



ROANOKE CITY COUNCIL ORGANIZATIONAL MEETING

JULY 5, 2016
2:00 P.M.

CITY COUNCIL CHAMBER
ROOM 450

AGENDA

NOTICE

This afternoon's Council meeting will be televised live and replayed on RVTV Channel 3 on Thursday, July 7 at 7:00 p.m.; and Saturday, July 9 at 4:00 p.m.; and video streamed by internet through CivicPlus, at roanokeva.gov/councilmeetings. Council meetings are offered with closed captioning for the hearing impaired.

1. Call to Order.
2. Roll Call.
3. Statement of Purpose. Mayor Sherman P. Lea, Sr.
4. A report from the City Clerk advising of the qualification of the Honorable Sherman P. Lea, Sr., as Mayor, and the Honorable Anita J. Price, Michelle L. Dykstra and John A. Garland as Members of the Roanoke City Council for terms of four years, each, commencing July 1, 2016, and ending June 30, 2020. P 9
5. A Resolution recognizing the Honorable Sherman P. Lea, Sr., to be Mayor of the City of Roanoke. R 20
6. A Resolution recognizing the Honorable Anita J. Price as a member of the City Council and Vice-Mayor of the City of Roanoke. R 21
7. A Resolution recognizing the services of the Honorable David B. Trinkle as the Vice-Mayor of the City of Roanoke. R 22

8. A Resolution establishing a meeting schedule for City Council for the Fiscal Year commencing July 1, 2016, and terminating June 30, 2017. R 23
9. A communication from Mayor Sherman P. Lea, Sr., recommending certain committee assignments for the Members of City Council. P 25
10. Adjournment.



**ROANOKE CITY COUNCIL
REGULAR SESSION**

**JULY 5, 2016
IMMEDIATELY FOLLOWING
ORGANIZATIONAL MEETING**

**CITY COUNCIL CHAMBER
ROOM 450**

AGENDA

1. Call to Order--Roll Call.

The Invocation will be delivered by Richard D. Brown, Director of Chaplin Service, Carilion Clinic.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Sherman P. Lea, Sr.

Welcome. Mayor Lea.

NOTICE

Today's Council meeting will be televised live and replayed on RVTV Channel 3 on Thursday, July 7 at 7:00 p.m.; and Saturday, July 9 at 4:00 p.m.; and video streamed by internet through CivicPlus, at roanokeva.gov/councilmeetings. Council meetings are offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS

NOTICE OF INTENT TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT. SPECIAL ASSISTANCE IS AVAILABLE FOR DISABLED PERSONS ADDRESSING CITY COUNCIL. EFFORTS WILL BE MADE TO PROVIDE ADAPTATIONS OR ACCOMMODATIONS BASED ON INDIVIDUAL NEEDS OF QUALIFIED INDIVIDUALS WITH DISABILITIES, PROVIDED THAT REASONABLE ADVANCE NOTIFICATION HAS BEEN RECEIVED BY THE CITY CLERK'S OFFICE.

PERSONS WISHING TO ADDRESS COUNCIL WILL BE REQUIRED TO CONTACT THE CITY CLERK'S OFFICE PRIOR TO THE MONDAY COUNCIL MEETING, OR REGISTER WITH THE STAFF ASSISTANT AT THE ENTRANCE TO THE COUNCIL CHAMBER PRIOR TO COMMENCEMENT OF THE COUNCIL MEETING. ONCE THE COUNCIL MEETING HAS CONVENED, THERE WILL BE NO FURTHER REGISTRATION OF SPEAKERS, EXCEPT FOR PUBLIC HEARING MATTERS. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH; HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL-APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE MAY CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE TO COMPLETE AN ONLINE APPLICATION.

THE COUNCIL OF THE CITY OF ROANOKE IS SEEKING APPLICATIONS FOR THE FOLLOWING CURRENT VACANCIES AND/OR UPCOMING EXPIRATIONS OF TERMS OF OFFICE:

**ARCHITECTURAL REVIEW BOARD
UNEXPIRED TERM OF OFFICE ENDING OCTOBER 1, 2016**

**BUILDING AND FIRE CODE OF APPEALS – TWO VACANCIES
UNEXPIRED TERM OF OFFICE ENDING JUNE 30, 2017
TERM OF OFFICE ENDING JUNE 30, 2018**

**CITY PLANNING COMMISSION
UNEXPIRED TERM OF OFFICE ENDING DECEMBER 31, 2016**

**FAIR HOUSING BOARD
UNEXPIRED TERM OF OFFICE ENDING MARCH 31, 2019**

**PERSONNEL AND EMPLOYMENT PRACTICES COMMISSION
CITY RETIREE – ONE VACANCY
THREE-YEAR TERM OF OFFICE ENDING JUNE 30, 2019**

**ROANOKE ARTS COMMISSION – ONE VACANCY
THREE-YEAR TERM OF OFFICE ENDING JUNE 30, 2019**

**ROANOKE CIVIC CENTER COMMISSION – ONE VACANCY
UNEXPIRED TERM OF OFFICE ENDING SEPTEMBER 30, 2017**

**ROANOKE PUBLIC LIBRARY BOARD – ONE VACANCY
THREE-YEAR TERM OF OFFICE ENDING JUNE 30, 2019**

**ROANOKE VALLEY-ALLEGHANY REGIONAL COMMISSION -
ONE VACANCY
UNEXPIRED TERM OF OFFICE ENDING JUNE 30, 2018**

**WESTERN VIRGINIA WATER AUTHORITY
BOARD OF DIRECTORS – ONE VACANCY
FOUR-YEAR TERM OF OFFICE ENDING JUNE 30, 2020**

**YOUTH SERVICES CITIZEN BOARD – TWO VACANCIES
UNEXPIRED TERM OF OFFICE ENDING JUNE 30, 2018
THREE YEAR TERM OF OFFICE ENDING JUNE 30, 2019**

THE CITY INVESTITURE CEREMONY WHICH WAS HELD ON MONDAY, JUNE 27, AT THE BERGLUND PERFORMING ARTS THEATRE, WILL BE REPLAYED ON RVTV CHANNEL 3, ON SUNDAY, JULY 3, AT 4:00 P.M.; MONDAY, JULY 4, AT 8:00 P.M.; WEDNESDAY, JULY 6, AT 4:00 P.M.; AND SUNDAY, JULY 10, AT 4:00 P.M.

2. PRESENTATIONS AND ACKNOWLEDGEMENTS:

Proclamation declaring July 11 - 15, 2016 as National Disability Voter Registration Week.

P 28

Recognition of the Director of Libraries, Sheila Umberger on receiving the 2016 Sullivan Award for Public Library Administrators Support Services to Children.

3. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. ALL MATTERS WILL BE REFERRED TO THE CITY MANAGER FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL, AS HE MAY DEEM APPROPRIATE.

4.

CONSENT AGENDA

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

C-1 A communication from Mayor Sherman P. Lea, Sr., requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended. A list of current vacancies is included with the agenda for this meeting.

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RECOMMENDED ACTION: Concur in the request.

C-2 A communication from the City Manager requesting that City Council schedule a public hearing for August 1, 2016 at 2:00 p.m., or as soon thereafter as the matter may be heard, or as such later date and time as the City Manager may determine, for conveyance of an approximate 0.460 acre of City-owned vacant land located along Jae Valley Road in Roanoke County, Virginia to the Virginia Department of Transportation in support of the Route 116 Highway Project 0116-080-101, RW – 201.

P 31

RECOMMENDED ACTION: Concur in the request.

C-3 A communication from the City Manager requesting that the City Clerk be authorized to schedule and advertise a public hearing for August 15, 2016 at 7:00 p.m., or at such other date and time as soon thereafter as deemed appropriate by the City Manager, to consider boundary amendments to Enterprise Zone One A and its Subzone B.

P 34

RECOMMENDED ACTION: Concur in the request.

C-4 A communication from the Director of Finance transmitting the financial report for the eleven months ended May 31, 2016.

P 35

RECOMMENDED ACTION: Receive and file.

C-5 A communication from the City Clerk advising of a vacancy created by the unexcused absences of Ssunny Shah on the Roanoke Civic Center Commission for a term of office ending September 30, 2017.

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RECOMMENDED ACTION: Receive and file.

C-6 Reports of qualification of the following individuals:

Annette Lewis and Lutheria H. Smith as Trustees on the Roanoke City School Board for three-year terms of office, each, ending June 30, 2019;

Barton J. "Bart" Wilner as a City representative of the Visit Virginia's Blue Ridge, Board of Directors, for a one-year term of office ending June 30, 2017;

Nicole Lynn Harris as a member of the Roanoke Neighborhood Advocates for a three-year term of office ending June 30, 2019;

Lora Katz as a member of the Roanoke Arts Commission for a three-year term of office ending June 30, 2019; and

Jane Field as a member of the Roanoke Public Library Board for a three-year term of office ending June 30, 2019.

RECOMMENDED ACTION: Receive and file.

REGULAR AGENDA

5. PUBLIC HEARINGS: NONE.

6. PETITIONS AND COMMUNICATIONS: NONE.

7. REPORTS OF CITY OFFICERS AND COMMENTS OF CITY MANAGER:

a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. Issuance and execution of amendments to two contracts for the Transportation Structures Inspection Program (2014 - 2018) Year Three of Five to the City's Contract with AECOM Technical Services, Inc., and Mattern & Craig, Inc., respectively.

P 44
R 46
R 48

2. Execution of Amendment No. 2 to the Contract for Purchase and Sale of Real Property between the City of Roanoke and Northwest Recreation Club, Inc.

P 50 O 63

COMMENTS BY CITY MANAGER.

b. CITY ATTORNEY:

1. Readoption and reenactment of the Code of the City of Roanoke (1979), as amended.
2. Conveyance of 20 foot permanent water line easement and 10 foot temporary construction easement to Western Virginia Water Authority across property designated as Official Tax Map No. 2250102 (Round Hill School) in connection with the extension of a waterline to increase water flow and install a fire hydrant.

P 66 O 67

P 69 O 71

8. REPORTS OF COMMITTEES: NONE.

9. UNFINISHED BUSINESS: NONE.

10. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. Repealing Ordinance No. 40575-062016 adopted June 20, 2016, adjusting the salary of the City Manager.

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11. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor and Members of City Council.
- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

CERTIFICATION OF CLOSED MEETING.

12. ADJOURN.



**CITY OF ROANOKE
OFFICE OF THE CITY CLERK**

215 Church Avenue, S. W., Suite 456
Roanoke, Virginia 24011-1536

Telephone: (540) 853-2541

Fax: (540) 853-1145

E-mail: clerk@roanokeva.gov

STEPHANIE M. MOON REYNOLDS, MMC
City Clerk

CECELIA F. MCCOY
Deputy City Clerk

CECELIA T. WEBB, CMC
Assistant Deputy City Clerk

July 5, 2016

The Honorable Mayor and Members
of the Roanoke City Council
Roanoke, Virginia

Dear Mayor Lea and Members of Council:

I am attaching copy of the Roanoke City Electoral Board Abstract of votes cast in the General Election held in the City of Roanoke on Tuesday, May 3, 2016, certifying that Sherman P. Lea, Sr., Anita J. Price, Michelle A. Dykstra and John A. Garland received the largest number of votes for Members of City Council.

Oaths of Office were administered on Monday, June 27, 2016, by the Honorable Judges of the Twenty-Third Judicial Circuit, as follows:

Sherman P. Lea, Sr., as Mayor for a term commencing July 1, 2016 and ending June 30, 2020;

Anita J. Price as a Member of Council for a term commencing July 1, 2016 and ending June 30, 2020; and as Vice-Mayor for a term commencing July 1, 2016 and ending June 30, 2018;

Michelle L. Dykstra as a Member of Council for a term commencing July 1, 2016 and ending June 30, 2020; and

John A. Garland as a Member of Council for a term commencing July 1, 2016 and ending June 30, 2020.

Sincerely,

Stephanie M. Moon Reynolds, MMC
City Clerk

Attachment

ABSTRACT of VOTES

Cast in ROANOKE CITY, VIRGINIA
at the 2016 May City General Election held on May 03, 2016 for,

Mayor

NAMES OF CANDIDATES ON THE BALLOT

TOTAL VOTES RECEIVED
(IN FIGURES)

Sherman P. Lea	5315
Total Write-In votes [From Write-Ins Certifications] [Valid Write-Ins + Invalid Write_ins = Total Write In Votes] ** Please submit a Write-Ins Certification **	1151
Total Number of Overvotes for Office	0

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on May 03, 2016, do hereby certify that the above is a true and correct Abstract of Votes at the said election and do, therefore, determine and declare that the following person(s) has received the greatest number of votes cast for the Mayor.

