Lyons, Deputy City Manager of Development

**FROM:** Reginald Tabor

**RE:** **A Request to schedule a Public Hearing and City Council consideration of a petition for a Special Use Permit for the property at 1300 E Washington Street.**

**PURPOSE:** For the City Council to schedule a public hearing to receive public comment and to consider a petition for a Special Use Permit for the property at 1300 E Washington Street.

**REASON:** To comply with legal requirements to hold a public hearing and receive public comment prior to consideration of a petition for a Special Use Permit.

**RECOMMENDATION:** It is recommended that the City Council schedules a public hearing and considers a petition for a Special Use Permit for the property at 1300 E Washington Street.

**BACKGROUND:** The Petersburg Planning Commission held a public hearing and considered a petition from Mark Spector Properties, Inc. (agent) for David L. Snead, (Seller) and Robert H. Warthan, (Buyer) for a Special Use Permit pursuant to Article 23, Section 4(22) of the Zoning Ordinance to operate a stand-alone used vehicle sales not associated with a new vehicle dealership, subject to certain terms and conditions at 1300 East Washington St., T.P. 005-090002. The property is currently zoned M-1, Light Industrial District. In addition, the applicant has is requesting a secondary Special Use Permit pursuant to Article 23, Section 4(23) of the Zoning Ordinance to operate a stand-alone vehicle repair shop not associated with a new-vehicle dealership, subject to certain terms and conditions at the same business location addressed as 1300 E Washington Street, T.P. 005-090002, zoned M-1, Light Industrial District. The current Comprehensive Plan 2000 suggests that the area is suitable for commercial/industrial uses.

The proposed use is the same as the existing use, and the petition is submitted by a prospective new owner of the property.

The Planning Commission unanimously approved a motion to recommend City Council approval of the petition.

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** Tax revenue associated with the property and the proposed uses.

**CITY COUNCIL HEARING DATE:**

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** Commissioner of the Revenue, City Assessor, Planning and Community Development

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:** None



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** September 15, 2020

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** Aretha Ferrell-Benavides, City Manager  
Lionel Lyons, Deputy City Manager of Development

**FROM:** Reginald Tabor

**RE:** **A request to schedule a Public Hearing and City Council Consideration of a petition to rezone the property at 1000 Diamond Street.**

**PURPOSE:** For the City Council to schedule a public hearing to receive public comment and to consider a petition to rezone the property at 1000 Diamond Street.

**REASON:** To comply with legal requirements to hold a public hearing and receive public comment prior to consideration of a petition to rezone property.

**RECOMMENDATION:** It is recommended that the City Council schedules a public hearing and considers a petition to rezone the property at 1000 Diamond Street.

**BACKGROUND:** The Petersburg Planning Commission held a public hearing and considered a petition from PB Petersburg Owner, LLC to rezone the property at 1000 Diamond Street, formerly known as Virginia Avenue Elementary School, Parcel ID: 044-08000 from R-2, Single Family Residence District to PUD, Planned Unit Development District to allow for a mixed used development that will include multi-family residential targeted to Senior and Military.

The Planning Commission unanimously approved a motion to recommend City Council approval of the rezoning.

The City Council previously approved the sale of the property for the purposed use. Rezoning is required for the proposed use to be in compliance with the City Code.

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** Revenue from the development and use of the vacant property.

**CITY COUNCIL HEARING DATE:**

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** City Assessor, Economic Development, Planning and Community Development.

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:** None



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** September 15, 2020

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** Aretha Ferrell-Benavides, City Manager  
Lionel Lyons, Deputy City Manager of Development

**FROM:** Reginald Tabor

**RE:** **A request to schedule a public hearing and to consider approval of the City of Petersburg Consolidated Plan, as required by the U.S. Department of Housing and Urban Development.**

**PURPOSE:** To schedule a public hearing and consideration of the approval of the City's Consolidated Plan.

**REASON:** The U.S. Department of Housing and Urban Development requires approval of a Consolidated Plan from jurisdictions that receive funding through HUD grant programs. The City of Petersburg currently receives funding through the HUD Community Development Block Grant (CDBG) Program.

**RECOMMENDATION:** It is recommended that the City Council schedules a public hearing and considers adoption of the Consolidated Plan.

**BACKGROUND:** The Consolidated Plan is designed to help states and local jurisdictions to assess their affordable housing and community development needs and market conditions, and to make data-driven, place-based investment decisions.

Through the Consolidated Plan, grantee jurisdictions engage the community, as partners and stakeholders in the implementation of HUD Community Planning Development (CPD) programs. By consulting and collaborating with other public and private entities, grantees can align and coordinate community development programs with a range of other plans, programs and resources to achieve greater impact.

The Consolidated Plan may have a duration of between 3 and 5 years and it describes the jurisdiction's community development priorities and multiyear goals.

The Consolidated Plan is carried out through Annual Action Plans, which provide a concise summary of the actions, activities, and the specific federal and non-federal resources that will be used each year to address the priority needs and specific goals identified by the Consolidated Plan.

The City's Consolidated Plan will compliment both the City's Strategic Plan and the City's Comprehensive Plan.

A draft plan has been put on the City's website for public comment, and advertisements have been placed in the local newspaper.

This is a request for the City Council to schedule a public hearing to adopt the 2020-2024 HUD Consolidated Plan.

**COST TO CITY:** Expenditures related to HUD CDBG program

**BUDGETED ITEM:** CDBG budgeted items

**REVENUE TO CITY:** N/A

**CITY COUNCIL HEARING DATE:**

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** US Department of Housing and Urban Development.

**AFFECTED AGENCIES:** Finance, Public Works, Planning and Community Development

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:** None



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** September 15, 2020

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** Aretha Ferrell-Benavides, City Manager  
Lionel Lyons, Deputy City Manager of Development  
Tangela Innis, Director of Public Works and Utilities

**FROM:** William Riggleman

**RE:** **Request to schedule a public hearing and consider authorization to vacate undeveloped street Right-of-Way adjacent to City-owned parcels previously approved for sale by the City Council and associated with the Harbor festival and event space development.**

**PURPOSE:** To schedule a public hearing and consider authorization to vacate undeveloped street right-of-way adjacent to Joseph Jenkins Roberts Street and South of the Appomattox River.

**REASON:** To vacate undeveloped street Right-of-Way adjacent to City-owned parcels previously approved for sale and associated with the Harbor festival and event space development.

**RECOMMENDATION:** It is recommended that the City Council schedules a Public Hearing and considers authorization to vacate undeveloped street Right-of-Way.

**BACKGROUND:** The right-of-way was established to accommodate former street traffic. The streets were closed and the paved areas were removed, however the right of way was not vacated.

The right-of-way is included in the property approved for sale to be part of the Harbor Festival and Event Space project.

The right-of-way vacation is requested to establish contiguous parcels prior to finalizing the sale of the property.

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** Revenue generated from the proposed use of property that is currently vacant.

**CITY COUNCIL HEARING DATE:**

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** Department of Public Works and Utilities, City Assessor

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:** None



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** September 15, 2020

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** Tangela Innis, Director of Public Works and Utilities  
Lionel Lyons, Deputy City Manager of Development

**FROM:** William Riggleman

**RE:** Request to vacate an undeveloped Alley Right-of-Way associated with the Petersburg Transit Station and future parking deck.

**PURPOSE:** To vacate an undeveloped alley right-of-way of South Union Street.

**REASON:** Vacate undeveloped alley right-of-way and merge with adjacent lots in area of the Petersburg Station and future parking deck.

**RECOMMENDATION:**

The Public Works and Utilities recommends the right-of-way be vacated.

**BACKGROUND:** The right-of-way was established to permit access to adjacent properties. Those properties were purchased by the City to construct the Petersburg Station and portions of the constructed facility are in the alley right-of-way.

**COST TO CITY:** None

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** None

**CITY COUNCIL HEARING DATE:**

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

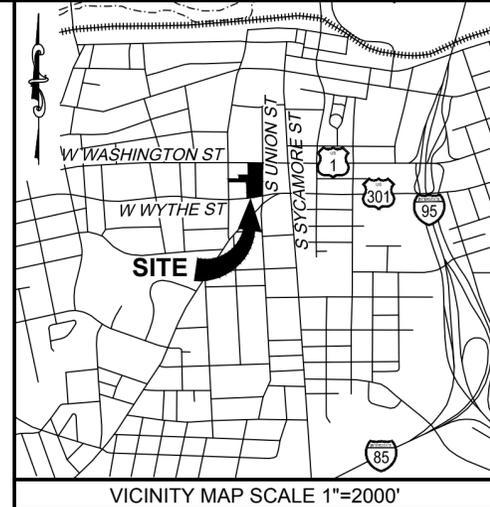
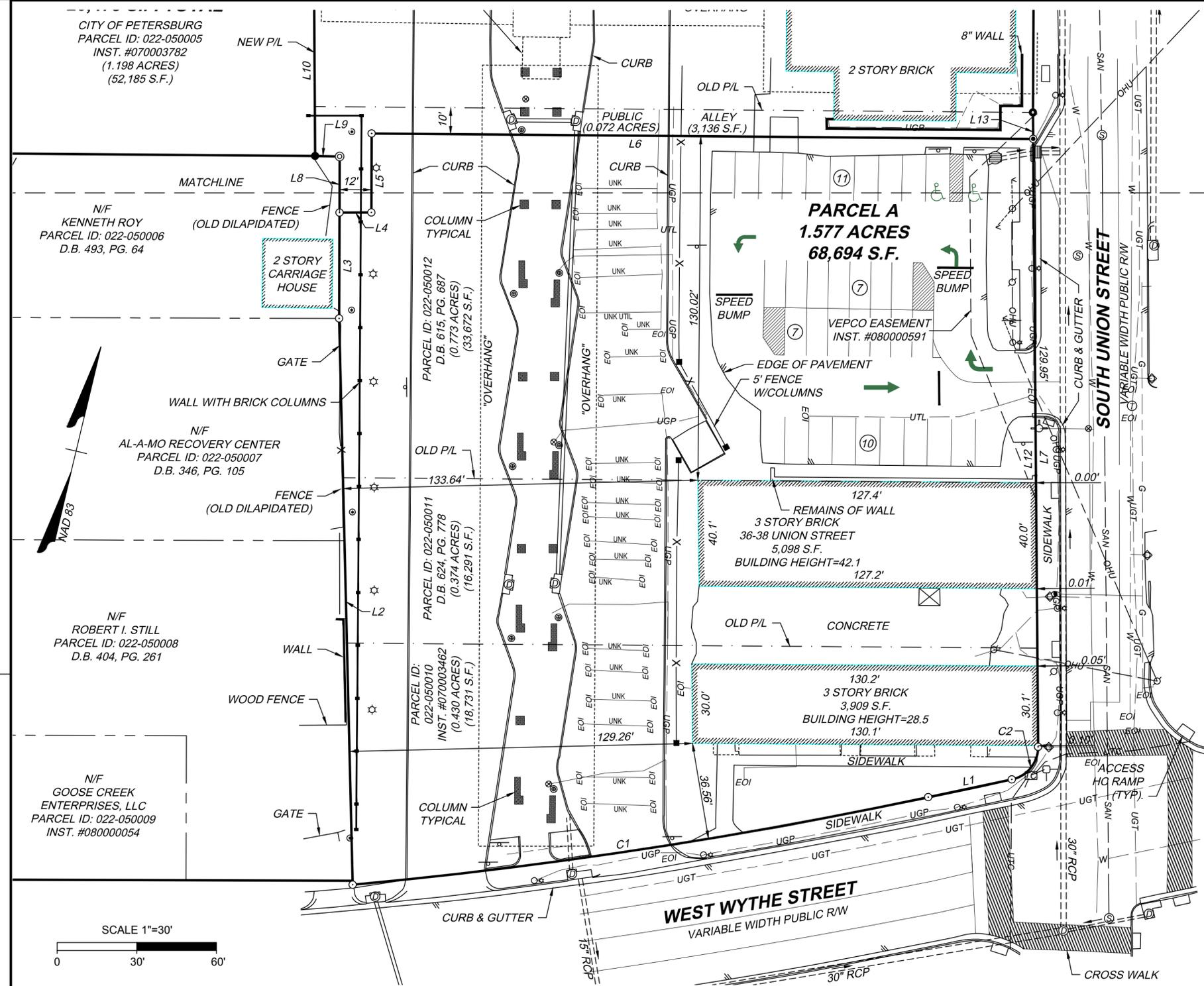
**AFFECTED AGENCIES:** Department of Public Works and Utilities  
Petersburg Area Transit

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. 45095-903V-PLATSUBD-SHEET 1
2. 45095-903V-PLATSUBD-SHEET 2



**SOURCE OF TITLE**

**PID: 0022-050005**  
 The property embraced within the limits of this subdivision was conveyed to The City of Petersburg, Virginia dated July 5, 2007 and recorded July 6, 2007 as Instrument No. 070003782 in the Clerk's Office of the Circuit Court in the City of Petersburg, Virginia.

**PID: 0022-050010**  
 The property embraced within the limits of this subdivision was conveyed to The City of Petersburg, Virginia dated June 14, 2007 and recorded June 21, 2007 as Instrument No. 070003462 in the Clerk's Office of the Circuit Court in the City of Petersburg, Virginia.

**PID: 0022-050011**  
 The property embraced within the limits of this subdivision was conveyed to The City of Petersburg, Virginia dated October 20, 1999 and recorded October 25, 1999 in Deed Book 624, Page 778 in the Clerk's Office of the Circuit Court in the City of Petersburg, Virginia.

**PID: 0022-050012**  
 The property embraced within the limits of this subdivision was conveyed to The City of Petersburg, Virginia dated June 2, 1999 and recorded June 7, 1999 in Deed Book 615, Page 687 in the Clerk's Office of the Circuit Court in the City of Petersburg, Virginia.

**PID: 0022-050802**  
 The property embraced within the limits of this subdivision was conveyed to The City of Petersburg, Virginia dated June 3, 2003 and recorded June 10, 2003 as Instrument No. 030002493 in the Clerk's Office of the Circuit Court in the City of Petersburg, Virginia.

W. M. Naulty L.S., No. 2067

August 31, 2020  
 Date

**SURVEYOR'S CERTIFICATE**

I hereby certify that to the best of my knowledge and belief, all of the requirements of the Board of Supervisors and Ordinances of the City of Petersburg, Virginia, regarding the platting of subdivisions within the City have been complied with.

Given under my hand this 13th day of August 2020.