Sherman P. Lea

Given under our hands this

9th

day of

May

2016

Sharon Lagan

, Chairman

John A. Bill

, Vice Chairman

John A. Bill

, Secretary

, Secretary, Electoral Board

ABSTRACT of VOTES

Cast in ROANOKE CITY, VIRGINIA
at the 2016 May City General Election held on May 03, 2016 for,

Member City Council

NAMES OF CANDIDATES ON THE BALLOT

TOTAL VOTES RECEIVED
(IN FIGURES)

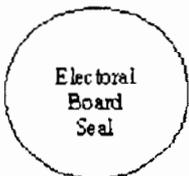
Anita J. Price	4214
Michelle L. Dykstra	4143
John A. Garland	3534
Patricia A. White-Boyd	3487
Freeda L. Cathcart	2913
E. Duane Howard	758
Total Write-In votes [From Write-Ins Certifications] [Valid Write-Ins + Invalid Write_ins = Total Write In Votes]	435
Total Number of Overvotes for Office	0

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on May 03, 2016, do hereby certify that the above is a true and correct Abstract of Votes at the said election and do, therefore, determine and declare that the following person(s) has received the greatest number of votes cast for the Member City Council.

1. Anita J. Price
2. Michelle L. Dykstra
3. John A. Garland

Given under our hands this 9th day of May, 2016

Sharon Layan, Chairman
[Signature], Vice Chairman
[Signature], Secretary
[Signature], Secretary, Electoral Board





COMPLETE THIS FORM ONLY IF (i) TOTAL NUMBER OF WRITE-INS IS 5% OR MORE OF THE TOTAL NUMBER OF VOTES CAST FOR OFFICE OR (ii) A WRITE-IN CANDIDATE WAS ELECTED TO THE OFFICE.

WRITE-INS CERTIFICATION

Roanoke
COUNTY X CITY TOWN
Mayor
OFFICE TITLE
DISTRICT NAME OR NUMBER, IF APPLICABLE

X General Special Election
May 3, 2016
ELECTION DATE
Page 1 of 1

TOTAL VOTES RECEIVED (IN FIGURES)

WRITE-INS - SUMMARY

Table with 2 columns: Description (Invalid, Valid, Total Write-Ins) and Total Votes Received (In Figures). Values: 165, 986, 1,151.

VALID WRITE-INS - DETAIL

LIST VALID WRITE-INS IN ALPHABETICAL ORDER BELOW AND ON CONTINUATION PAGES, AS NEEDED. ALL VALID WRITE-INS WHEN ADDED TOGETHER MUST EQUAL TOTAL ENTERED ON LINE 2 ABOVE.

TOTAL VOTES RECEIVED (IN FIGURES)

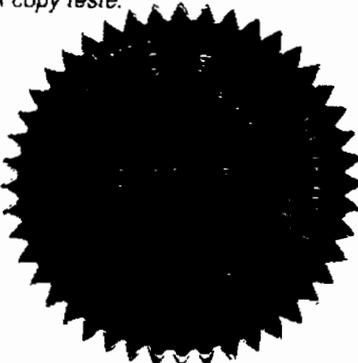
See attachment

CONTINUED ON PAGES THROUGH

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on May 3, 2016, do hereby certify that, with the continuation pages indicated, the above is a true and correct certification of the write-in votes cast at said election for the office indicated above.

Given under our hands this 9th day of May, 2016.

A copy teste:



Signatures of Sharon Lazen, Bruce Houston, John A. Dill, and John A. Dill with titles: Chairman, Vice Chairman, Secretary, Secretary, Electoral Board.

WRITE-IN CERTIFICATION
MAY 3, 2016 - GENERAL ELECTION, CITY OF ROANOKE

McGeorge Jr	James G.	1
McGhee	Ann	1
Meise Jr.	John James	1
Metzger	Ted (Theodore N.)	1
Morrill	Chris	1
Murphy	Dennis	1
Nichols	Steve A.	1
Noell	Mark	1
Noell	Winfred	1
Ohanian	Michael W.	1
Ostronic	Joe	2
Phillips	Janice	1
Powers	Evelyn	1
Reynolds	Claude L.	1
Robinson	John W.	1
Rosen	Court	2
Rosen	Court G.	1
Ruffing	M. (Mary) Beth	1
Settle	James	2
Sgouros	George A.	2
Smith III	Frank M.	1
Stinson	Steve A.	1
Sylvester-Johnson	Joy (Nancy)	1
Taylor (Taylor)	Martin	1
Thomas Jr	Joseph B.	1
Tinkel	Dave	1
Trinkle	D.	4
Trinkle	Dave	43
Trinkle	David	130
Trinkle	David B.	3
Trinkle	David Ball	1
Trout	David	1
Varney	Jason	2
White-Boyd	Patricia Trish	1
White-Boyd	Trish (Patricia A.)	1
Wiegard	Spencer M.	1
Wilhelm	James	1
Wilhelm	Kurtis	1
Worley	John N.	2
Wyatt	Linda	1
Young	Pamela S.	1
	TOTAL	986

Sharon Lagan
 5/12/2016
 Chair
 Date

John A. Ball
 5/12/16
 Secretary
 Date

Oath or Affirmation of Office

Commonwealth of Virginia, City of Roanoke, to-wit:

I, **John A. Garland**, do solemnly swear that I will support the Constitution of the United States of America and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as a **Member of the Council of the City of Roanoke, Virginia, for a term of four years commencing July 1, 2016 and ending June 30, 2020**, according to the best of my ability (So help me God).



JOHN A. GARLAND

The foregoing oath of office was taken, sworn to, and subscribed before me by John A. Garland this 27th day of June 2016.

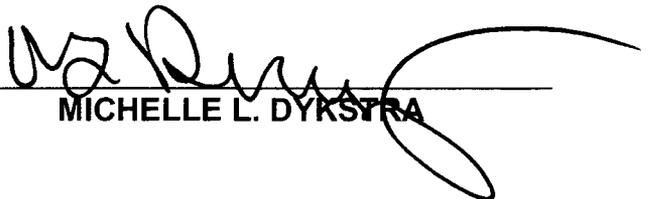


Judge of the Twenty-Third Judicial Circuit

Oath or Affirmation of Office

Commonwealth of Virginia, City of Roanoke, to-wit:

I, **Michelle L. Dykstra**, do solemnly swear that I will support the Constitution of the United States of America and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as a **Member of the Council of the City of Roanoke, Virginia, for a term of four years commencing July 1, 2016 and ending June 30, 2020**, according to the best of my ability (So help me God).



MICHELLE L. DYKSTRA

The foregoing oath of office was taken, sworn to, and subscribed before me by Michelle L. Dykstra this 27th day of June 2016.



Judge of the Twenty-Third Judicial Circuit

Oath or Affirmation of Office

Commonwealth of Virginia, City of Roanoke, to-wit:

I, **Anita James Price**, do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as a **Member of the Council of the City of Roanoke, Virginia, for a term of four years commencing July 1, 2016 and ending June 30, 2020; and as Vice-Mayor of the City of Roanoke, Virginia, for a term of two years commencing July 1, 2016 and ending June 30, 2018**, according to the best of my ability (So help me God).