W. M. Naulty L.S., No. 2067



PLAT SHOWING A  
 BOUNDARY LINE ADJUSTMENT & CONSOLIDATION BETWEEN  
**PARCEL ID: #022-050005,  
 #022-050010, #022-050011,  
 #022-050012 & #022-050802 LOCATED  
 NORTH SIDE OF WEST WYTHE STREET,  
 THE WEST SIDE OF SOUTH UNION  
 STREET, THE SOUTH SIDE OF WEST  
 WASHINGTON STREET & THE EAST SIDE  
 OF SOUTH MARKET STREET**  
 PETERSBURG, VIRGINIA

DATE: August 31, 2020	SCALE: 1"=30'
SHEET 1 OF 2	J.N.:45095-903
DRAWN BY: J. Livingston	CHECK BY: W.M. Naulty
REVISED: May 12, 2020	

CITY/COUNTY OF COMMONWEALTH OF VIRGINIA  
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY \_\_\_\_\_

NOTARY PUBLIC  
 NOTARY REGISTRATION NUMBER: \_\_\_\_\_  
 MY COMMISSION EXPIRES: \_\_\_\_\_

APPROVALS	
CHAIRMAN OF PLANNING	DATE
DIRECTOR OF PUBLIC WORKS	DATE
DIRECTOR OF PLANNING & COMMUNITY DEVELOPMENT	DATE

**SUBDIVISION CERTIFICATE**  
 The boundary line adjustment and consolidation of land as shown on this plat designated as **PLAT SHOWING A BOUNDARY LINE ADJUSTMENT & CONSOLIDATION BETWEEN PARCEL ID: #022-050005, #022-050010, #022-050011, #022-050012 & #022-050802** LOCATED NORTH SIDE OF WEST WYTHE STREET, THE WEST SIDE OF SOUTH UNION STREET, THE SOUTH SIDE OF WEST WASHINGTON STREET & THE EAST SIDE OF SOUTH MARKET STREET is with the free consent and in accordance with the desires of the undersigned Owner(s). There is a mortgage on this property. All easements, strips and roads are of the width and extent shown and are dedicated to the City of Petersburg free and unrestricted by any previous agreements except as noted on this plat as of the time of recordation. The dedication of easements to the City of Petersburg includes granting the right to make reasonable use of the adjoining land for construction and maintenance of public facilities within the boundaries of easements shown herein. All easements are for surface and underground drainage and overhead and underground utilities except as restricted use on this plat.

Owner \_\_\_\_\_

- GENERAL NOTES**
- Use: Public Transportation
  - Zoning: B-3
  - Parcel ID: #022-050005, #022-050010, #022-050011, #022-050012 & 022-050802
  - Water: Public
  - Sewer: Public
  - Drainage: Curb & Gutter
  - Lot Size:  
 Maximum Lot Size = 1.577 Acres  
 Minimum Lot Size = 1.506 Acres
  - Area:  
 Area in Lots = 3.083 Acres  
 Area in Residual = 0.470 Acres  
 Area in Right-of-Way = N/A
  - Number of Lots: 2
  - Based on graphic determination this property is in Zone "X" of the HUD defined flood hazard area as shown on F.E.M.A. flood insurance rate map, community panel #5101120007C dated February 4, 2011.
  - This survey was prepared without the benefit of a title binder and may therefore not show all existing easements or other pertinent facts which may affect the property.
  - Boundary lines for Parcel B & Parcel 3 are compiled from plats recorded in Deed Book 372, Page 36 & Instrument #070003782.
  - Improvements for Parcel B taken from site plan from Timmons Group dated July 14, 2020.

THIS DRAWING PREPARED AT THE  
**TRI-CITIES OFFICE**  
 4701 Owens Way, Suite 900 | Prince George, VA 23875  
 TEL 804-541-6600 FAX 804-458-1511 www.timmons.com  
**Technology**  
**Infrastructure**  
**Residential**  
**Site Development**

**TIMMONS GROUP**

**SYMBOL LEGEND**

- - ROD FOUND
- ⊙ - PIPE FOUND
- - ROD SET
- ⊙ - MAG NAIL FOUND
- - CALCULATED POINT
- ⊙ - SANITARY SEWER MANHOLE
- ⊙ - STORM DRAINAGE MANHOLE
- ◇ - WATER METER
- ⊙ - TELECOMM. MANHOLE
- - GAS VALVE
- ▬ - GRATE TOP INLET (STORM)
- - COLUMN
- - - - - SIGN
- ⊙ - POWER LIGHT POLE
- ⊙ - POWER POLE
- ⊙ - FIRE HYDRANT
- ⊙ - WATER VALVE
- ⊙ - TRAFFIC SIGNAL POLE
- ⊙ - TRAFFIC CONTROL BOX
- ⊙ - YARD INLET (1' x 1')
- ⊙ - BOLLARD
- ⊙ - YARD LIGHT
- ⊙ - HANDICAP SPACE
- ⊙ - NUMBER OF PARKING SPACES
- - - - - SAN - - - - - SANITARY SEWER PIPE
- ===== STORM SEWER PIPE
- - - - - OHU - - - - - OVERHEAD UTILITY
- - - - - UGP - - - - - U/G POWER
- - - - - UGT - - - - - U/G COMMUNICATION LINE
- - - - - W - - - - - U/G WATERLINE
- - - - - G - - - - - U/G GAS (ABANDONED)

**ABBREVIATION LEGEND**

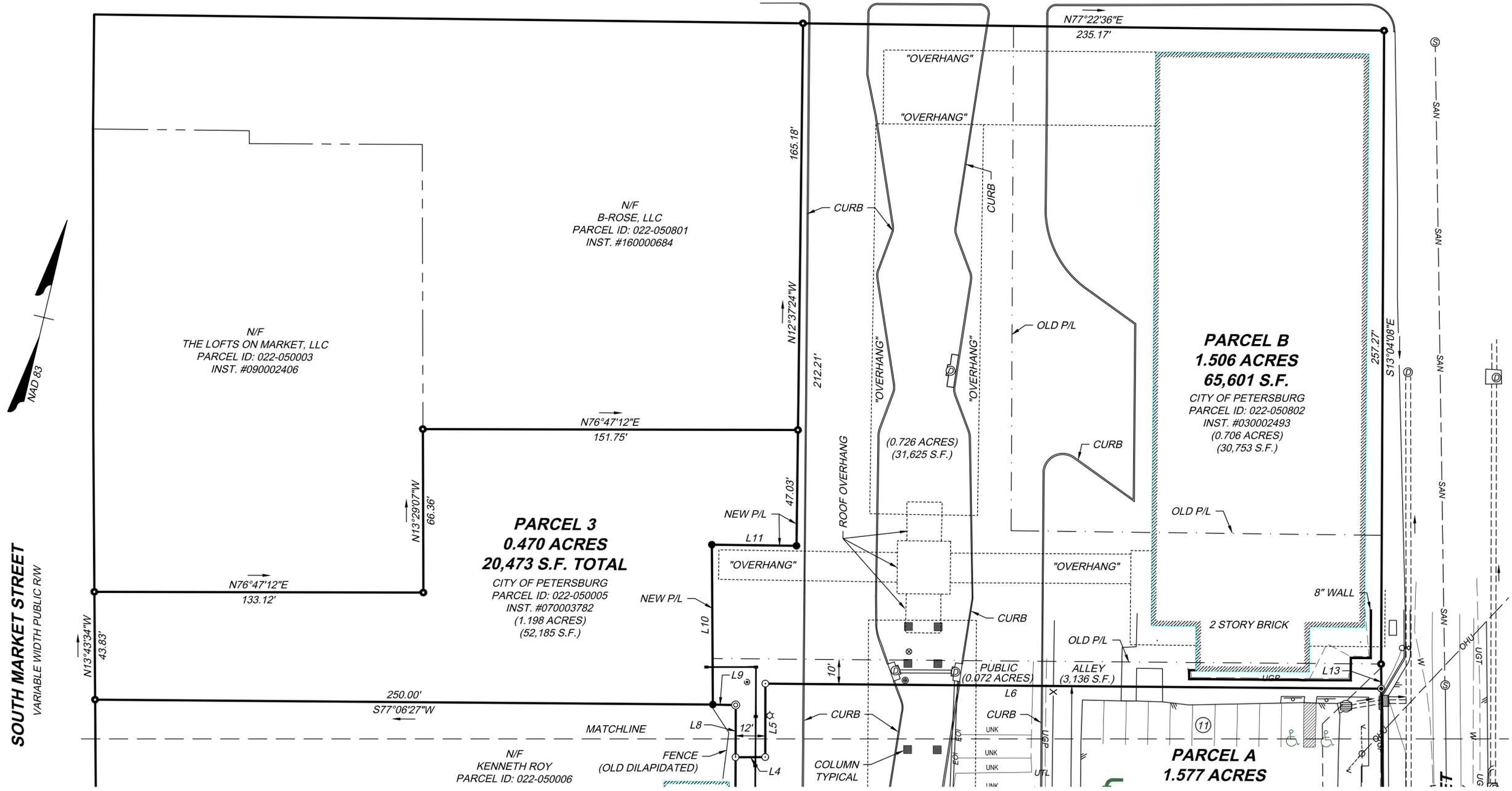
- N/F - NOW OR FORMERLY
- D.B. - DEED BOOK
- PG. - PAGE
- R/W - RIGHT OF WAY
- EOI - END OF INFORMATION / SIGNAL
- UNK - TYPE UNKNOWN
- TYP. - TYPICAL
- U/G - UNDERGROUND
- S.F. - SQUARE FOOT

T.M. #022-050010	ORIGINAL	0.430 ACRES
T.M. #022-050011	ADD	0.374 ACRES
T.M. #022-050012	ADD	0.773 ACRES
T.M. #022-050010	REMAINING	1.577 ACRES
T.M. #022-050802	ORIGINAL	0.706 ACRES
T.M. #022-050005	ADD	0.728 ACRES
12' ALLEY VACATED	ADD	0.072 ACRES
T.M. #022-050802	REMAINING	1.506 ACRES
T.M. #022-050005	ORIGINAL	1.198 ACRES
	LESS	0.728 ACRES
T.M. #022-050005	REMAINING	0.470 ACRES

LINE TABLE		
LINE	BEARING	LENGTH
L1	S64°37'54"W	32.19'
L2	N14°42'05"W	214.09'
L3	N13°10'06"W	40.00'
L4	N76°21'11"E	12.00'
L5	N13°10'06"W	29.84'
L6	N77°07'41"E	249.24'
L7	S13°48'14"E	239.77'

LINE TABLE		
LINE	BEARING	LENGTH
L8	N13°10'06"W	21.17'
L9	S78°03'46"W	9.24'
L10	N13°43'03"W	64.91'
L11	N77°22'36"E	34.26'
L12	S13°48'14"E	229.77'
L13	S13°48'14"E	10.00'

**WEST WASHINGTON STREET**  
VARIABLE WIDTH PUBLIC R/W

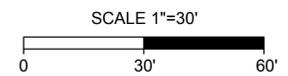


**SOUTH MARKET STREET**  
VARIABLE WIDTH PUBLIC R/W

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING	CHORD
C1	1878.66'	219.47'	109.86'	6°41'36"	S67°58'43"W	219.34'
C2	12.50'	17.11'	10.20'	78°26'08"	S25°24'50"W	15.81'



PLAT SHOWING A  
BOUNDARY LINE ADJUSTMENT & CONSOLIDATION BETWEEN  
**PARCEL ID: #022-050005, #022-050010, #022-050011,  
#022-050012 & #022-050802 LOCATED NORTH SIDE OF  
WEST WYTHE STREET, THE WEST SIDE OF SOUTH UNION  
STREET, THE SOUTH SIDE OF WEST WASHINGTON STREET &  
THE EAST SIDE OF SOUTH MARKET STREET**  
PETERSBURG, VIRGINIA



DATE: August 31, 2020	SCALE: 1"=30'
SHEET 2 OF 2	J.N.:45095-903
DRAWN BY: J. Livingston	CHECK BY: W.M. Naulty
REVISED: May 12, 2020	

**TIMMONS GROUP**

THIS DRAWING PREPARED AT THE  
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YOUR VISION ACHIEVED THROUGH OURS.

Site Development | Residential | Infrastructure | Technology



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** September 15, 2020  
**TO:** The Honorable Mayor and Members of City Council  
**THROUGH:**  
**FROM:**  
**RE:** **Minutes of the Special Closed Session City Council Meeting**

---

**PURPOSE:**

**REASON:**

**RECOMMENDATION:**

**BACKGROUND:**

**COST TO CITY:**

**BUDGETED ITEM:**

**REVENUE TO CITY:**

**CITY COUNCIL HEARING DATE:**

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:**

**AFFECTED AGENCIES:**

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:**

**REQUIRED CHANGES TO WORK PROGRAMS:**

**ATTACHMENTS:**

1. September 1, 2020 Closed Session Meeting Minutes

The Special Called Closed Session Meeting of the Petersburg City Council was held on Tuesday, September 1, 2020, on live stream. Mayor Parham called the Special Called Closed Session Meeting to order at 11:07a.m.

1. **ROLL CALL:**

Present:

Council Member Charles H. Cuthbert, Jr  
Council Member Annette Smith-Lee  
Council Member Darrin Hill  
Council Member W. Howard Myers  
Vice Mayor John A. Hart, Sr.  
Mayor Samuel Parham

Absent: Council Member Treska Wilson-Smith

Present from City Administration:

City Attorney Anthony Williams  
City Manager Aretha R. Ferrell-Benavides  
Clerk of Council Nykesha D. Jackson  
Deputy City Manager Lionel Lyons

2. **CLOSED SESSION:**

- a. The purpose of this meeting is to convene in the closed session pursuant to §2.2-3711(A)(7) of the Code of Virginia for the purpose of receiving legal advice and status update from the City Attorney and legal consultation regarding the subject of specific legal matters of actual or probable litigation specifically including but not limited to Petersburg Circuit Court Case No.: 730CL20-000525-00 and 730CL15-000785-00; U.S. District Court (Eastern District of Virginia – Richmond Division) Case No.: 3:2019cv00750; legal advice concerning the terms and requirements of an MOU with Historic Petersburg Foundation in regard to the Exchange Building; legal advice concerning the requirements of Section 78-2 of the City Code; legal advice concerning legislative matters currently pending before the Virginia General Assembly; and other matters requiring the legal advice of the City Attorney.

Council Member Hill moved that the City Council go into closed session for the purposes noted by Mayor Parham. The motion was seconded by Council Member Myers. There was no discussion on the motion, which was approved on roll call vote.

On roll call vote, voting yes: Cuthbert, Smith-Lee, Myers, Hill, Hart and Parham; Absent: Wilson-Smith

City Council entered closed session at 11:09a.m.

**CERTIFICATION:**

Mr. Williams stated, "The Mayor would entertain a motion to conclude the closed session called this evening to certify in accordance with §2.2-3712 that the Code of Virginia that to the best of each members knowledge that only public business matter lawfully exempted from the opening meeting requirements were discussed and that only such public business matters were identified in the motion by which the closed meeting was convened, heard, discussed or considered. If any member believes that there was a departure from the foregoing requirements should so state prior to the vote indicating the substance for departure that in

\*Audio available upon request.

his or her judgment has taken place. This requires a roll call vote Mr. Mayor.”

Council Member Hill made a motion to return City Council into open session and certify the purposes of the closed session. The motion was seconded by Council Member Myers. There was no discussion on the motion.

The motion was approved on roll call vote.

On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Smith-Lee, Hill and Parham; Absent: Hart

**20-R-43 A RESOLUTION CERTIFYING, AS REQUIRED BY THE CODE OF VIRGINIA, SECTION 2.2-3712, THAT TO THE BEST OF EACH MEMBER’S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS OF VIRGINIA LAW WERE DISCUSSED IN THE CLOSED SESSION, AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION CONVENING THE CLOSED SESSION WERE HEARD, DISCUSSED, OR CONSIDERED.**

City Council returned to opened session at 12:33 p.m.

**3. ADJOURNMENT:**

City Council adjourned at 12:34 p.m.

\_\_\_\_\_  
Clerk of City Council

APPROVED:

\_\_\_\_\_  
Mayor

\*Audio available upon request.