ANITA J. PRICE

The foregoing oath of office was taken, sworn to, and subscribed before me by Anita James Price this 27th day of June 2016.


Judge of the Twenty-Third Judicial Circuit

Oath or Affirmation of Office

Commonwealth of Virginia, City of Roanoke, to-wit:

I, **Sherman P. Lea, Sr.**, do solemnly swear that I will support the Constitution of the United States of America and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as **Mayor of the City of Roanoke, Virginia, for a term of four years commencing July 1, 2016 and ending June 30, 2020**, according to the best of my ability (So help me God).



SHERMAN P. LEA, SR.

The foregoing oath of office was taken, sworn to, and subscribed before me by Sherman P. Lea, Sr., this 27th day of June 2016.



Judge of the Twenty-Third Judicial Circuit

My College

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION recognizing the Honorable Sherman P. Lea, Sr., as Mayor of the City of Roanoke.

WHEREAS, the Honorable Sherman P. Lea, Sr., was elected Mayor for a four-year term, which will commence July 1, 2016, at the regular Councilmanic election held on the first Tuesday in May, 2016.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke that the Honorable Sherman P. Lea, Sr., be, and he is, hereby recognized to be a duly elected Mayor of the City of Roanoke for a term commencing on the 1st day of July, 2016, and continuing for a period of four years, and until his successor shall have been elected and qualified.

ATTEST:

City Clerk.

A. Kallaghan

6.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION recognizing the Honorable Anita J. Price to be a member of the City Council and Vice-Mayor of the City of Roanoke.

WHEREAS, the Honorable Anita J. Price received the largest number of votes of any candidate running for City Council in the regular Councilmanic election held on the first Tuesday in May, 2016, and was, therefore, elected Vice-Mayor of the City for a two-year term, which will commence July 1, 2016, as provided by §4 of the Charter of the City of Roanoke.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke that the Honorable Anita J. Price be, and she is, hereby recognized to be a duly elected member of the Council of said City for a term commencing on the 1st day of July, 2016, and continuing for a period of four years, and until her successor shall have been elected and qualified, and to be the duly elected Vice-Mayor of the City for a term commencing July 1, 2016, and continuing for a period of two years and until her successor shall have been elected and qualified.

ATTEST:

City Clerk.

McColligan

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION paying tribute to the Honorable David B. Trinkle, and expressing to him the appreciation of the City and its people for his exemplary public service as the Vice-Mayor of the City of Roanoke.

WHEREAS, Dr. Trinkle was elected as Vice-Mayor in May 2014; and

WHEREAS, Dr. Trinkle has worked diligently as vice-chair of the Personnel Committee, President of the Greater Roanoke Transit Company, Council's Legislative Committee, and Council Representative on the Hotel Roanoke Conference Center Commission.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

- 1 Council adopts this Resolution as a means of recognizing and commending the many services rendered to the City of Roanoke and its people by the Honorable David B. Trinkle, as Vice-Mayor
2. The City Clerk is directed to forward an attested copy of this Resolution to the Honorable David B. Trinkle.

ATTEST:

City Clerk.

H. Callahan

8,

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION establishing a meeting schedule for City Council for the Fiscal Year commencing July 1, 2016, and terminating June 30, 2017.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. This resolution establishes a schedule of regular meetings for City Council for the Fiscal Year commencing July 1, 2016, and terminating June 30, 2017.

2. For such fiscal year, City Council shall hold regular meetings on the first and third Mondays of each month, at the following times of commencement:

(a) Unless otherwise provided by resolution of Council, each regular meeting on the first Monday in each month shall commence at 9:00 a.m. for the conduct of informal meetings, work sessions, or closed meetings. Thereafter, Council shall take up the regular agenda at 2:00 p.m. Council may recess between the 9:00 a.m. session and the 2:00 p.m. session. The organizational meeting of City Council on the first meeting in July, 2016, shall commence at 2:00 p.m. and immediately following, Council shall take up the regular agenda.

(b) Unless otherwise provided by resolution of Council, each regular meeting on the third Monday in each month shall commence at 2:00 p.m. for the conduct of regular business. The second meeting of each month shall be recessed upon the completion of all business except the conduct of public hearings, and such meeting shall be reconvened at 7:00 p.m. on the same day for the conduct of public hearings.

3. When any regularly scheduled Monday meeting shall fall on a holiday of the City, such meeting shall be held on Tuesday next following.

4. All meetings of City Council shall be automatically adjourned at 11:00 p.m., unless a motion setting a new time for adjournment be made, seconded, and unanimously carried.

5. All regular meetings of City Council shall be held in the Council Chamber, Room 450, of the Municipal Building, unless otherwise provided by resolution of Council, with the exception of the 9:00 a.m. session of the regular meeting on August 1, 2016, which shall be held at Round Hill Elementary School Cafeteria, 2020 Oakland Boulevard, Roanoke, Virginia 24012 at 9:00 a.m..

6. City Council may prescribe a day or time other than that established by this resolution or a meeting place other than that established by this resolution by adoption of a resolution establishing a new meeting day, place or time. City Council shall cause a copy of such resolution to be posted adjacent to the door of the Council Chambers and inserted in a newspaper having general circulation in the City at least seven days prior to the date of the meeting at such amended day, time or place

7. This Resolution shall have no application to special meetings of City Council called pursuant to §10 of the City Charter.

ATTEST:

City Clerk.



SHERMAN P. LEA, SR.
Mayor

**CITY OF ROANOKE
OFFICE OF THE CITY COUNCIL**

215 Church Avenue, S. W., Suite 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145
E-mail: clerk@roanokeva.gov

WILLIAM D. BESTPITCH
MICHELLE L. DYKSTRA
RAPHAEL E. FERRIS
JOHN A. GARLAND
ANITA J. PRICE
DAVID B. TRINKLE
Council Members

July 5, 2016

The Honorable Anita J. Price, Vice-Mayor
The Honorable William D. Bestpitch, Council Member
The Honorable Michelle L. Dykstra, Council Member
The Honorable Raphael A. Ferris, Council Member
The Honorable John A. Garland, Council Member
The Honorable David B. Trinkle, Council Member

RE: Council Committee Assignments

Ladies and Gentlemen:

I ask that Council elect/appoint as to the following assignments:

- Personnel Committee - Composed of the seven members of Council. (Council Member Trinkle will serve as Chair; and Council Member Bestpitch as the Vice-Chair)
- Greater Roanoke Transit Company, Board of Directors - Composed of two members of Council. (Council Member Bestpitch will serve as President and Vice-Mayor Price will serve as the Vice-President)
- Audit Committee - Composed of at least three members of the Council and the Committee shall select its Chair. (Council Members Bestpitch, Price and Dykstra/Council Member Bestpitch will serve as Chair; and Council Member Price as the Vice-Chair)