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** September 15, 2020

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** Aretha Ferrell-Benavides, City Manager

**FROM:** Samuel Parham

**RE:** Request to schedule a public hearing for the disposition of properties located at 333 University Boulevard, 347 University Boulevard, 351-353 University Boulevard, 357 University Boulevard, 1237 Halifax Street, 100 Ball Park Road, 1015 Commerce Street, 10 North Jefferson, 125 East Washington Street, 2233 Halifax Road for the October 6, 2020, City Council Meeting.

**PURPOSE:** To request to schedule a public hearing on the listed properties.

**REASON:** Received letter of intent to purchase attached real estate properties.

**RECOMMENDATION:** Schedule a public hearing for October 6, 2020, for disposition of properties that are listed and attached to the letters of intent to purchase real estate properties.

**BACKGROUND:** See attached.

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** N/A

**CITY COUNCIL HEARING DATE:**

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** N/A

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. Letter of Intent to Purchase Real Estate



## Letter of Intent to Purchase Real Estate

August 24, 2020

Tremaine Neverson  


By this letter, Tremaine Neverson ("Buyer"), presents the manner in which it and the City of Petersburg ("Seller") agree Buyer may acquire certain real property from Seller as described herein. The parties recognize that the transaction will require further documentation and approvals, including the preparation and approval of a formal agreement setting forth the terms and conditions of the proposed purchase (the "Purchase Agreement"); nevertheless, they execute this letter to evidence their intention to proceed in mutual good faith to complete work required to negotiate terms of a Purchase Agreement that are consistent with this letter.

### **The proposed terms and conditions include, but are not limited to, the following:**

1. **PROPERTY ADDRESS.** The property proposed to be sold is located at:

333 University Blvd. Parcel ID: 010-150021; 347 University Blvd. Parcel ID: 010-150025; 351-353 University Blvd. Parcel ID: 010-150027; 357 University Blvd. Parcel ID: 010-150029 all in Petersburg, VA. 23803.

Included are all permanent fixtures and all property that integrally belongs to or is part of the Real Estate, whether attached or detached.

2. **PRICE.** The proposed price is \$35,000. The following are the terms of this proposed Agreement:  
1) the Buyer will purchase a two-year option with two one year extensions.

3. **DEPOSIT.** Concurrently with the opening of escrow, Buyer shall place therein the sum of 1% of Purchase Price (Three hundred fifty dollars / \$350) as a refundable deposit toward and applicable to the Purchase Price ("the Initial Deposit"). Escrow Holder shall deposit such sum in an interest-bearing, federally insured account with interest accruing for the benefit of Buyer.

4. **INTENT.** This project benefits the City of Petersburg by adding a city owned property back to the tax roll as well as adding dwellings to the community on a formerly vacant lot and blighted property.

5. **INSPECTION.** After the final acceptance of a binding Purchase Agreement, Buyer may have the property inspected by a person of Buyer's choice to determine if there are any structural, mechanical, plumbing, electrical or structural deficiencies, pest damage or infestation, any unsafe conditions or other damage, including the presence of any lead-based paint hazards, and inspections for other conditions that are customary to the locality and/or that are required by law.

6. **FINANCING.** Buyer shall secure financing or make an All Cash offer after exercising option.

7. **CLOSING COSTS.** Seller agree to pay buyer's closing costs.

8. **STANDARD PROVISIONS.** The Purchase Agreement will include the standard provisions that are customary to the locality and/or that are required by law.

9. **STAND STILL PROVISION.** Seller shall not initiate or carry on negotiations for the sale of the property other than Buyer unless both (1) Buyer and Seller fail to enter into a binding Lease Purchase Agreement by 1 year from the time of acceptance this agreement, or (2) Buyer and Seller agree in writing to abandon this Letter of Intent.

10. **NON-BINDING.** This Letter of Intent, does not, and is not intended to, contractually binds the parties, and is only an expression of the basic conditions to be incorporated into a binding Purchase Agreement. This Letter does not require either party to negotiate in good faith or to proceed to the completion of a binding Lease Purchase Agreement. The parties shall not be contractually bound unless and until they enter into a formal, written Lease Purchase Agreement, which must be in form and content satisfactory to each party and to each party's legal counsel, in their sole discretion. Neither party may rely on this Letter as creating any legal obligations of any kind. Notwithstanding the provisions of this paragraph to the contrary, Seller and Buyer agree that the above paragraph entitled "Stand Still" shall be binding, regardless of whether a binding Lease Purchase Agreement is entered into by the parties.

11. **EXPIRATION OF OFFER.** This Letter of Intent shall constitute an open offer until August 24, 2021, at which time it shall be automatically terminated if not executed by Buyer and Seller.

If the above outline of terms and conditions are acceptable, please indicate by signing below. All parties to these transactions intend that this proposal be superseded by the Purchase Agreement. In the meantime, all parties agree to proceed in accordance with terms and conditions outlined in this Letter of Intent. Seller understands the purpose of this Letter of Intent is to allow further investigation by both parties into the feasibility of entering into a formal agreement. This Letter of Intent is only binding on the parties during the Contract Negotiation period. If the Purchase Agreement is not mutually executed within the Contract Negotiation Period for any reason whatsoever or no reason at all, this Letter of Intent shall expire and no party shall have any further rights or duties hereunder. Seller shall not solicit other offers during the Contract Negotiation Period.

SELLER:

\_\_\_\_\_  
Seller Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Seller Printed Name

SELLER SEAL:

BUYER:

Tremaine Neversom  8/04/2020  
Buyer Signature                      Date

Tremaine Neversom  
Buyer Printed Name

**Letter of Intent to Purchase Real Estate**

## Letter of Intent to Purchase Real Estate

August 24, 2020

Tremaine Neverson  


By this letter, Tremaine Neverson ("Buyer"), presents the manner in which it and the City of Petersburg ("Seller") agree Buyer may acquire certain real property from Seller as described herein. The parties recognize that the transaction will require further documentation and approvals, including the preparation and approval of a formal agreement setting forth the terms and conditions of the proposed purchase (the "Purchase Agreement"); nevertheless, they execute this letter to evidence their intention to proceed in mutual good faith to complete work required to negotiate terms of a Purchase Agreement that are consistent with this letter.

### **The proposed terms and conditions include, but are not limited to, the following:**

1. **PROPERTY ADDRESS.** The property proposed to be sold is located at:

1237 Halifax St. Petersburg, VA. 23803 (A.P. Hill Community Center) Parcel ID: 045-240013

Included are all permanent fixtures and all property that integrally belongs to or is part of the Real Estate, whether attached or detached.

2. **PRICE.** The proposed price is \$ 10. The following are the terms of this proposed Agreement: 1) the Buyer will purchase a two-year option with two one year extensions.
3. **DEPOSIT.** Concurrently with the opening of escrow, Buyer shall place therein the sum of 1% of Purchase Price (One Dollar / \$1) as a refundable deposit toward and applicable to the Purchase Price ("the Initial Deposit"). Escrow Holder shall deposit such sum in an interest-bearing, federally insured account with interest accruing for the benefit of Buyer.
4. **INTENT.** This project benefits the City of Petersburg by adding a city owned property back to the tax roll as well as revitalizing a Community Center on a formerly blighted property. This project will boast a community center for the citizens of Petersburg and help foster community and boost local economy. It will also keep adolescents safe, provide meeting space for community groups, and can be a hub for community development.
5. **INSPECTION.** After the final acceptance of a binding Purchase Agreement, Buyer may have the property inspected by a person of Buyer's choice to determine if there are any structural, mechanical, plumbing, electrical or structural deficiencies, pest damage or infestation, any unsafe conditions or other damage, including the presence of any lead-based paint hazards, and inspections for other conditions that are customary to the locality and/or that are required by law.
6. **FINANCING.** Buyer shall secure financing or make an All Cash offer after exercising option.
7. **CLOSING COSTS.** Seller agree to pay buyer's closing costs.

8. **STANDARD PROVISIONS.** The Purchase Agreement will include the standard provisions that are customary to the locality and/or that are required by law.

9. **STAND STILL PROVISION.** Seller shall not initiate or carry on negotiations for the sale of the property other than Buyer unless both (1) Buyer and Seller fail to enter into a binding Lease Purchase Agreement by 2 years (with two one year extensions) from the time of acceptance of this agreement, or (2) Buyer and Seller agree in writing to abandon this Letter of Intent.

10. **NON-BINDING.** This Letter of Intent, does not, and is not intended to, contractually binds the parties, and is only an expression of the basic conditions to be incorporated into a binding Purchase Agreement. This Letter does not require either party to negotiate in good faith or to proceed to the completion of a binding Lease Purchase Agreement. The parties shall not be contractually bound unless and until they enter into a formal, written Lease Purchase Agreement, which must be in form and content satisfactory to each party and to each party's legal counsel, in their sole discretion. Neither party may rely on this Letter as creating any legal obligations of any kind. Notwithstanding the provisions of this paragraph to the contrary, Seller and Buyer agree that the above paragraph entitled "Stand Still" shall be binding, regardless of whether a binding Lease Purchase Agreement is entered into by the parties.

11. **EXPIRATION OF OFFER.** This Letter of Intent shall constitute an open offer until August 24, 2022, (With two one-year extension options August 24, 2023, and August 24, 2024) at which time it shall be automatically terminated if not executed by Buyer and Seller.

If the above outline of terms and conditions are acceptable, please indicate by signing below. All parties to these transactions intend that this proposal be superseded by the Purchase Agreement. In the meantime, all parties agree to proceed in accordance with terms and conditions outlined in this Letter of Intent. Seller understands the purpose of this Letter of Intent is to allow further investigation by both parties into the feasibility of entering into a formal agreement. This Letter of Intent is only binding on the parties during the Contract Negotiation period. If the Purchase Agreement is not mutually executed within the Contract Negotiation Period for any reason whatsoever or no reason at all, this Letter of Intent shall expire and no party shall have any further rights or duties hereunder. Seller shall not solicit other offers during the Contract Negotiation Period.

SELLER:

\_\_\_\_\_  
Seller Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Seller Printed Name

SELLER SEAL:

BUYER:

Tremaine Neverson (Signature) 8/24/2020  
Buyer Signature                      Date

Tremaine Neverson  
Buyer Printed Name

## Letter of Intent to Purchase Real Estate

August 24, 2020

Tremaine Neverson  


By this letter, Tremaine Neverson ("Buyer"), presents the manner in which it and the City of Petersburg ("Seller") agree Buyer may acquire certain real property from Seller as described herein. The parties recognize that the transaction will require further documentation and approvals, including the preparation and approval of a formal agreement setting forth the terms and conditions of the proposed purchase (the "Purchase Agreement"); nevertheless, they execute this letter to evidence their intention to proceed in mutual good faith to complete work required to negotiate terms of a Purchase Agreement that are consistent with this letter.

### **The proposed terms and conditions include, but are not limited to, the following:**

1. **PROPERTY ADDRESS.** The property proposed to be sold is located at:

100 Ball Park Rd. Petersburg VA. 23805 (Petersburg Sports Complex) Parcel ID: 098-010001

Included are all permanent fixtures and all property that integrally belongs to or is part of the Real Estate, whether attached or detached.

2. **PRICE.** The proposed price is \$10. The following are the terms of this proposed Agreement: 1) the Buyer will purchase a two-year option with two one year extensions.
3. **DEPOSIT.** Concurrently with the opening of escrow, Buyer shall place therein the sum of 1% of Purchase Price (One Dollar / \$1) as a refundable deposit toward and applicable to the Purchase Price ("the Initial Deposit"). Escrow Holder shall deposit such sum in an interest-bearing, federally insured account with interest accruing for the benefit of Buyer.
4. **INTENT.** This project benefits the City of Petersburg by adding a city owned property back to the tax roll as well as revitalizing a Sportsplex on a blighted city property. This project will boast a community recreation for the citizens of Petersburg and help foster community and boost local economy.
5. **INSPECTION.** After the final acceptance of a binding Purchase Agreement, Buyer may have the property inspected by a person of Buyer's choice to determine if there are any structural, mechanical, plumbing, electrical or structural deficiencies, pest damage or infestation, any unsafe conditions or other damage, including the presence of any lead-based paint hazards, and inspections for other conditions that are customary to the locality and/or that are required by law.
6. **FINANCING.** Buyer shall secure financing or make an All Cash offer after exercising option.
7. **CLOSING COSTS.** Seller agree to pay buyer's closing costs.
8. **STANDARD PROVISIONS.** The Purchase Agreement will include the standard provisions that are customary to the locality and/or that are required by law.

9. **STAND STILL PROVISION.** Seller shall not initiate or carry on negotiations for the sale of the property other than Buyer unless both (1) Buyer and Seller fail to enter into a binding Lease Purchase Agreement by 2 years (with two one year extensions) from the time of acceptance of this agreement, or (2) Buyer and Seller agree in writing to abandon this Letter of Intent.

10. **NON-BINDING.** This Letter of Intent, does not, and is not intended to, contractually binds the parties, and is only an expression of the basic conditions to be incorporated into a binding Purchase Agreement. This Letter does not require either party to negotiate in good faith or to proceed to the completion of a binding Lease Purchase Agreement. The parties shall not be contractually bound unless and until they enter into a formal, written Lease Purchase Agreement, which must be in form and content satisfactory to each party and to each party's legal counsel, in their sole discretion. Neither party may rely on this Letter as creating any legal obligations of any kind. Notwithstanding the provisions of this paragraph to the contrary, Seller and Buyer agree that the above paragraph entitled "Stand Still" shall be binding, regardless of whether a binding Lease Purchase Agreement is entered into by the parties.

11. **EXPIRATION OF OFFER.** This Letter of Intent shall constitute an open offer until August 24, 2022, (With two one-year extension options August 24, 2023, and August 24, 2024) at which time it shall be automatically terminated if not executed by Buyer and Seller.

If the above outline of terms and conditions are acceptable, please indicate by signing below. All parties to these transactions intend that this proposal be superseded by the Purchase Agreement. In the meantime, all parties agree to proceed in accordance with terms and conditions outlined in this Letter of Intent. Seller understands the purpose of this Letter of Intent is to allow further investigation by both parties into the feasibility of entering into a formal agreement. This Letter of Intent is only binding on the parties during the Contract Negotiation period. If the Purchase Agreement is not mutually executed within the Contract Negotiation Period for any reason whatsoever or no reason at all, this Letter of Intent shall expire and no party shall have any further rights or duties hereunder. Seller shall not solicit other offers during the Contract Negotiation Period.

SELLER:

\_\_\_\_\_  
Seller Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Seller Printed Name

SELLER SEAL:

BUYER:

Tremaine Neversm  
Buyer Signature

8/24/2022  
Date

Tremaine Neversm  
Buyer Printed Name

## Letter of Intent to Purchase Real Estate

August 24, 2020

Tremaine Neverson  


By this letter, Tremaine Neverson ("Buyer"), presents the manner in which it and the City of Petersburg ("Seller") agree Buyer may acquire certain real property from Seller as described herein. The parties recognize that the transaction will require further documentation and approvals, including the preparation and approval of a formal agreement setting forth the terms and conditions of the proposed purchase (the "Purchase Agreement"); nevertheless, they execute this letter to evidence their intention to proceed in mutual good faith to complete work required to negotiate terms of a Purchase Agreement that are consistent with this letter.

### **The proposed terms and conditions include, but are not limited to, the following:**

1. **PROPERTY ADDRESS.** The property proposed to be sold is located at:

1015 Commerce St. Petersburg, VA. 23803 (Titmus Building) Parcel ID: 024-140014

Included are all permanent fixtures and all property that integrally belongs to or is part of the Real Estate, whether attached or detached.

2. **PRICE.** The proposed price is \$10. The following are the terms of this proposed Agreement: 1) the Buyer will purchase a two-year option with two one year extensions.
3. **DEPOSIT.** Concurrently with the opening of escrow, Buyer shall place therein the sum of 1% of Purchase Price (One Dollar / \$1) as a refundable deposit toward and applicable to the Purchase Price ("the Initial Deposit"). Escrow Holder shall deposit such sum in an interest-bearing, federally insured account with interest accruing for the benefit of Buyer.
4. **INTENT.** This project benefits the City of Petersburg by adding a city owned property back to the tax roll as well as adding a business to the community on a formerly blighted property. It will be a Mixed Use Development Project. It will help revitalize the community and also add to the city's revenue stream. We have the wherewithal to produce the intent of this project.
5. **INSPECTION.** After the final acceptance of a binding Purchase Agreement, Buyer may have the property inspected by a person of Buyer's choice to determine if there are any structural, mechanical, plumbing, electrical or structural deficiencies, pest damage or infestation, any unsafe conditions or other damage, including the presence of any lead-based paint hazards, and inspections for other conditions that are customary to the locality and/or that are required by law.
6. **FINANCING.** Buyer shall secure financing or make an All Cash offer after exercising option.
7. **CLOSING COSTS.** Seller agree to pay buyer's closing costs.

8. **STANDARD PROVISIONS.** The Purchase Agreement will include the standard provisions that are customary to the locality and/or that are required by law.

9. **STAND STILL PROVISION.** Seller shall not initiate or carry on negotiations for the sale of the property other than Buyer unless both (1) Buyer and Seller fail to enter into a binding Lease Purchase Agreement by 2 years (with two one year extensions) from the time of acceptance of this agreement, or (2) Buyer and Seller agree in writing to abandon this Letter of Intent.

10. **NON-BINDING.** This Letter of Intent, does not, and is not intended to, contractually binds the parties, and is only an expression of the basic conditions to be incorporated into a binding Purchase Agreement. This Letter does not require either party to negotiate in good faith or to proceed to the completion of a binding Lease Purchase Agreement. The parties shall not be contractually bound unless and until they enter into a formal, written Lease Purchase Agreement, which must be in form and content satisfactory to each party and to each party's legal counsel, in their sole discretion. Neither party may rely on this Letter as creating any legal obligations of any kind. Notwithstanding the provisions of this paragraph to the contrary, Seller and Buyer agree that the above paragraph entitled "Stand Still" shall be binding, regardless of whether a binding Lease Purchase Agreement is entered into by the parties.

11. **EXPIRATION OF OFFER.** This Letter of Intent shall constitute an open offer until August 24, 2023, (With two one-year extension options August 24, 2024, and August 24, 2025) discovery and planning period at which time it shall be automatically terminated if not executed by Buyer and Seller.

If the above outline of terms and conditions are acceptable, please indicate by signing below. All parties to these transactions intend that this proposal be superseded by the Purchase Agreement. In the meantime, all parties agree to proceed in accordance with terms and conditions outlined in this Letter of Intent. Seller understands the purpose of this Letter of Intent is to allow further investigation by both parties into the feasibility of entering into a formal agreement. This Letter of Intent is only binding on the parties during the Contract Negotiation period. If the Purchase Agreement is not mutually executed within the Contract Negotiation Period for any reason whatsoever or no reason at all, this Letter of Intent shall expire and no party shall have any further rights or duties hereunder. Seller shall not solicit other offers during the Contract Negotiation Period.

SELLER:

\_\_\_\_\_  
Seller Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Seller Printed Name

SELLER SEAL:

BUYER:

Tremaine Neverson  
Buyer Signature

8/24/2020  
Date

Tremaine Neverson  
Buyer Printed Name

## Letter of Intent to Purchase Real Estate

August 24, 2020

Tremaine Neverson  


By this letter, Tremaine Neverson ("Buyer"), presents the manner in which it and the City of Petersburg ("Seller") agree Buyer may acquire certain real property from Seller as described herein. The parties recognize that the transaction will require further documentation and approvals, including the preparation and approval of a formal agreement setting forth the terms and conditions of the proposed purchase (the "Purchase Agreement"); nevertheless, they execute this letter to evidence their intention to proceed in mutual good faith to complete work required to negotiate terms of a Purchase Agreement that are consistent with this letter.

### **The proposed terms and conditions include, but are not limited to, the following:**

1. **PROPERTY ADDRESS.** The property proposed to be sold is located at:

10 North Jefferson St. / 125 East Washington St. Petersburg, VA. 23803 Parcel IDs: 011-290007 and 011-290008.

Included are all permanent fixtures and all property that integrally belongs to or is part of the Real Estate, whether attached or detached.

2. **PRICE.** The proposed price is \$ 5,000. The following are the terms of this proposed Agreement: 1) the Buyer will purchase a two-year option with two one year extensions.

3. **DEPOSIT.** Concurrently with the opening of escrow, Buyer shall place therein the sum of 1% of Purchase Price (Fifty Dollars / \$50) as a refundable deposit toward and applicable to the Purchase Price ("the Initial Deposit"). Escrow Holder shall deposit such sum in an interest-bearing, federally insured account with interest accruing for the benefit of Buyer.

4. **INTENT.** This project benefits the City of Petersburg by adding a city owned property back to the tax roll as well as adding a business to the community on a formerly vacant lot. It will also add to the city's revenue stream as it will sit on the I95-I85 corridor and will attract travelers because of the convenience of an all-in-one stop with the convenience of easily resuming their travels.

5. **INSPECTION.** After the final acceptance of a binding Purchase Agreement, Buyer may have the property inspected by a person of Buyer's choice to determine if there are any structural, mechanical, plumbing, electrical or structural deficiencies, pest damage or infestation, any unsafe conditions or other damage, including the presence of any lead-based paint hazards, and inspections for other conditions that are customary to the locality and/or that are required by law.

6. **FINANCING.** Buyer shall secure financing or make an All Cash offer after exercising option.

7. **CLOSING COSTS.** Seller agree to pay buyer's closing costs.

8. **STANDARD PROVISIONS.** The Purchase Agreement will include the standard provisions that are customary to the locality and/or that are required by law.

9. **STAND STILL PROVISION.** Seller shall not initiate or carry on negotiations for the sale of the property other than Buyer unless both (1) Buyer and Seller fail to enter into a binding Lease Purchase Agreement by 1 year from the time of acceptance of this agreement, or (2) Buyer and Seller agree in writing to abandon this Letter of Intent.

10. **NON-BINDING.** This Letter of Intent, does not, and is not intended to, contractually binds the parties, and is only an expression of the basic conditions to be incorporated into a binding Purchase Agreement. This Letter does not require either party to negotiate in good faith or to proceed to the completion of a binding Lease Purchase Agreement. The parties shall not be contractually bound unless and until they enter into a formal, written Lease Purchase Agreement, which must be in form and content satisfactory to each party and to each party's legal counsel, in their sole discretion. Neither party may rely on this Letter as creating any legal obligations of any kind. Notwithstanding the provisions of this paragraph to the contrary, Seller and Buyer agree that the above paragraph entitled "Stand Still" shall be binding, regardless of whether a binding Lease Purchase Agreement is entered into by the parties.

11. **EXPIRATION OF OFFER.** This Letter of Intent shall constitute an open offer until August 24, 2021, at which time it shall be automatically terminated if not executed by Buyer and Seller.

If the above outline of terms and conditions are acceptable, please indicate by signing below. All parties to these transactions intend that this proposal be superseded by the Purchase Agreement. In the meantime, all parties agree to proceed in accordance with terms and conditions outlined in this Letter of Intent. Seller understands the purpose of this Letter of Intent is to allow further investigation by both parties into the feasibility of entering into a formal agreement. This Letter of Intent is only binding on the parties during the Contract Negotiation period. If the Purchase Agreement is not mutually executed within the Contract Negotiation Period for any reason whatsoever or no reason at all, this Letter of Intent shall expire and no party shall have any further rights or duties hereunder. Seller shall not solicit other offers during the Contract Negotiation Period.

SELLER:

\_\_\_\_\_  
Seller Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Seller Printed Name

SELLER SEAL:

BUYER:

Tremaine Neverson  
Buyer Signature

8/24/2020  
Date

Tremaine Neverson  
Buyer Printed Name

August 24, 2020

Wanda Stewart  


By this letter, Wanda Stewart ("Buyer"), presents the manner in which it and the City of Petersburg ("Seller") agree Buyer may acquire certain real property from Seller as described herein. The parties recognize that the transaction will require further documentation and approvals, including the preparation and approval of a formal agreement setting forth the terms and conditions of the proposed purchase (the "Purchase Agreement"); nevertheless, they execute this letter to evidence their intention to proceed in mutual good faith to complete work required to negotiate terms of a Purchase Agreement that are consistent with this letter.

**The proposed terms and conditions include, but are not limited to, the following:**

1. **PROPERTY ADDRESS.** The property proposed to be sold is located at:

2233 Halifax Rd. Petersburg, VA. 23803 Parcel ID: 076-030800

Included are all permanent fixtures and all property that integrally belongs to or is part of the Real Estate, whether attached or detached.

2. **PRICE.** The proposed price is \$ 5,000. The following are the terms of this proposed Agreement: 1) the Buyer will purchase a two-year option with two one year extensions.

3. **DEPOSIT.** Concurrently with the opening of escrow, Buyer shall place therein the sum of 1% of Purchase Price (One Dollar / \$1) as a refundable deposit toward and applicable to the Purchase Price ("the Initial Deposit"). Escrow Holder shall deposit such sum in an interest-bearing, federally insured account with interest accruing for the benefit of Buyer.

4. **INTENT.** This project benefits the City of Petersburg by adding a city owned property back to the tax roll as well as help revitalize the community. This project will help foster a stronger community and boost local economy.

5. **INSPECTION.** After the final acceptance of a binding Purchase Agreement, Buyer may have the property inspected by a person of Buyer's choice to determine if there are any structural, mechanical, plumbing, electrical or structural deficiencies, pest damage or infestation, any unsafe conditions or other damage, including the presence of any lead-based paint hazards, and inspections for other conditions that are customary to the locality and/or that are required by law.

6. **FINANCING.** Buyer shall secure financing or make an All Cash offer after exercising option.

7. **CLOSING COSTS.** Seller agree to pay buyer's closing costs.

8. **STANDARD PROVISIONS.** The Purchase Agreement will include the standard provisions that are customary to the locality and/or that are required by law.

9. **STAND STILL PROVISION.** Seller shall not initiate or carry on negotiations for the sale of the property other than Buyer unless both (1) Buyer and Seller fail to enter into a binding Lease Purchase Agreement by 1 year from the time of acceptance of this agreement, or (2) Buyer and Seller agree in writing to abandon this Letter of Intent.

10. **NON-BINDING.** This Letter of Intent, does not, and is not intended to, contractually binds the parties, and is only an expression of the basic conditions to be incorporated into a binding Purchase Agreement. This Letter does not require either party to negotiate in good faith or to proceed to the completion of a binding Lease Purchase Agreement. The parties shall not be contractually bound unless and until they enter into a formal, written Lease Purchase Agreement, which must be in form and content satisfactory to each party and to each party's legal counsel, in their sole discretion. Neither party may rely on this Letter as creating any legal obligations of any kind. Notwithstanding the provisions of this paragraph to the contrary, Seller and Buyer agree that the above paragraph entitled "Stand Still" shall be binding, regardless of whether a binding Lease Purchase Agreement is entered into by the parties.

11. **EXPIRATION OF OFFER.** This Letter of Intent shall constitute an open offer until September 7, 2021, at which time it shall be automatically terminated if not executed by Buyer and Seller.

If the above outline of terms and conditions are acceptable, please indicate by signing below. All parties to these transactions intend that this proposal be superseded by the Purchase Agreement. In the meantime, all parties agree to proceed in accordance with terms and conditions outlined in this Letter of Intent. Seller understands the purpose of this Letter of Intent is to allow further investigation by both parties into the feasibility of entering into a formal agreement. This Letter of Intent is only binding on the parties during the Contract Negotiation period. If the Purchase Agreement is not mutually executed within the Contract Negotiation Period for any reason whatsoever or no reason at all, this Letter of Intent shall expire and no party shall have any further rights or duties hereunder. Seller shall not solicit other offers during the Contract Negotiation Period.

SELLER:

\_\_\_\_\_  
Seller Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Seller Printed Name

SELLER SEAL:

BUYER:

Wanda Stewart  
Buyer Signature

8/24/2020  
Date

Wanda Stewart  
Buyer Printed Name



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** September 15, 2020

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** Aretha Ferrell-Benavides, City Manager

**FROM:** Nykesha Jackson

**RE:** **Consideration of appointment/s to the Anti-Poverty Commission.**

**PURPOSE:** To consider appointments to the Anti-Poverty Commission.

**REASON:** To appoint new members to the Anti-Poverty Commission.

**RECOMMENDATION:** Recommend City Council appoint members to the Anti-Poverty Commission.

**BACKGROUND:** The members of the Anti-Poverty Commission shall be persons with human service backgrounds either via education or experience. Those backgrounds shall consist of financial, educational, public housing, business, transportation, police and legislation, the criminal justice system and health and most of all genuine interest in the development and progression of the citizens affected by poverty. Members shall be either residents of Petersburg or employees of some capacity in the City of Petersburg.

**COST TO CITY:** None

**BUDGETED ITEM:** None

**REVENUE TO CITY:** None

**CITY COUNCIL HEARING DATE:**

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** N/A

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. Anti-Poverty Commission 2020

## Anti-Poverty Commission 2020

<b>ANTI-POVERTY COMMISSION 2020</b>				
	Members:			
<b>TERM</b>	<b>APPOINTMENT</b>	<b>APPOINTED</b>	<b>NEW APPLICANT</b>	
5/7/2019-	Rosezelia Roy, 2942 Homestead Drive	5/7/2019	Chloe N. Carter, 250 E. Bank Street, Apt 203	
5/7/2019-	Jonathan Tolbert, 418 Beauregard Avenue	5/7/2019	Keitoya N. Taylor, 10806 South Crater Road	
5/7/2019-	Monika Huddleston-Elrod, 3366 Normandy Drive	5/7/2019		
5/7/2019-	Linwood Christian, 613 St. Matthew St	5/7/2019		
5/7/2019-	Deborah Buford, 1144 W. Normandale Avenue	5/7/2019		
	Michael Shannon, 15824 Windseeker Court			
	Barbara Hoosier, 2335 Anderson Street			
	Florence Rhue, 1952 S. Westchester Drive	7/16/2019		
	Information: 15-R-41 (Resolution)			



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** September 15, 2020

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** Aretha Ferrell-Benavides, City Manager

**FROM:** Patrice Elliott

**RE:** **Consideration of an appropriation for Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020, 2nd round - \$2,734,818**

### **PURPOSE:**

Request the appropriation of funds allocated to the City of Petersburg through the Federal CARES Act as certified by the Mayor, City Manager, and Finance Director by August 10, 2020.

**REASON:** City Council approval is required to authorize receipt, appropriation, and expenditure of new sources of funds.

### **RECOMMENDATION:**

Recommend City Council authorize appropriation of the funds as allocated and certified.