- Council liaisons to the Roanoke Redevelopment and Housing Authority, Board of Commissioners. (Council Member Garland will serve and Council Member Dykstra will serve an Alternate)
- Three Council representatives to the Roanoke Valley-Alleghany Regional Commission. (Council Members Garland, Bestpitch and Ferris will serve as elected official representatives)
- Council representative to the Total Action for Progress Board of Directors. (Vice-Mayor Trinkle appointed, effective July 1 to fill unexpired term of Court G. Rosen)
- Council representative to the Roanoke Valley Regional Cable Television Committee. (Council Member Price will serve as Council representative)
- Legislative Committee - Composed of all Members of Council. (Council Member Ferris will serve as Chair and Council Member Trinkle as Vice-Chair)
- Two representatives to Virginia's First Regional Industrial Facilities Authority. (Council Member Bestpitch and Assistant City Manager Brian Townsend currently serve; and Council Member Price serves as an Alternate)
- Two representatives to Partnership for a Livable Roanoke Valley. (Council Member Ferris currently serves and Council Member Bestpitch serves as an Alternate)
- Council representative to the New River Valley Commerce Park Participation Committee. (Council Member Bestpitch and Mr. Townsend currently serve; and Council Member Price as an Alternate)
- Two City representatives to Roanoke Valley-Alleghany Regional Comprehensive Economic Development Strategy Committee (Council Members Garland and Ferris will serve as the elected officials and Economic Development Director currently serves as the technical advisor)
- Two City representatives to the Roanoke Valley Area Transportation Planning Organization (Council Members Garland and Ferris will serve as the elected official representatives)
- City representatives to the Hotel Roanoke Conference Center Commission (Council Member Trinkle and City Manager Chris Morrill currently serve; and Court G. Rosen appointed as the At-large Member, effective July 1, 2016)

- Virginia Municipal League Environmental Quality Policy Committee (Christopher Blakeman currently serves as staff representative, Council Member Garland will serve as the elected official representative)
- Virginia Municipal League Human Development and Education Policy Committee (Council Member Price currently serves/City Clerk serves staff representative)
- Virginia Municipal League Transportation Policy Committee (Mark Jamison currently serves as staff, Council Member Dykstra will serve as elected official representative)
- Virginia Municipal League Economic Development Policy Committee (Vice-Mayor Trinkle and Wayne Bowers currently serve)
- Virginia Municipal League Finance Policy Committee (Director of Finance currently serves as staff, Council Member Ferris will serve as elected official representative)

Sincerely,

A handwritten signature in black ink, appearing to read "Sherman P. Lea, Sr.", written in a cursive style.

Sherman P. Lea, Sr.
Mayor

Office of the Mayor

CITY OF  ROANOKE

Proclamation

WHEREAS, *Voting is one of our nation's most fundamental rights and a hallmark of our democracy. The Americans with Disabilities Act (ADA) helps ensure fairness in the voting process for people with disabilities;*

WHEREAS, *there are over 50 million people with disabilities of all ages living in communities throughout the United States and the disability community has a critical interest in policies enacted at local, state, and national levels that effect the integration of people with disabilities;*

WHEREAS, *getting the disability community involved in influencing public policies is essential if these policies are to meet the actual needs of people with disabilities who live in the community;*

WHEREAS, *the acronym REV UP -- *Register, Educate, Vote, and Use your Power* is a national effort to promote and ensure that people with disabilities are fully participating in the political process;*

WHEREAS, *REV UP increases the political power of the disability community by getting more people with disabilities registered and committed to vote on election day while simultaneously engaging candidates for public office and the media on disability issues; and*

WHEREAS, *The American Association of People with Disabilities (AAPD) advocates for policies that allow people with disabilities to fully participate in the political process, including ensuring the accessibility of polling locations and through promoting the availability of accessible voting technology.*

NOW, THEREFORE, I, Sherman P. Lea, Sr., Mayor of the City of Roanoke, Virginia, do hereby proclaim July 11 through July 15, 2016, throughout this great six-time All-America City, as

NATIONAL DISABILITY VOTER REGISTRATION WEEK.

Given under our hands and the Seal of the City of Roanoke this fifth day of July in the year two thousand and sixteen.

ATTEST:

Stephanie M. Moon Reynolds
City Clerk



Sherman P. Lea, Sr.
Mayor



SHERMAN P. LEA, SR.
Mayor

CITY OF ROANOKE
OFFICE OF THE MAYOR

215 CHURCH AVENUE, S.W., SUITE 452
ROANOKE, VIRGINIA 24011-1594
TELEPHONE: (540) 853-2444
FAX: (540) 853-1145
EMAIL: MAYOR@ROANOKEVA.GOV

July 5, 2016

The Honorable Vice-Mayor Anita J. Price and Members
of the Roanoke City Council
Roanoke, Virginia

Dear Vice-Mayor Price and Members of Council:

This is to request a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended. A list of current vacancies is included with the agenda for this meeting.

Sincerely,

Sherman P. Lea, Sr.
Mayor

SPL:ctw

COMMITTEE VACANCIES/REAPPOINTMENTS
July 5, 2016
Public

VACANCIES:

Unexpired term of office on the Architectural Review Board ending October 1, 2016.

Four-year term of office on the Building and Fire Code Board of Appeals ending June 30, 2018.

Unexpired term of office on the Building and Fire Code Board of Appeals ending June 30, 2017.

Unexpired term of office on the City Planning Commission ending December 31, 2016.

Unexpired term of office on the Fair Housing Board ending March 31, 2019.

Three-year term of office on the Personnel and Employment Practices Commission ending June 30, 2019.

Three-year term of office on the Roanoke Arts Commission ending June 30, 2019.

Unexpired term of office on the Roanoke Civic Center Commission ending September 30, 2017.

Three-year term of office on the Roanoke Public Library Board ending June 30, 2019.

Unexpired term of office on the Roanoke Valley-Alleghany Regional Commission ending June 30, 2018.

Four-year term of office on the Western Virginia Water Authority, Board of Directors ending June 30, 2020.

Unexpired term of office on the Youth Services Citizen Board ending June 30, 2018.

Three year term of office on the Youth Services Citizen Board ending June 30, 2019.