### **BACKGROUND:**

On May 12, 2020, the Virginia Secretary of Finance advised the City of Petersburg of Governor Northam's decision to provide the first round of allocations to local governments from the federal Coronavirus Relief Fund (CRF) authorized pursuant to the federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act). On June 1, 2020, each locality received its share of the first half, or fifty (50) percent, of the locally-based allocations (not including Fairfax County that received its funds directly).

While the federal CARES Act does not require that states distribute funding to local governments with populations less than 500,000 residents, the Governor recognizes that localities continue to experience the same COVID-19 related expenses as the Commonwealth.

Therefore, the Governor recently announced the second and final round to allocate the remaining fifty (50) percent of the locally-based allocations from the CRF to local governments. When completed, the state will have distributed 100 percent of the local allocations the Commonwealth received under the CARES Act providing a total of \$1.3 billion for local governments.

Just like the first round, the second round will be based on population. Consequently, the second round of

allocations will be for the same amount that you received in the first round on June 1, 2020.

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

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

**COST TO CITY:** None

**BUDGETED ITEM:** No

**REVENUE TO CITY:** \$2,734,818

**CITY COUNCIL HEARING DATE:**

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** City of Petersburg - Citywide

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020, 1st Round – June 16, 2020 (New Business)

**REQUIRED CHANGES TO WORK PROGRAMS:**

N/A

**STAFF:**

City Manager (Emergency Manager)  
Emergency Coordinators  
Deputy City Manager – Community Affairs  
Deputy City Manager – Development Services  
Deputy City Manager – Public Safety  
Finance  
Citywide

**ATTACHMENTS:**

1. Attachment 1 - AN ORDINANCE\_2nd round
2. SOF Memo to Localities - 2nd Round - 07\_28\_20

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE  
MAKING APPROPRIATIONS FOR THE FISCAL YEAR  
COMMENCING JULY 1, 2020 AND ENDING JUNE 30, 2021  
BUT WITH EXPENDITURES NO LATER THAN DECEMBER 30, 2020**

**FOR  
THE GRANTS FUND**

---

BE IT ORDAINED by the City Council of the City of Petersburg, Virginia:

- I. That appropriations for the fiscal year commencing July 1, 2020 in the Grants Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2021.

<b>Previously adopted</b>	\$0.00
ADD:	
3-200-*****-**** CARES Act of 2020 – COVID 19	\$2,734,818.00
<b>Total Revenues</b>	\$2,734,818.00

- II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2020 and ending June 30, 2021 but with expenditures no later than December 30, 2020, the following sums for the purposes mentioned:

<b>Previously adopted</b>	\$0.00
ADD:	
4-200-*****-**** CARES Act of 2020 – COVID 19	\$2,734,818.00
<b>Total Expenditures</b>	\$2,734,818.00



## **COMMONWEALTH of VIRGINIA**

Aubrey L. Layne, Jr., MBA, CPA  
Secretary of Finance

P.O. Box 1475  
Richmond, Virginia 23218

July 28, 2020

To: County and City Elected Officials

Delivered Via: Chief Executive Officer, Manager, or Administrator

From: Aubrey L. Layne, Jr.  
Secretary of Finance

Subject: Second and Final Allocation of Federal Coronavirus Relief Funds

### **Overview**

On May 12, 2020, I advised you of Governor Northam's decision to provide the first round of allocations to local governments from the federal Coronavirus Relief Fund (CRF) authorized pursuant to the federal *Coronavirus Aid, Relief, and Economic Security Act* (CARES Act). On June 1, 2020, each locality received its share of the first half, or fifty (50) percent, of the locally-based allocations (not including Fairfax County that received its funds directly).

While the federal CARES Act does not require that states distribute funding to local governments with populations less than 500,000 residents, the Governor recognizes that localities continue to experience the same COVID-19 related expenses as the Commonwealth.

Therefore, the Governor recently announced the second and final round to allocate the remaining fifty (50) percent of the locally-based allocations from the CRF to local governments. When completed, the state will have distributed 100 percent of the local allocations the Commonwealth received under the CARES Act providing a total of \$1.3 billion for local governments.

Just like the first round, the second round will be based on population. Consequently, the second round of allocations will be for the same amount that you received in the first round on June 1, 2020. In order to receive the second allocation, localities are required to submit a new certification form and complete an online survey regarding the use of the CRF funds.

As soon as these two documents are fully completed and submitted, the Department of Accounts will initiate the transfer of funds to the local Treasurer. Localities may expect to receive the transfer by the state Comptroller within five business days following confirmation of receipt of these completed documents.

## Guidance

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

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

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

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

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

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

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

### **Allocation of CRF Funds to Localities**

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

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

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

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

#### General

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

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

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

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

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

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

For Counties Only

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

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

Completion of Survey

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

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

Submission of Certification

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

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

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

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

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

County and City Elected Officials and Administrators

July 28, 2020

Page 5

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

## Appendix A – Local Allocations

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

## Appendix A – Local Allocations

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

## Appendix A – Local Allocations

.Roanoke County, Virginia	94,186	1.1035%	\$8,217,365
.Rockbridge County, Virginia	22,573	0.2645%	\$1,969,407
.Rockingham County, Virginia	81,948	0.9601%	\$7,149,647
.Russell County, Virginia	26,586	0.3115%	\$2,319,526
.Scott County, Virginia	21,566	0.2527%	\$1,881,550
.Shenandoah County, Virginia	43,616	0.5110%	\$3,805,328
.Smyth County, Virginia	30,104	0.3527%	\$2,626,458
.Southampton County, Virginia	17,631	0.2066%	\$1,538,237
.Spotsylvania County, Virginia	136,215	1.5959%	\$11,884,234
.Stafford County, Virginia	152,882	1.7911%	\$13,338,365
.Surry County, Virginia	6,422	0.0752%	\$560,295
.Sussex County, Virginia	11,159	0.1307%	\$973,580
.Tazewell County, Virginia	40,595	0.4756%	\$3,541,757
.Warren County, Virginia	40,164	0.4706%	\$3,504,154
.Washington County, Virginia	53,740	0.6296%	\$4,688,608
.Westmoreland County, Virginia	18,015	0.2111%	\$1,571,739
.Wise County, Virginia	37,383	0.4380%	\$3,261,523
.Wythe County, Virginia	28,684	0.3361%	\$2,502,568
.York County, Virginia	68,280	0.8000%	\$5,957,167
.Alexandria city, Virginia	159,428	1.8678%	\$13,909,478
.Bristol city, Virginia	16,762	0.1964%	\$1,462,420
.Buena Vista city, Virginia	6,478	0.0759%	\$565,181
.Charlottesville city, Virginia	47,266	0.5538%	\$4,123,776
.Chesapeake city, Virginia	244,835	2.8684%	\$21,360,910
.Colonial Heights city, Virginia	17,370	0.2035%	\$1,515,466
.Covington city, Virginia	5,538	0.0649%	\$483,169
.Danville city, Virginia	40,044	0.4691%	\$3,493,685
.Emporia city, Virginia	5,346	0.0626%	\$466,418
.Fairfax city, Virginia	24,019	0.2814%	\$2,095,565
.Falls Church city, Virginia	14,617	0.1712%	\$1,275,277
.Franklin city, Virginia	7,967	0.0933%	\$695,090
.Fredericksburg city, Virginia	29,036	0.3402%	\$2,533,279
.Galax city, Virginia	6,347	0.0744%	\$553,751
.Hampton city, Virginia	134,510	1.5759%	\$11,735,479
.Harrisonburg city, Virginia	53,016	0.6211%	\$4,625,442
.Hopewell city, Virginia	22,529	0.2639%	\$1,965,568
.Lexington city, Virginia	7,446	0.0872%	\$649,635
.Lynchburg city, Virginia	82,168	0.9627%	\$7,168,841
.Manassas city, Virginia	41,085	0.4813%	\$3,584,508
.Manassas Park city, Virginia	17,478	0.2048%	\$1,524,888
.Martinsville city, Virginia	12,554	0.1471%	\$1,095,288

## Appendix A – Local Allocations

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### *Nonexclusive examples of eligible expenditures*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **Eligible Expenditures**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Yes, expenses associated with contract tracing are eligible.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

---

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

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

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

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

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

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

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

## **Questions Related to Administration of Fund Payments**

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

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

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

---

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

# Appendix D: Certification for Use of Coronavirus Relief Fund

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

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

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

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

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

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

**For counties only**

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

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

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



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** September 15, 2020

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** Aretha Ferrell-Benavides, City Manager

**FROM:** Vanessa Crawford

**RE:** **Consideration for Virginia Department of Criminal Justice Services COVID-19 Prepared and Ready Grant -\$5,907**

### **PURPOSE:**

The purpose of these funds is to purchase Personal Protection Equipment (PPE) for the Petersburg Sheriff's Office. The purchased equipment will be used for the deputy's safety in the courts, the sheriff's office, and the jail holding facility. This funding will provide equipment to enhance our services and ensure the safety of our community and staff.

### **REASON:**

There are continuous safety equipment needs that will promote safety for our deputies and the community at large. This grant will supplement and ensure adequate supply of equipment and supplies.

### **RECOMMENDATION:**

It is recommended that this appropriation be approved as it will allow the Sheriff's Office to purchase additional safety equipment and supplies to be used by the Petersburg Sheriff's Office deputies.

### **BACKGROUND:**

On June 26, 2020, the Petersburg Sheriff's Office applied for a grant which was solicited by Department of Criminal Justice Services. This funding was made available to assist eligible law enforcement agencies in their efforts to mitigate and respond to the COVID-19 pandemic. On August 31, 2020, the Sheriff's Office was notified that the Petersburg Sheriff's Office was approved.

**COST TO CITY:** NONE

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** N/A

**CITY COUNCIL HEARING DATE:** 9/15/2020

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** Petersburg Sheriff's Office

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** None

**ATTACHMENTS:**

1. Coronavirus Emergency Supplemental Funding
2. Sheriff COVID-19 Prepared & Ready Grant Ordinance

**Subject: Coronavirus Emergency Supplemental Funding**

**Date:** August 31, 2020 at 4:17:37 PM AST

**To:** Deandrea Williams <[deandrea.williams@dcjs.virginia.gov](mailto:deandrea.williams@dcjs.virginia.gov)>

Congratulations!

The Virginia Department of Criminal Justice Services is pleased to announce that your organization has received a fiscal year 2020 award. The Executive Committee of the Criminal Justice Services Board met last week and voted to approve \$6.05 million in awards under the Coronavirus Emergency Supplemental Funding grant program. More information can be found here: <https://dcjs.virginia.gov/news/governor-northam-605-million-coronavirus-emergency-grants>.

Within the next two weeks, your organization will receive formal notification and your grant award package via email to the three project officials listed on your grant. If you have any questions, please contact your Grant Monitor or the contact person(s) listed in the solicitation.

Thank You,  
DeAndrea Elizabeth Williams on behalf of Albert Stokes, Grants Manager  
Division of Finance & Administration/Grants Management  
Virginia Department of Criminal Justice Services  
1100 Bank Street, Richmond, VA 23219  
Phone: 804.371.5380 FAX: 804.786.0588  
[<http://../ijr24809/Documents/www.dcjs.virginia.gov>][www.dcjs.virginia.gov](http://www.dcjs.virginia.gov)

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE  
MAKING APPROPRIATIONS FOR THE FISCAL YEAR  
COMMENCING JULY 1, 2020, AND ENDING JUNE 30, 2021  
FOR THE GRANT FUND.**

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BE IT ORDAINED by the City Council of the City of Petersburg, Virginia:

I. That appropriations for the fiscal year commencing July 1, 2020, in the Grant Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2021.

<b>Previously adopted</b>	<b>\$0.00</b>
ADD:	
3-200-024040-0615-0-302 Sheriff COVID-19 P&RG (COVID-19 Prepared & Ready Grant)	<b><u>\$5,907.00</u></b>
<b>Total Revenues</b>	<b><u>\$5,907.00</u></b>

II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2020 and ending June 30, 2021, the following sums for the purposes mentioned:

<b>Previously adopted</b>	<b>\$0.00</b>
ADD:	
4-200-022234-6014-0-302 Other Operating Supplies	<b><u>\$5,907.00</u></b>
<b>Total Expenses</b>	<b><u>\$5,907.00</u></b>



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** September 15, 2020

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** Tangela Innis, Director of Public Works and Utilities  
Lionel Lyons, Deputy City Manager of Development

**FROM:** Andrew Barnes

**RE:** Consideration to authorize the City Manager to sign a Deed of Utility Easement between the City of Petersburg and Prince George County for temporary construction and variable width utility easements across City property at 6104 County Drive, Prince George, VA

**PURPOSE:** To authorize the City Manager to sign a Deed of Utility Easement between the City of Petersburg and Prince George County for temporary construction and variable width utility easements across City property located at 6104 County Drive, within Prince George County, for the purpose of the County's extension of waterlines along Route 460 (County Drive).

**REASON:** Prince George County requires temporary construction and permanent variable width utility easements across City property for the construction, maintenance, and operation of a water pipeline.

### RECOMMENDATION:

Recommend City Council authorize City Manager to sign a Deed of Utility Easement between the City of Petersburg and Prince George County for temporary construction and variable width utility easements across City property located within Prince George County.

**BACKGROUND:** Prince George County is extending water utility infrastructure along Route 460 (County Drive) to serve existing and future customers. The alignment of the project will take the proposed waterline across City property within the County. The County is requesting a temporary construction easement and a variable width utility easement to enable the construction, maintenance, and operation of the waterline.

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** \$380. Fair market value for the use of the land to be encumbered by the easement has been established by the County at \$380.00

**CITY COUNCIL HEARING DATE:**

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** Department of Public Works and Utilities

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. 350(0A)00-012-0
2. City of Petersburg Plat TM 350(0A)00-012-0
3. City of Petersburg Deed of Easement TM 350(0A)00-012-0 (1)
4. GIS Aerial CoP
5. 350(0A)00-012-0 Esmt Worksheet

CITY OF PETERSBURG  
 103 TABB ST  
 PETERSBURG, VA 23803  
 BLANCHE S & F W JAND  
 ACRES:163.4021

Transfer of Ownership

Neighborhood Number  
 8201

Neighborhood Name  
 East of Bull Hill Road

TAXING DISTRICT INFORMATION

Jurisdiction Name PRINCE GEORGE COUNTY  
 Area 001  
 District P4  
 Section & Plat /

Site Description

Topography  
 Public Utilities  
 Street or Road  
 Neighborhood  
 Zoning:  
 R-A, Residential Agricultural  
 Legal Acres:  
 163.4021

Valuation Record

Assessment Year	2015	2016	2017	2018	2018	2019	2020	
Reason for Change	Reassess	Reassess	Reassess	Reassess	Admin Change	Reassess	Reassess	
Market Value	L 303800	I 303800	T 303800	L 303800	I 303800	T 303800	L 303800	I 303800
Taxable Value	L 303800	I 303800	T 303800	L 303800	I 303800	T 303800	L 303800	I 303800



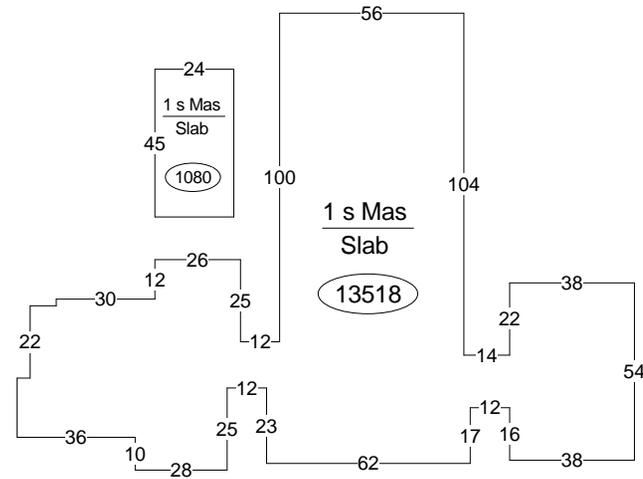
Land Size

Land Type	Rating, Soil ID - or - Actual Frontage	Acreage - or - Effective Frontage	Square Feet - or - Effective Depth	Influence Factor
R-A >100 - IMP				R -3% S -15% W -50%

Physical Characteristics

Tax ID SF-0,MS-0,YB-

Printed 01/28/2020



Special Features

Description

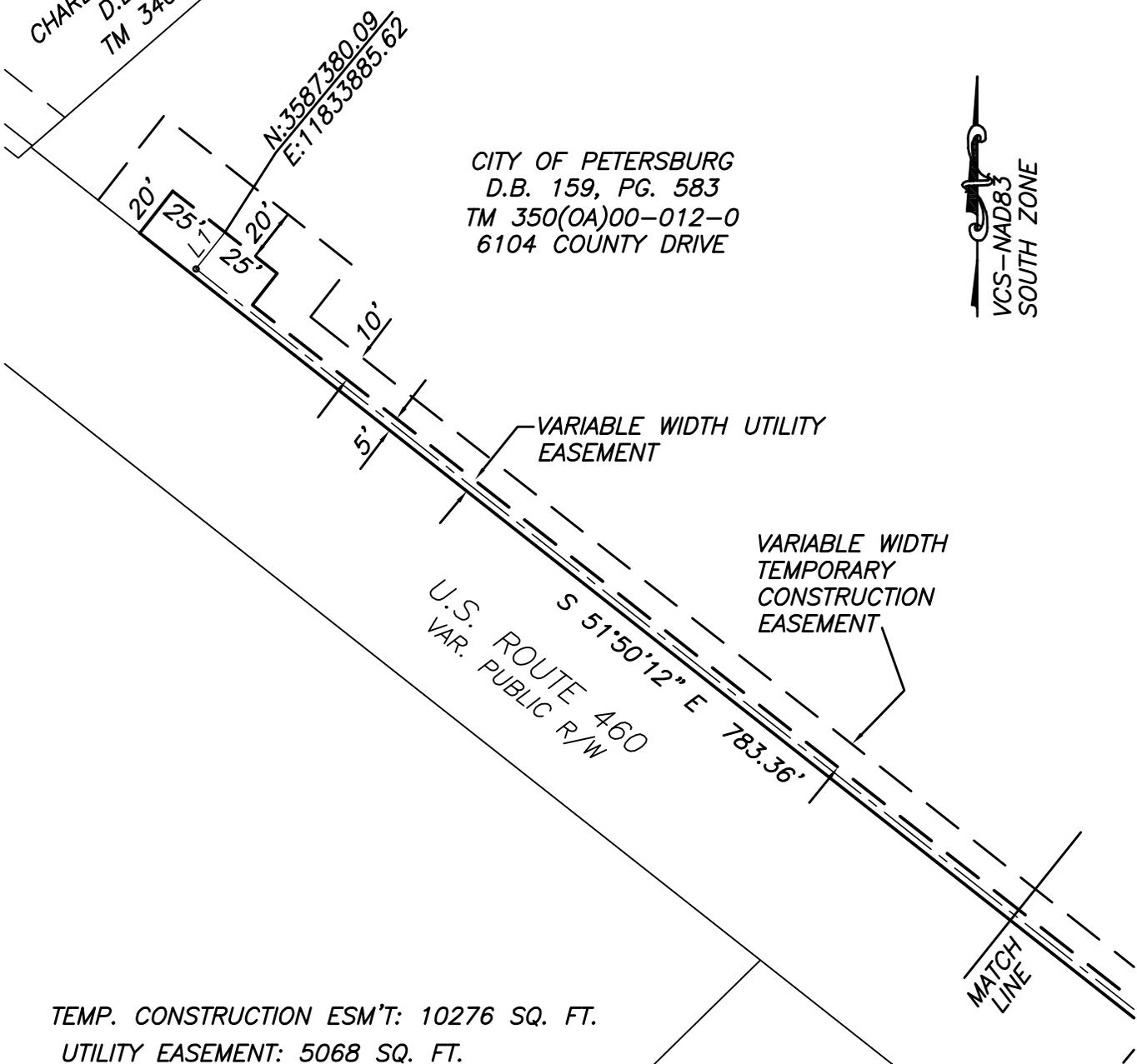
Summary of Improvements

ID	USE	Story Height	Const Type	Grade	Year Cons	Eff Year	Cond	Size or Area
C	JAIL	0.00		35	1962	1962	1	14598

CHARLES & JOANNE SKALSKY  
 D.B. 276, PG. 350  
 TM 340(OA)00-109-0

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 38°09'48" W	17.50'
L2	S 38°07'52" W	12.50'
L3	S 51°50'12" E	15.29'

CITY OF PETERSBURG  
 D.B. 159, PG. 583  
 TM 350(OA)00-012-0  
 6104 COUNTY DRIVE



TEMP. CONSTRUCTION ESM'T: 10276 SQ. FT.  
 UTILITY EASEMENT: 5068 SQ. FT.



PLAT OF  
 A VARIABLE WIDTH  
 TEMPORARY CONSTRUCTION  
 EASEMENT AND VARIABLE  
 WIDTH UTILITY EASEMENT  
 ACROSS PROPERTY OF THE  
 CITY OF PETERSBURG  
 TM 350(OA)00-012-0  
 RIVES DISTRICT  
 PRINCE GEORGE COUNTY,  
 VIRGINIA

JN: 50106065

SHEET 1 OF 2

SCALE: 1"=60'

DATE: 11/21/2019

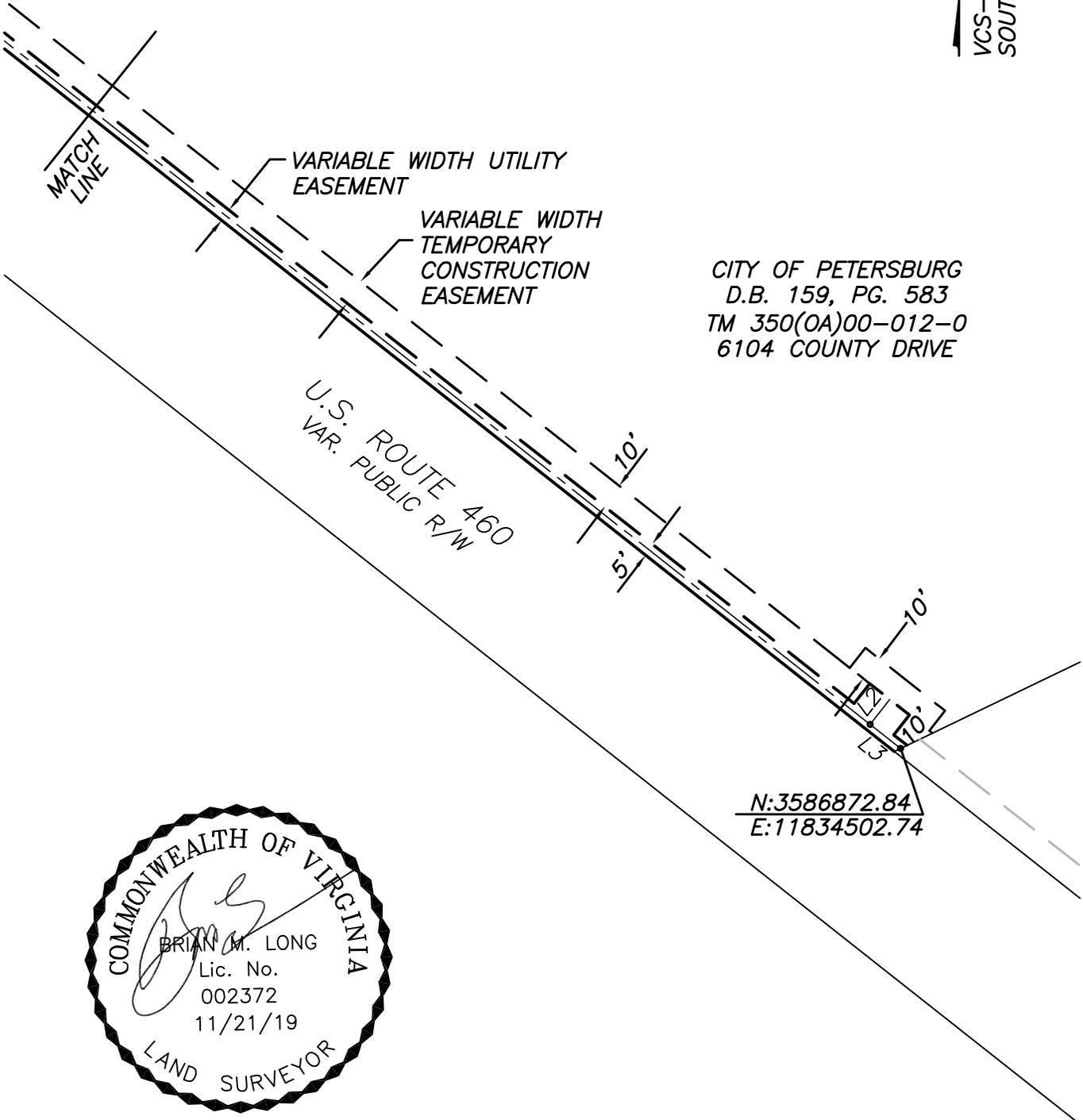


**Dewberry**®

Dewberry  
 Engineers Inc.

4805 Lake Brook Drive  
 Glen Allen, VA 23060  
 PHONE: 804.290.7957  
 FAX: 804.290.7928  
 www.Dewberry.com

v



CITY OF PETERSBURG  
D.B. 159, PG. 583  
TM 350(OA)00-012-0  
6104 COUNTY DRIVE



PLAT OF  
A VARIABLE WIDTH  
TEMPORARY CONSTRUCTION  
EASEMENT AND VARIABLE  
WIDTH UTILITY EASEMENT  
ACROSS PROPERTY OF THE  
CITY OF PETERSBURG  
TM 350(OA)00-012-0

RIVES DISTRICT  
PRINCE GEORGE COUNTY,  
VIRGINIA

JN: 50106065

SHEET 2 OF 2

SCALE: 1"=60'

DATE: 11/21/2019



**Dewberry**<sup>®</sup>

Dewberry  
Engineers Inc.

4805 Lake Brook Drive  
Glen Allen, VA 23060  
PHONE: 804.290.7957  
FAX: 804.290.7928  
www.Dewberry.com

Prepared by: Andrea G. Erard  
Assistant County Attorney  
P. O. Box 68  
Prince George, VA 23875

Consideration: \$380.00  
Exempt from Taxation and Recordation  
Fees Imposed by Section 58.1-811 A-3.

Tax ID # 240(0A)00-091-0

Return to Prince George County Utilities, P.O. Box 68, Prince George, VA 23875

This deed is Exempt from recordation taxation in accordance with Section 58.1-811(A)(3) of the Code of Virginia of 1950, as amended.

### DEED OF UTILITY EASEMENT

THIS DEED OF EASEMENT, made this [ ] day of [MONTH] in the year 2020, by and between **CITY OF PETERSBURG**, and their heirs, successors, and assigns, hereinafter referred to as "Grantor", and the **PRINCE GEORGE COUNTY, a political subdivision of the Commonwealth of Virginia, its successors and assigns**, hereinafter referred to as "Grantee".

WITNESSETH: That for and in consideration of the sum of THREE HUNDRED EIGHTY DOLLARS (\$380.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantors do hereby grant and convey unto the Grantee, its successors and assigns, a perpetual easement and right-of-way for the purpose of installing, constructing, maintaining, inspecting, operating, repairing, altering, replacing, and removing water mains, and other appurtenant facilities for the distribution and transmission of water within the easement across the property of the Grantor located in Rives District, Prince George County, Virginia, together with all rights and privileges hereinafter enumerated pertaining to said property.

The right, privilege, and easement of right-of-way to construct, operate, and maintain water lines, including accessories and appurtenances thereto over, under, through, and across the property of the Grantor, the permanent easement of right-of-way and a temporary construction easement as indicated on the plat made by Dewberry Engineers, dated November 21, 2019, entitled "Plat of a Variable Width Temporary Construction Easement and Variable Width Utility Easement Across the Property of The City of Petersburg TM 350(0A)00-012-0, Rives District, Prince George County, Virginia," a copy of which is attached hereto and to be recorded herewith as part hereof.

Further, this easement is granted subject to the following conditions:

1. All water mains and appurtenant facilities which are installed in the easement shall be and remain the property of Grantee.
2. At no time shall Grantor charge Grantee for the use of the property occupied by Grantee or for the privilege of exercising the rights granted under this agreement.
3. Grantee, its agents and employees, for the purpose of inspecting, maintaining, or operating its facilities, shall have the right of ingress and egress over the easement, and the right of ingress to and egress from the easement over the property of Grantor adjacent to the easement and lying between public or private roads and the easement, in such

manner as shall occasion the least practicable damage and inconvenience to Grantor. Grantee shall repair damage to roads, fences or other improvements caused by it, its agents or employees, while exercising this right of ingress and egress or shall pay Grantor for any damage done in the exercise of its right of ingress and egress, provided Grantor notice thereof to Grantee within sixty days after such damage occurs.

4. Grantee, its agents and employees, shall have the right to inspect, rebuild, repair, improve, relocate, replace, remove, make additions or extensions, thereto, and make changes, alterations, and substitutions therein, including the right to install additional lines, within the said easement, as Grantee may from time to time deem advisable or expedient, and shall have rights and privileges as may be reasonably necessary for the full enjoyment or use, for any of the aforesaid purposes of the easement and right-of-way herein granted.
5. Grantee, its agents and employees, shall have the right to alter, trim, cut, and remove all trees, limbs, undergrowth, shrubbery, landscape plantings of any kind, fences, buildings, structures or other obstructions or facilities, natural or artificial, on or in the said easement which it deems, in any way, to interfere with the proper and efficient construction, operation, and maintenance of the utilities in the said easement; provided, however, that unless hereinafter otherwise agreed, except for trees, limbs, and undergrowth removed, Grantee shall repair, restore, or replace any and all facilities currently located on or in the said easement which may be disturbed, damaged or removed to as nearly as possible to their original condition, and shall remove all trash and other debris generated by its work from the easement and shall restore the surface thereof to as nearly as possible to its original condition.
6. Grantor reserves the right to make use of the easement herein granted in a manner which may not be inconsistent with the rights herein conveyed or which does not interfere with the use of the easement by Grantee for the purposes aforesaid; provided, however, that unless hereinafter otherwise agreed, Grantor shall not erect any building or other structure, except a fence, on the said permanent easement without obtaining the prior written approval of Grantee. Further, Grantor shall not erect any building or other structure, except a fence, on any temporary construction easement prior to or during construction of the utilities in the adjacent permanent easement.
7. Upon completion of any construction, repair, alteration, replacement, or removal of water mains or appurtenant facilities, any temporary easement granted hereby shall be inoperative and of no further force and effect.
8. It is agreed among the parties hereto, that this grant covers all the agreements between the parties and no representation or statements, verbal or written, have been made, modifying, adding to or changing the terms of this agreement. This Agreement contains the entire understanding of the parties and may not be modified except by subsequent writing signed on behalf of the party or parties to be bound thereby.