CITY COUNCIL AGENDA REPORT

To: Honorable Mayor and Members of City Council

Meeting: July 5, 2016

Subject: Request Public Hearing for Conveyance of an Approximate 0.46 Acre of City-Owned Vacant Land Located along Jae Valley Road in Roanoke County, Virginia to the Commonwealth of Virginia Department of Transportation (VDOT) in Support of the Rt. 116 Highway Project 0116-080-101, RW - 201 (CM16-00094)

Background:

The Commonwealth of Virginia Department of Transportation (VDOT) is in the process of acquiring rights of way for the Commonwealth of Virginia for the construction, maintenance and/or operation of a public transportation facility, specifically, Route 116 in Roanoke County, Virginia. VDOT seeks to acquire Tax Map #089.00-01-22, an approximate 0.46 acre portion of city-owned land located along Jae Valley Road in Roanoke County, Virginia, in connection with VDOT's Rt. 116 Highway Project, 0116-080-101, RW-201. VDOT seeks to acquire the property to use for the construction, maintenance and/or operation of the referenced public transportation facility including any components thereof such as, but not limited to, storm water management systems, drainage systems, traffic control equipment, curbs, gutters, sidewalks and bike trails. This land is not currently being used by the City.

Considerations:

The subject property will be impacted by a highway improvement project for Route 116, Jae Valley Road, located in the Big Lick Magisterial District of Roanoke County, Virginia. The project's primary function is for the bridge replacement over Back Creek. This highway project is approximately 3.3 acres long and affects 9 properties on both sides of Route 116. The land value of the city parcel is currently assessed at \$5,000. VDOT's offer to acquire the property is \$6,300.

Recommended Action:

Authorize the scheduling and advertising of a public hearing on August 1, 2016 at 2:00 pm, or as soon thereafter as the matter may be heard, or as such later date and time as the City Manager may determine, for the conveyance of approximately 0.46 acres of City-owned property to the Commonwealth of Virginia for a sum of \$6,300 for this VDOT project.



Christopher P. Morrill
City Manager

Distribution: Council Appointed Officers
R. Brian Townsend, Asst. City Manager for Comm. Development
Barbara A. Dameron, Director of Finance
Wayne F. Bowers, Director Economic Development
Cassandra L. Turner, Economic Development Specialist



CITY COUNCIL AGENDA REPORT

To: Honorable Mayor and Members of City Council
Meeting: July 5, 2016
Subject: Request to Schedule a Public Hearing to Consider Boundary Amendments to Enterprise Zone One A and its Subzone B (CM16-00095)

Background/Considerations:

Due to the possibility of development of key properties which are not presently located within the Enterprise Zone, staff has identified a need to apply for boundary amendments to the City's Enterprise Zone One A and its Subzone B. Such amendments, if approved by the Virginia Department of Housing and Community Development, will also delete certain areas which are ineligible for Enterprise Zone benefits and/or are not capable of being developed from Enterprise Zone One A and its Subzone B and will also add certain areas where future development is anticipated into Enterprise Zone One A and its Subzone B.

In order to submit these applications, under the Virginia Enterprise Zone regulations, at least one public hearing is required affording citizens and interested parties an opportunity to be heard on such matters.

Recommended Action:

Authorize the City Clerk to schedule and advertise a public hearing on the above matters to be held on Monday, August 15, 2016, at 7:00 P.M., or at such time as the matter may be reached; or at such other date and time as soon thereafter as deemed appropriate by the City Manager.

Christopher P. Morrill
City Manager

Distribution: Council Appointed Officers
R. Brian Townsend, Assistant City Manager for Community Development
Barbara A. Dameron, Director of Finance
Wayne Bowers, Director, Economic Development
Brandon S. Turner, Econ. Develop. Specialist, Economic Development



**CITY OF ROANOKE
DEPARTMENT OF FINANCE**

215 Church Avenue, SW, Suite 461
Roanoke, Virginia 24011-1220
Telephone: (540) 853-2821
Fax: (540) 853-6142

BARBARA A. DAMERON
Director of Finance

ANDREA F. TRENT
Assistant Director of Finance

July 5, 2016

Dear Mayor Lea and Members of City Council:

Subject: FY16 Financial Report - City of Roanoke

The following financial report provides commentary on the City's financial results for the eleven months ended May 31, 2016.

General Fund

Through May, FY16 year-to-date revenues were \$235.4 million, or 86.5% of the current revenue estimate for the year. Year-to-date revenues increased 2.9%, or \$6.7 million compared to the same period in FY15. The increase was primarily related to the tax rate increase in Real Estate, growth in Personal Property taxes and growth, and the 0.5% rate increase in the Prepared Food and Beverage tax. Other contributors were increases in both bank stock and motor vehicle taxes.

Through May, expenditures were \$247.3 million, or 90.3% of the current expenditure budget for the year. Year-to-date expenditures were 3.7%, or \$8.8 million higher compared to the prior year mainly due to increased funding to Schools. Also contributing to the increase was the timing of payments of maintenance contracts and additional elections.

Stormwater Utility Fund

Year-to-date stormwater fee revenue as of May 31, 2016 was \$3.9 million, or 103.0% of FY16 anticipated revenues. Operating expenses were \$2.6 million, or 59.9% of the expense budget, resulting in an operating gain of \$1.2 million. Change in net position, after transfers and contributions, was a gain of approximately \$1.0 million. Stormwater fees are being charged using a phased-in approach. In FY15, which was the first year of implementing the fee, the approved fee was 30 cents per billing unit of impervious service. In FY16, the approved fee increased to 60 cents per billing unit.

Civic Center Fund

The year-to-date operating revenue through May was approximately \$466,000 lower than the budgeted revenue primarily due to lower than expected ticket revenue for a major concert that did not occur. Operating expenses were approximately \$657,000 lower than budgeted. Despite controlling expenses, the center incurred an operating loss of approximately \$1.6 million. The operating loss was approximately \$191,000

less than the fiscal year-to-date budgeted operating loss. FY16 year-to-date change in net position was a loss of approximately \$856,000 compared to the budgeted loss of \$1.1 million. The current forecast indicates the center's performance will be an estimated \$204,000 greater loss than budgeted.

Parking Fund

Through May, approximately 96% of anticipated operating revenue has been realized. Operating revenues increased compared to the prior fiscal year due in part to fee enhancements that became effective July 1, 2015. Due to the transient nature of parking customers, it is difficult to isolate the amount of revenue that is directly related to fee increases. Market garage revenues are down due to the current hotel construction and Norfolk Southern relocation. Church Avenue and Gainsboro garages have increased occupancy in addition to an enhancement in fees. A reduction in revenue from the previous fiscal year is due to the sale of the Williamson Lot in FY15. Operating income, before the net decrease of non-operating expenses and transfers, was approximately \$781,000. After non-operating expenses and transfers, the fund's change in net position was approximately \$366,000.

Closing

May is a significant month for revenue collections. Virginia General Fund revenue collections increased 6.4% in May, as all major tax sources except payroll withholding and sales tax increased from May 2015. Revenue collections rose 1.9% year to date through May, which is behind of the annual forecast for 3.2% growth. This shortfall could potentially impact our municipality as we near the end of the fiscal year.

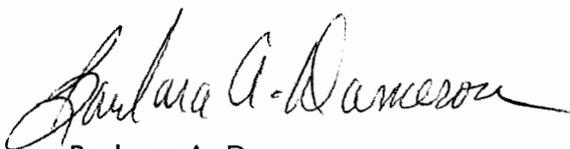
In May, the national unemployment rate declined 0.3% to 4.7% compared to April, and decreased 0.8% compared to previous year. At both the state and local levels, the unemployment rates are 1.3% to 1.7% lower than the national level, which is reflected with our improving local area job market.

The Consumer Price Index increased 0.2% in May, after rising 0.4% in April. The index for food decreased 0.2% in May, but the indexes for energy increased 1.2%, and all items, less food and energy, increased 0.2% during the month. Overall, energy increases outweighed decreases in other areas which could affect our local economy by placing a damper on expansion.

The City's financial performance will continue to be carefully monitored by the various departments which are involved with oversight of the City's budgeting and financial processes.

Please contact me with any questions you have on these financial statements.

Sincerely,



Barbara A. Dameron
Director of Finance

Attachments

c: Christopher P. Morrill, City Manager
Daniel J. Callaghan, City Attorney
Drew Harmon, Municipal Auditor
Stephanie M. Moon Reynolds, City Clerk
Sherman M. Stovall, Assistant City Manager
R. Brian Townsend, Assistant City Manager
Amelia C. Merchant, Director of Management and Budget
Deborah J. Moses, Parking Facilities Manager
Robyn L. Schon, General Manager, Global Spectrum

CITY OF ROANOKE, VIRGINIA
GENERAL FUND
FOR THE ELEVEN MONTHS ENDED MAY 31, 2016

STATEMENT OF REVENUE
(UNAUDITED)

Revenue Source	Current Revenue Budget	Revenue Budget Variance	Actual Jul 1 - May 31 2015 - 2016	Actual Jul 1 - May 31 2014 - 2015	FY16 vs FY15 Variance	Percent of Budget Received
General Property Taxes	\$ 109,827,000	\$ 1,503,540	\$ 111,330,540	\$ 107,267,668	3.8%	101.4%
Other Local Taxes	78,120,000	(12,723,106)	65,396,894	62,534,344	4.6%	83.7%
Permits, Fees and Licenses	1,195,000	(373,346)	821,654	1,060,745	(22.5%)	68.8%
Fines and Forfeitures	1,284,000	(280,736)	1,003,264	1,203,936	(16.7%)	78.1%
Revenue from Use of Money and Property	235,000	(33,098)	201,902	208,581	(3.2%)	85.9%
Intergovernmental	69,872,200	(22,357,794)	47,514,406	47,065,681	1.0%	68.0%
Charges for Services	8,427,000	(1,667,984)	6,759,016	6,708,730	0.7%	80.2%
Internal Services	2,520,000	(555,837)	1,964,163	1,993,416	(1.5%)	77.9%
Transfers From Other Funds	98,151	-	98,151	92,652	5.9%	100.0%
Miscellaneous Revenue	652,169	(350,932)	301,237	529,822	(43.1%)	46.2%
Total	\$ 272,230,520	\$ (36,839,294)	\$ 235,391,226	\$ 228,665,576	2.9%	86.5%

STATEMENT OF EXPENDITURES AND ENCUMBRANCES
(UNAUDITED)

Expenditures	Current Expenditure Budget	Uncommitted Balance	Actual Jul 1 - May 31 2015 - 2016	Actual Jul 1 - May 31 2014 - 2015	FY16 vs FY15 Variance	Percent of Budget Obligated
General Government	\$ 16,075,985	\$ 1,283,547	\$ 14,792,438	\$ 13,701,794	8.0%	92.0%
Judicial Administration	8,675,007	1,003,518	7,671,489	7,484,375	2.5%	88.4%
Public Safety	65,818,050	3,539,842	62,278,208	60,670,223	2.7%	94.6%
Public Works	26,107,425	1,378,773	24,728,652	22,988,271	7.6%	94.7%
Health and Welfare	39,391,037	6,957,894	32,433,143	32,059,379	1.2%	82.3%
Parks, Recreation and Cultural	10,564,572	1,086,018	9,478,554	9,318,960	1.7%	89.7%
Community Development	8,044,561	915,225	7,129,336	6,592,357	8.1%	88.6%
Transfer to Debt Service Fund	12,716,023	121,255	12,594,768	11,869,413	6.1%	99.0%
Transfer to School Fund	77,794,000	6,482,837	71,311,163	68,329,437	4.4%	91.7%
Nondepartmental	8,794,484	3,864,886	4,929,598	5,517,966	(10.7%)	56.1%
Total	\$ 273,981,144	\$ 26,633,794	\$ 247,347,350	\$ 238,532,176	3.7%	90.3%

**CITY OF ROANOKE, VIRGINIA
STORMWATER UTILITY FUND
COMPARATIVE STATEMENT OF REVENUES AND EXPENSES
FOR THE ELEVEN MONTHS ENDED MAY 31, 2016
(UNAUDITED)**

	<u>FY 2016 Adopted Budget</u>	<u>FY 2016</u>	<u>FY 2015</u>
<u>Operating Revenues</u>			
Stormwater Utility Fees	\$ 3,741,985	\$ 3,854,243	\$ 1,797,547
Total Operating Revenues	3,741,985	3,854,243	1,797,547
<u>Operating Expenses</u>			
Operating Expenses	4,347,911	2,606,223	1,693,742
Depreciation	-	322	-
Total Operating Expenses	4,347,911	2,606,545	1,693,742
Operating Income/(Loss)	(605,926)	1,247,698	103,805
<u>Nonoperating Revenues/(Expenses)</u>			
Investment Income	-	9,760	1,126
Interest Expense	(74,825)	(54,382)	(18,718)
Net Nonoperating Revenues	(74,825)	(44,622)	(17,592)
Income/(Loss) Before Transfers and Contributions	(680,751)	1,203,076	86,213
<u>Transfers and Contributions</u>			
Transfer from General Fund	806,588	278,316	624,845
Transfer from Capital Projects Fund	-	-	75,000
Transfer to General Fund	-	(2,850)	-
Transfer to DoT Fund	-	(5,700)	-
Transfer to Capital Projects Fund	-	(20,500)	-
Transfer to Debt Service Fund	(421,723)	(421,724)	(209,688)
Net Transfers and Contributions	384,865	(172,458)	490,157
Change in Net Position	\$ (295,886)	\$ 1,030,618	\$ 576,370