Witness the following signatures and seals:

\_\_\_\_\_  
[Signature]

\_\_\_\_\_  
[One Typed Name per Deed designation]

**State of Virginia,**

**County of Prince George, to-wit:**

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
2020 by \_\_\_\_\_.

\_\_\_\_\_  
Registration Number: \_\_\_\_\_  
My commission expires: \_\_\_\_\_  
\_\_\_\_\_  
Notary Public

Witness the following signatures:

\_\_\_\_\_  
[One Typed Name per Deed designation]

State of Virginia,

City/County of Prince George, to-wit:

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
2020 by \_\_\_\_\_.

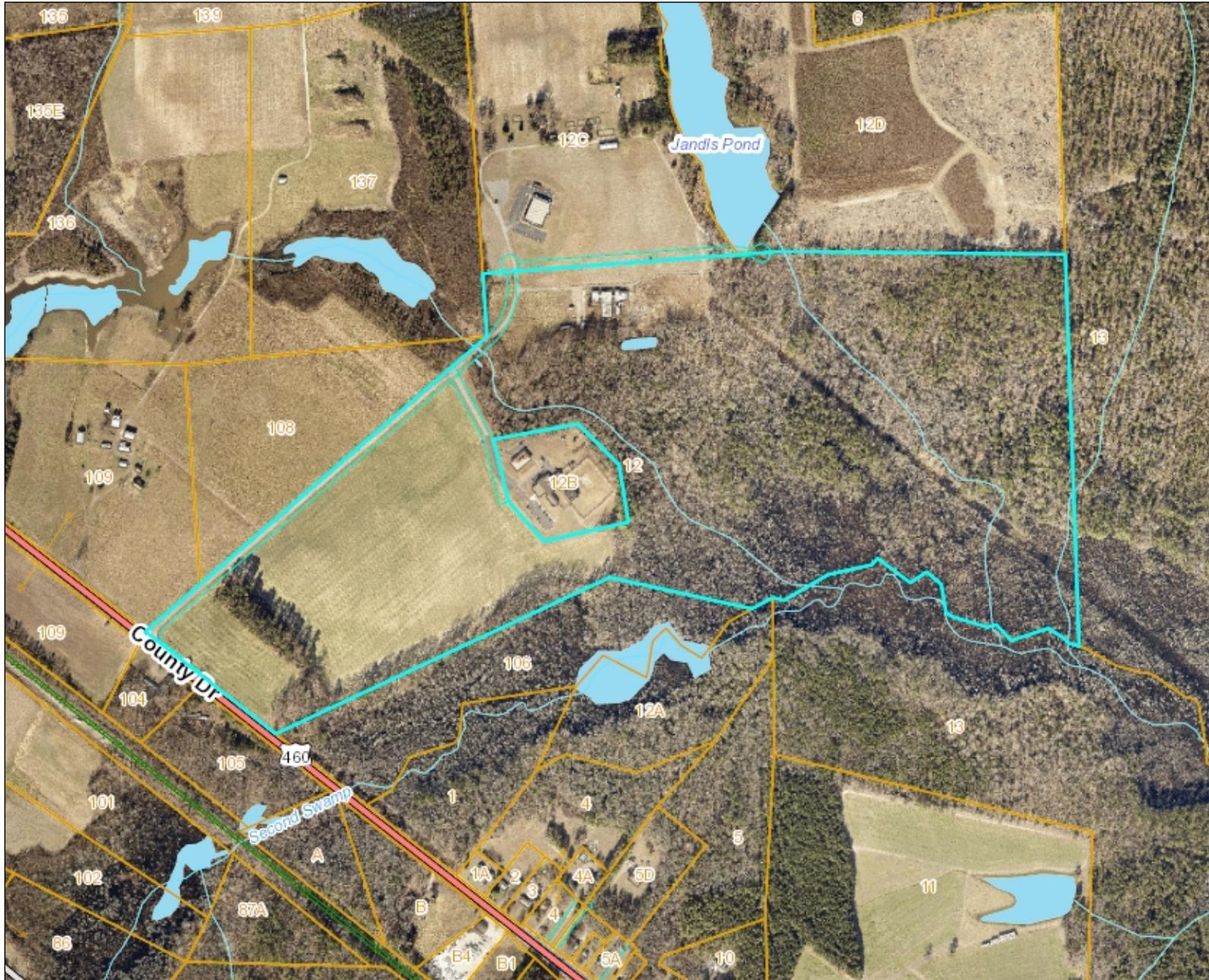
\_\_\_\_\_  
Notary Public

Registration Number: \_\_\_\_\_

My commission expires: \_\_\_\_\_

PRINCE GEORGE COUNTY UTILITIES-Deed of WaterLine Easement December 30, 2019.

# County of Prince George



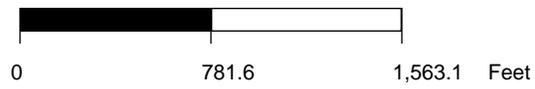
### Legend

- Schools
- Firestations
- Political Boundaries
- Taxparcels
- Access Easements
- Swamps

### Notes



The information contained in this data should not be used as a "legal description". Map information is believed to be accurate, but accuracy is not guaranteed.  
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Map Scale 1: 9,379  
 11/22/2019



Property Address: 6104 County Drive Tax Map #: 350(0A)00-012-0

Zoning: Residential - Agricultural

City of Petersburg	Price/Acre		Acres		Percent of Fee Rights or Rent Rate	Years	Total
<b>Value of the Whole Before:</b>	\$861	X	163.402	X	100%	N/A	\$140,700
<b>Value of the Permanent Pipeline Easement</b>	\$6,500	X	0.116	X	30.0%	N/A	\$227
<b>Value of the Temporary Construction Easement</b>	\$6,500	X	0.236	X	10%	1	\$153

**Consequential Damages**

List of Damage(s) (as appropriate for each property)	Value of the Residence				Percent of Damages	Years	
	\$0	X			0.00%	N/A	\$0
	Value of Pine Tree				No. of Trees		
	\$250	X			0	N/A	\$0
	Value of the X Before				Value of the X After		
	\$0	-			\$0	N/A	\$0
	\$/Soybean/ Bushel		Acres		Bushels/acre/Yr.		
	\$6	X		X	0	1	\$0
	\$/Alfalfa/Ton		Acres		Tons/Acre/Yr		
	\$100	X		X	0	1	\$0
	\$/Corn/Ton		Acres		Tons/Acre/Yr		
	\$35	X		X	0	1	\$0
	\$/Hay Mix /Ton		Acres		Tons/Acre/Yr		
	\$80	X	0.000	X	0.00	1	\$0
	Value of the Remainder /Acre		Acres		Loss of Utility		
	\$861	X	163.286	X	0.00%	N/A	\$0
	Wood Value/acre		Acres				
	\$450	X	0.000			N/A	\$0
	Present Value of Timber Loss/Acre over 90-Year Yield		Acres				
	\$382	X	0.000			N/A	\$0

Total Damages \$0

Total Compensation \$380



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** September 15, 2020

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** Aretha Ferrell-Benavides, City Manager

**FROM:** Kim Robinson

**RE:** **Resolution to Amend and Re-Adopt Article VII of the City of Petersburg's Personnel Policies and Procedures Manual Pertaining to Grievance and Appeal Procedures.**

**PURPOSE:** Amend and Re-Adopt Article VII of the City's Grievance and Appeal Procedures.

**REASON:** Certify the City's Grievance policy.

**RECOMMENDATION:** n/a

**BACKGROUND:** City of Petersburg's Personnel Policies and Procedures Manual amended and updated on February 18, 2014.

**COST TO CITY:** n/a

**BUDGETED ITEM:** n/a

**REVENUE TO CITY:** n/a

**CITY COUNCIL HEARING DATE:**

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** n/a

**AFFECTED AGENCIES:** City Departments

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** 14-R-09

**REQUIRED CHANGES TO WORK PROGRAMS:** n/a

**ATTACHMENTS:**

1. Resolution Grievance Policy Sep 2020
2. Exhibit A \_Article VII\_ Grievance Policy



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** September 15, 2020

**TO:** The Honorable Mayor and Members of City Council

**FROM:** Aretha Ferrell Benavides, City Manager

**RE:** **RESOLUTION TO AMEND AND RE-ADOPT ARTICLE VII OF THE CITY OF PETERSBURG PERSONNEL POLICIES AND PROCEDURES MANUAL PERTAINING TO GRIEVANCE AND APPEAL PROCEDURES**

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WHEREAS, Section 15.2-1506 of the Code of Virginia requires localities having more than 15 employees to have a grievance procedure for its employees; and

WHEREAS, Section 15.2-1507 of the Code of Virginia sets forth the minimum requirements of such grievance procedure and requires certification of compliance with said requirements to be filed with the Clerk of Court upon adoption; and

WHEREAS, the City's Grievance and Appeal Procedures are contained in Article VII of the City's Personnel Policies and Procedures Manual; and

WHEREAS, City Staff have been working on a comprehensive revision of the City's Personnel Policies to ensure compliance with applicable law, and to ensure that the Policies are updated to be consistent with the City's practices; and

WHEREAS, the attached revisions to Article VII (**Exhibit A**) are recommended by Staff in furtherance of this; and

WHEREAS, it is the belief of Council that the amendment and re-adoption of Article VII consistent with said revisions is in the best interests of the City.

NOW therefore be it RESOLVED, that Article VII of the City of Petersburg Personnel Policies and Procedures Manual is hereby amended and re-adopted as described in the attached (**Exhibit A**); and

BE it further RESOLVED that upon adoption of this Resolution, the City Attorney is hereby directed to file a copy of this Resolution along with the corresponding (**Exhibit A**) with the Clerk of Court in conformance with the requirements of Section 15.2-1507 of the Code of Virginia.



**PERSONNEL POLICIES AND PROCEDURES MANUAL**

**Dated – March 2014**

**Issued – August 2015**

**ARTICLE VII  
GRIEVANCE AND APPEAL PROCEDURES**

- 7.1 Policy-** The City of Petersburg desires to resolve employee grievances fairly and promptly. Employees are encouraged to freely discuss their concerns with immediate supervisors and upper management levels when disagreement or dissatisfactions arise. A copy of the grievance procedure shall be made available to all City employees and each employee shall be assured that the filing of a grievance will have no adverse effect on his or her employment status.
- 7.2 Purpose -** The purpose is to establish an objective and fair procedure to resolve a complaint or a dispute of an employee concerning his or her employment with the City of Petersburg. All problems, complaints or disputes, even of a minor nature should be resolved.
- 7.3 Applicability -** All non-probationary permanent full-time and permanent part-time employees, including employees of the Department of Social Services of the City of Petersburg shall be covered under this policy. The following shall be deemed to be in the “excepted category” and excluded from the application of this grievance policy except those listed as follows:
- a. Appointees of elected groups or individuals;
  - b. Department Heads;
  - c. Deputies and executive assistants to the City Manager;
  - d. Police staff who have elected to use the Procedural Guarantees procedures provided by State law;
  - e. Employees of constitutional officers ~~who shall, where applicable, follow the State's grievance procedure;~~
  - f. Employees who serve at the pleasure of the City Attorney excluded in accordance with 2-192 of the City Code.
  - g. Members of the unclassified service. Any employee who moves from a position in the classified service to a position in the unclassified service shall automatically lose all rights to the grievance and appeal process;
  - h. Any employee who elects to pursue his or her grievance or complaint by any other existing lawfully permitted procedure in the resolution of their grievance.

The ~~Director of Human Resources~~ City Manager or designee shall be responsible determining the officers and employees excluded from the grievance procedure and shall be responsible for maintaining an up-to-date list of the affected positions.

- 7.4 Definition of Grievance -** A grievance shall be defined as a complaint or dispute by an employee relating to his or her employment, including but not necessarily limited to:
- ~~a. Disciplinary actions, including dismissals (whenever resulting from formal discipline or unsatisfactory job performance) written reprimand, disciplinary demotion and suspension;~~
  - ~~The proper application of personnel policies, procedures, rules, regulations, ordinances and statutes;~~
  - ~~Acts of retaliation as the result of utilization of the grievance procedure or participation in the grievance of another City employee;~~
  - d. ~~Complaints of discrimination on the basis of race, color, creed, political affiliation, age, disability, national origin or sex; and~~
  - ~~e. Acts of retaliation because the employee has complied with any law of the United States or of the~~



## PERSONNEL POLICIES AND PROCEDURES MANUAL

Dated – March 2014

Issued – August 2015

~~Commonwealth, has reported any violation of such law to a governmental authority, or has sought any change in law before the Congress of the United States, the General Assembly of the Commonwealth, or the City Council~~

- A. ~~Disciplinary actions, including dismissals, disciplinary demotions, and suspensions, provided that dismissals shall be grievable whenever resulting from formal discipline or unsatisfactory job performance;~~
- B. ~~The application of personnel policies, procedures, rules, and regulations, including the application of policies involving the contents of ordinances, statutes, or established personnel policies, procedures, rules, and regulations~~
- C. ~~Discrimination on the basis of race, color, creed, religion, political affiliation, age, disability, national origin, sex, marital status, pregnancy, childbirth or related medical conditions, sexual orientation, gender identity, or status as a veteran; and~~
- D. ~~Acts of retaliation as the result of the use of or participation in the grievance procedure or because the employee has complied with any law of the United States or of the Commonwealth, has reported any violation of such law to a governmental authority, has sought any change in law before the Congress of the United States or the General Assembly, or has reported an incidence of fraud, abuse, or gross mismanagement. For the purposes of clause (iv), there shall be a rebuttable presumption that increasing the penalty that is the subject of the grievance at any level of the grievance shall be an act of retaliation.~~

Management Responsibilities – ~~Management shall retain~~The City retains the exclusive right to manage the affairs and operations of City government. Accordingly, the following complaints are nongrievable under this procedure:

- a. Establishment and revision of wages or salaries, position classification or general benefits;
- b. Work activity accepted by the employee as a condition of employment or work activity which may reasonably be expected to be a part of the job content;
- c. The contents of ordinances, statutes or established personnel policies, procedures, rules and regulations, and personnel actions in conformance therewith;
- d. Failure to promote except where the employee can show established promotional policies or procedures were not followed or applied fairly;
- e. The methods, means and personnel by which work activities are to be carried on;
- f. Except where such action affects an employee who has been reinstated within the previous six months as the result of the final determination of a grievance, termination, layoff, demotion or suspension from duties because of lack of work, reduction in work force or job abolition;
- g. The hiring, promotion, transfer, assignment and retention of employees within the City; and
- h. The relief of employees from duties of the City in emergencies.

In any grievance brought under the exception in f, the action shall be upheld upon a showing by the City that: (i) there was a valid business reason for the action, and (ii) the employee was notified of such reason in writing prior to the effective date of the action.



## **PERSONNEL POLICIES AND PROCEDURES MANUAL**

**Dated – March 2014**

**Issued – August 2015**

- 7.5 Determination of Grievability** - Decisions regarding grievability and access to the procedure shall be made by the City Manager or designee at any time prior to the panel hearing, at the request of the Department Head or grievant or within ten (10) calendar days of the request. The Department of Human Resources may initiate a determination of grievability at any step. For purposes of these Policies, grievability shall mean whether or not a complaint qualifies, at any step in the grievance process, for a hearing. A copy of the ruling shall be sent to the grievant and the Department Head or designee. If the grievance is determined to be non-grievable by the City Manager, the grievance process is concluded unless a timely appeal is filed.
- a. Decisions of the City Manager may be appealed to the Petersburg Circuit Court for a hearing on the issue of whether the grievance qualifies for a panel hearing. Proceedings for review of the decision of the City Manager shall be instituted by the grievant by filing a notice of appeal with the City Manager within ten (10) calendar days from the date of receipt of the decision and giving a copy thereof to all other parties.
  - b. Within ten (10) calendar days thereafter, the City Manager shall transmit to the Clerk of the Court to which the appeal is taken: a copy of the decision of the City Manager, a copy of the notice of appeal, and the exhibits. A list of the evidence furnished to the Court shall also be furnished to the grievant. The failure of the City Manager to transmit the record shall not prejudice the rights of the grievant. The Court, on motion of the grievant, may issue a writ of certiorari requiring the City Manager to transmit the record on or before a certain date.
  - c. Within thirty (30) days of receipt of such records by the Clerk, the Court, sitting without a jury, shall hear the appeal on the record transmitted by the City Manager and such additional evidence as may be necessary to resolve any controversy as to the correctness of the record. The Court, in its discretion, may receive such other evidence as the ends of justice require. The Court may affirm the decision of the City Manager or may reverse or modify the decision. The decision of the Court shall be rendered no later than the fifteenth day from the date of the conclusion of the hearing. The decision of the Court is final and not appealable.
- 7.6 Compliance** - After the initial filing of a written grievance, failure of either party to comply with all substantial procedural requirements of the grievance procedure, including the panel hearing, without just cause shall result in a decision in favor of the other party on any grievable issue, provided the party not in compliance fails to correct the noncompliance within five (5) work days of the receipt of written notification by the other party of the compliance violation. Such written notification by the grievant shall be made to the City Manager.
- The City Manager, at his or her option, may require a clear written explanation of the basis for just cause extensions or exceptions. The City Manager shall determine compliance issues. Compliance determinations made by the City Manager shall be subject to judicial review by filing petition with the Circuit Court within thirty (30) days of the compliance determination.
- This procedure is provided as a means for employees to resolve problems and complaints without the cost often associated with legal counsel. However, if an employee using the procedure would feel more comfortable in having such support, the employee shall be responsible for related expenses.
- 7.7 Standard/Burden of Proof** – The grievant ~~must prove~~ **bears the burden of establishing** by **the greater weight a preponderance** of the evidence that the discipline imposed or the complaining action was excessive or unwarranted. All parties are to be afforded an equal opportunity for presentation of their evidence.
- 7.8 Grievance Procedure** - Most employee concerns or complaints can be resolved informally through communication between employee and supervisor. Accordingly, employees are encouraged to take their complaints to their immediate



## **PERSONNEL POLICIES AND PROCEDURES MANUAL**

**Dated – March 2014**

**Issued – August 2015**

supervisor and then to upper-management levels to seek a solution. Employees are also encouraged to pursue grievable issues through the grievance procedure and supervisors are to assist them in this process.

Step 1. The employee shall identify the grievance verbally to the immediate supervisor in an informal face-to-face meeting within thirty (30) calendar days after the event or action which is the basis for the grievance.

The supervisor shall give a verbal response to the employee within five (5) work days following the meeting. If a resolution is not reached at this point, the employee shall submit to the supervisor on the Grievance Form, the nature of the grievance and the specific relief requested within five (5) work days following the date of receipt of the verbal response.

The supervisor, in turn, shall give the employee a written response on the Grievance Form within five (5) work days.

Step 2. If the grievance is not resolved at the first step, the employee should indicate on the Grievance Form the desire to have the grievance advanced to the next step within five (5) work days following the supervisor's written response.

The grievant shall forward a copy of the grievance form to the Department Head and a copy to the Department of Human Resources accompanied with all supporting documentation and the decision of the supervisor.

A meeting to review the grievance shall be held between the employee and the Department Head within five (5) work days after receipt of the grievance. The time limit between the second step submission and the second meeting may be extended by mutual agreement. A second step written reply to the grievance shall be provided to the employee within five (5) work days after the second step meeting.

Step 3. If a satisfactory resolution is not reached at the second step, the employee may so indicate on the Grievance Form and submit the grievance to the City Manager within five (5) work days with a copy to the Department of Human Resources accompanied with all supporting documentation.

A meeting to discuss the grievance shall be held between the City Manager and the grievant within five (5) work days after the receipt of the grievance. The time between the third step submission and the third step meeting may be extended by mutual agreement. The employee may have a representative of his or her choice present at the third step meeting.

If the grievant is represented by legal counsel, the City Manager may also have legal counsel present. The City Manager shall render a written reply to the grievance within five (5) work days following the third step meeting.

Step 4. Appeal to the Panel. If a grievance is not settled in Step 3, the grievant may proceed to a hearing before an impartial panel. A written request for a panel hearing must be submitted to the City Manager within seven (7) work days of the receipt of the third step reply with a copy to the Department of Human Resources.

**7.9 Representation During the Grievance Management Steps** – With the exception of the of the final management step (Step 3), the only persons who may be present in the management step meetings are the grievant, the appropriate City official at the level which the grievant is being heard, a representative



**PERSONNEL POLICIES AND PROCEDURES MANUAL**

***Dated – March 2014***

***Issued – August 2015***

from the Department of Human Resources if requested and appropriate witnesses for each side. Witnesses shall be present only while actually providing testimony.

Employees who are necessary participants at a grievance hearing shall not lose any pay for the time necessarily lost from their jobs and will not be charged leave because of their attendance at such hearings. During the management steps the grievance shall not be recorded and recording devices are not permitted in the room in which a grievance hearing is being heard.



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** September 15, 2020

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:**

**FROM:** Aretha Ferrell-Benavides

**RE:** **Consideration of appointment to the Petersburg Area Regional Tourism (PART) Board.**

**PURPOSE:** Consideration of an appointee to the PART Board.

**REASON:** The structure of the PART Board includes the City Manager or County Administrator from each locality automatically on the board. Additionally, each locality should appoint a private sector person who is in a hospitality-related business (Examples: restaurant, hotel, shop or art gallery owner, etc.).

**RECOMMENDATION:** To consider applications presented for an appointee.

**BACKGROUND:** The structure of the PART Board includes the City Manager or County Administrator from each locality automatically on the board. Additionally, each locality should appoint a private sector person who is in a hospitality-related business (Examples: restaurant, hotel, shop or art gallery owner, etc.).

For many years, the Petersburg appointee was the manager of the former Ramada Inn. When it closed, the position was not immediately filled and remained vacant.

The board meets every other month (July, September, November, January, March, May), on the 3rd Friday for a lunch meeting from 11:00 AM - 1:00 PM.

This is no concrete term limit. The appointee and/or the City can choose whether to continue with the appointment each year.

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY: N/A**

**CITY COUNCIL HEARING DATE:**

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A**

**AFFECTED AGENCIES: N/A**

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A**

**REQUIRED CHANGES TO WORK PROGRAMS: N/A**

**ATTACHMENTS:**

1. Board and Commissions Application\_PART



**City of Petersburg, Virginia  
Boards, Commission, and Authority Application**

**Petersburg Area Regional Tourism (PART) Board**

**Overview:**

This application is for those who have been recommended for consideration for a seat on the PART Board. As each locality's Chief Administrative Officer serves on the board, each locality also appoints a person working/involved in hospitality or tourism in their City.

**Time Commitment:**

The board meets every other month (July, September, November, January, March, May), on the 3rd Friday for a lunch meeting from 11:00 AM - 1:00 PM.

**Term:**

This is no concrete term limit. However, the appointee and/or the City can choose whether to continue with the appointment each year.





(Please use reverse side if additional space is needed)

I understand the duties of this (Board, Commission, or Authority) and agree to actively participate and attend the meeting at its scheduled date and time if appointed.

(Applicant's signature)

Note: Please return the completed form to: Clerk of City Council, Room 210, City Hall, Petersburg, Virginia 23803.

This application will be kept on file for one year. Afterwhich, you will be contacted for renewed interest in maintaining your application in an active status.

## **CITY OF PETERSBURG, VIRGINIA**

### **BOARDS AND COMMISSIONS**

Anti-Poverty Commission  
Appomattox River Water Authority  
Architectural Review Board  
Central Virginia Waste Management Authority  
Community Development Block Grant (CDBG) Advisory Board  
Community Policy & Management Team  
Commission on Community Relation Affairs  
Crater District Area agency on Aging  
Crater District Local Health Advisory Council  
Crater District Regional Building Code and BOCA Fire Code Appeals Board  
Crater Planning District Commission  
Crater Youth Care Commission (Detention Home)  
Criminal Justice Board  
District 19 Community Services Board  
Eleventh District Juvenile & Domestic Relations Court Services Unit Advisory Council  
Economic Development Authority  
John Tyler Community College Board of Directories  
Planning Commission  
Redevelopment & Housing Authority  
Riverside Regional Jail Authority  
Social Services Advisory Board  
South Central Wastewater Treatment Authority  
South Centre' Corridor Resource Conservation and Development  
Virginia Gateway Region (formerly ABIDCO)



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** September 15, 2020

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** Aretha Ferrell-Benavides, City Manager

**FROM:** Nykesha Jackson

**RE:** **Consideration of appointment/s to the Planning Commission.**

---

**PURPOSE:** To consider appointments to the Planning Commission.

**REASON:** To appoint new members to the Planning Commission.

**RECOMMENDATION:** Recommend City Council appoint members to the Planning Commission.

**BACKGROUND:** The Planning Commission consists of 4 at-large members and 7 members appointed by City Council.

The duties of the Board include, but are not limited to, the following: Promote the orderly development of the City and its environs; serves primarily in an advisory capacity to the City Council in matters pertaining to land use, future development, and capital improvements.

**COST TO CITY:** None

**BUDGETED ITEM:** None

**REVENUE TO CITY:** None

**CITY COUNCIL HEARING DATE:**

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** N/A

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. Planning Commission 2020 updated July 1, 2020



**2020 Boards and Commissions**

<b>PLANNING COMMISSION</b>					
	Number of members: 11				
<b>TERMS</b>	<b>APPOINTMENTS</b>	<b>WARDS</b>		<b>NEW APPLICANTS</b>	<b>WARDS</b>
5/19/2020 - 09/30/24	Tammy L. Alexander, 110 Liberty Street	Ward 5		Crystal Johnson, 816 Cameron Street	Ward 1
04/28/202-09/30/2024	Marie Vargo, 410 Grove Avenue	Ward 4		Elizabeth M. McCormack, 1566 Brandon Avenue	Ward 3
09/30/16 - 09/30/20		Ward 3		Gerry Rawlinson, 1749 S. Sycamore Street	Ward 3
02/02/2020 - 09/30/24	Thomas S. Hairston, 1201 Halifax Street	Ward 6		Belinda Baugh, 3650 Beechwood Drive	
11/14/06 - 09/30/10		Ward 1		Candace Taylor, 828 Tuckahoe Street	
02/02/2020 - 09/30/24	James Norman, 3201 Hastings Road	Ward 7			
05/19/2020 - 09/30/24	Fenton Bland, 1840 South Westchester	Ward 2			
04/28/202-09/30/2024	Michael Edwards, 409 Grove Avenue	At-Large			
02/02/2020 - 09/30/24	William Irvin, 26 Perry Street	At-Large			
				Nine (9) voting members, one from each of the seven (7) wards and four (2) at large appointed by the City Council; Two (2) non-voting members, Director of Planning, Director of Public Works, ex officio members.	
	<b>AUTHORITY:</b>				
	Code of Virginia, Title 15.1, Chapter 11; City Code, Section 2-156				
	<b>MEETING DATE AND TIME: Monthly, first Wednesday, 6pm at the Petersburg Public Library.</b>			<b>TERMS:</b>	
				Four (4) years	
	<b>STAFF LIAISON:</b>				
	Reginald Tabor, Interim Director of Planning and Community Development (804)733-2312				
	135 North Union Street				
	Petersburg, VA 23803				



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** September 15, 2020

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** Aretha Ferrell-Benavides, City Manager

**FROM:** Nykesha Jackson

**RE:** **Consideration of appointments to the Community Development Block Grant Citizen Advisory Board.**

**PURPOSE:** To make appointment/s to the Community Development Block Grant (CDBG) Citizen Advisory Board.

**REASON:** The terms of all past members have expired.

**RECOMMENDATION:** Recommend Council make appointment/s to the Community Development Block Grant Citizen Advisory Board.

**BACKGROUND:** The Community Development Block Grant Citizen Advisory Board consists of nine members. The Board reviews and makes recommendations for City Council action regarding requests for projects to be funded from the City's annual CDBG entitlement.

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** N/A

**CITY COUNCIL HEARING DATE:**

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** N/A

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. Community Development Block Grant Citizen Advisory Board 2020



<b>COMMUNITY DEVELOPMENT BLOCK GRANT CITIZEN ADVISORY BOARD</b>					
<b>TERMS</b>					
	Number of members: 12				
	<b>APPOINTMENTS</b>	<b>WARDS</b>	<b>NEW APPLICANTS</b>	<b>WARDS</b>	<b>Date</b>
11/20/12 - 9/30/16	Bevelry Coleman, 33 South Old Church Street	1	Talibah Majeed, 1847 Brandon Avenue	3	8-30-19
12/18/12-9/30/16	Linda Bufford, 2522 Crestwood Avenue	2	Marcus Squires, 1701 Monticello Street	4	9/30/19
4/3/12 - 9/30/16		3	Michelle J. Murrills, 131 S. Market Street	4	5/21/20
4/3/12 - 9/30/16		4	Ron Flock, 1708 Pender Avenue	1	6/2/20
3/20/12 - 9/30/ 16		5	<b>Tamika L. Green, 514 Byrne Street</b>	<b>5</b>	6/14/2020
11/13/12 - 9/30/16	Gilda Graves, 1218 Hamilton Street	6	Shabaka N. Moore, 406 Claremont St	4	6/14/2020
05/05/12 - 9/30/16	Joseph Arrington, 1513 Circle Drive	7	Belinda Baugh, 3650 Beechwood Drive	2	8/28/2020
4/3/12 - 9/30/16		At-Large	Patricia Miller, 1732 S. Halcun Drive	7	7/2/2020
1/22/13 - 9/30/16		At-Large			
	<b>AUTHORITY:</b>		<b>TERMS:</b>		
	City Council established July 5, 1977, committee restructured April 2, 1985 (Resolution #85-34)		4 years		
	<b>MEETING DATE AND TIME:</b>		<b>DUTIES:</b>		
	Meets monthly from October to April of each fiscal		Serves in an advisory capacity to City Council. Reviews, conducts public hearings, and makes recommendation for City Council action regarding requests for project to be funded from the City's annual CDBG entitlement under this federal program. The City Council makes final approval of project allocations.		
	<b>STAFF LIAISON:</b>				
	Cathy Parker, Director of CDBG				
	City Hall				
	Petersburg, VA 23803				
	(804) 733-2313				