**CITY OF ROANOKE, VIRGINIA
CIVIC CENTER FUND
COMPARATIVE STATEMENT OF REVENUES AND EXPENSES
FOR THE ELEVEN MONTHS ENDED MAY 31, 2016
(UNAUDITED)**

	<u>FY 2016 Budget YTD</u>	<u>FY 2016</u>	<u>FY 2015</u>
<u>Operating Revenues</u>			
Rentals	\$ 3,846,919	\$ 4,067,881	\$ 3,001,751
Event Expenses	1,748,645	1,170,670	1,570,620
Advertising	405,593	354,837	462,275
Admissions Tax	426,217	430,994	374,890
Facility Surcharge/Ticket Rebate	394,740	324,890	351,172
Commissions	187,598	150,191	175,804
Ancillary	168,442	213,141	71,180
Miscellaneous	93,225	92,683	73,725
Total Operating Revenues	7,271,379	6,805,287	6,081,417
<u>Operating Expenses</u>			
Personal Services	1,160,953	1,055,781	1,062,605
Operating Expenses	6,563,287	6,023,696	5,424,075
Management Fees	365,376	352,913	352,913
Depreciation	960,434	960,434	853,315
Total Operating Expenses	9,050,050	8,392,824	7,692,908
Operating Loss	(1,778,671)	(1,587,537)	(1,611,491)
<u>Nonoperating Revenues/(Expenses)</u>			
Investment Income	-	79,726	87,137
Interest Expense	(469,356)	(457,753)	(504,105)
Net Nonoperating Expenses	(469,356)	(378,027)	(416,968)
Net Loss	(2,248,027)	(1,965,564)	(2,028,459)
<u>Transfers and Contributions</u>			
Transfer from General Fund	1,109,445	1,109,445	1,070,555
Net Transfers and Contributions	1,109,445	1,109,445	1,070,555
Change in Net Position	\$ (1,138,582)	\$ (856,119)	\$ (957,904)

CITY OF ROANOKE, VIRGINIA
PARKING FUND
COMPARATIVE STATEMENT OF REVENUES AND EXPENSES
FOR THE ELEVEN MONTHS ENDED MAY 31, 2016
(UNAUDITED)

	FY 2016 Adopted Budget	FY 2016 Budget YTD	FY 2016	FY 2015
<u>Operating Revenues</u>				
Market Garage	\$ 448,000	\$ 373,333	\$ 326,263	\$ 355,403
Elmwood Park Garage	642,000	535,000	601,425	583,648
Center in the Square Garage	371,000	309,167	370,690	330,434
Church Avenue Garage	675,000	562,500	644,406	566,560
Tower Garage	437,000	364,167	428,692	376,485
Gainsboro Garage	103,000	85,833	170,388	77,567
Campbell Garage	168,000	140,000	159,274	123,646
Williamson Lot	-	-	(275)	60,543
Higher Ed Center Lot	45,000	37,500	51,953	39,447
Market Lot	39,000	32,500	42,002	41,043
Elmwood Lot	80,000	66,667	78,695	74,329
Warehouse Row Lot	41,000	34,167	38,603	34,965
West Church/YMCA Lots	26,000	21,667	24,081	21,892
Off Street Parking Violations (All Locations)	55,000	45,833	47,967	52,319
On Street Parking Violations	365,000	304,167	354,903	357,837
Total Operating Revenues	3,495,000	2,912,501	3,339,067	3,096,118
<u>Operating Expenses</u>				
Operating Expenses	2,104,445	1,753,704	1,648,621	1,648,847
Depreciation	961,698	909,149	909,149	883,865
Total Operating Expenses	3,066,143	2,662,853	2,557,770	2,532,712
Operating Income	428,857	249,648	781,297	563,406
<u>Nonoperating Revenues/(Expenses)</u>				
Investment Income	-	-	74,067	68,540
Interest Expense	(452,055)	(376,713)	(489,576)	(532,061)
Net Nonoperating Expenses	(452,055)	(376,713)	(415,509)	(463,521)
Income/(Loss) Before Transfers and Contributions	(23,198)	(127,065)	365,788	99,885
<u>Transfers and Contributions</u>				
Transfer from Capital Projects Fund	-	-	-	125,000
Transfer to DoT Fund	-	-	-	(917)
Transfer to Fleet Fund	-	-	-	(79,900)
Net Transfers and Contributions	-	-	-	44,183
Change in Net Position	\$ (23,198)	\$ (127,065)	\$ 365,788	\$ 144,068

CITY OF ROANOKE, VIRGINIA
 CITY TREASURER'S OFFICE
 GENERAL STATEMENT OF ACCOUNTABILITY
 FOR THE MONTH ENDED MAY 31, 2016

TO THE DIRECTOR OF FINANCE:

GENERAL STATEMENT OF ACCOUNTABILITY OF THE CITY TREASURER OF THE CITY OF ROANOKE, VIRGINIA
 FOR THE FUNDS OF SAID CITY FOR THE MONTH ENDED MAY 31, 2016.

	BALANCE AT APRIL 30, 2016	RECEIPTS	DISBURSEMENTS	BALANCE AT MAY 31, 2016	BALANCE AT MAY 31, 2015
CONSOLIDATED FUNDS	78,845,402.76	31,890,394.95	29,448,668.44	81,287,129.27	80,463,810.97

CERTIFICATE

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE STATEMENT OF MY ACCOUNTABILITY
 TO THE CITY OF ROANOKE, VIRGINIA, FOR THE FUNDS OF THE VARIOUS ACCOUNTS THEREOF
 FOR THE MONTH ENDING MAY 31, 2016. THAT SAID FOREGOING:

CASH

DEPOSITS IN TRANSIT	443,726.89
CASH IN WELLS FARGO BANK	12,128,331.86

INVESTMENTS:

LOCAL GOVERNMENT INVESTMENT POOL	26,843,697.55
BNC PUBLIC FUNDS MONEY MARKET	5,023,373.58
VIRGINIA INVESTMENT POOL	15,165,021.15
HRCCC - VIRGINIA INVESTMENT POOL	3,795,342.20
VIRGINIA SNAP PROGRAM (U.S. SECURITIES)	17,887,636.04
TOTAL	<u>81,287,129.27</u>

June 16, 2016

Evelyn M. Powers

 EVELYN POWERS, TREASURER



**CITY OF ROANOKE
OFFICE OF THE CITY CLERK**

215 Church Avenue, S. W., Suite 456

Roanoke, Virginia 24011-1536

Telephone: (540) 853-2541

Fax: (540) 853-1145

E-mail: clerk@roanokeva.gov

STEPHANIE M. MOON REYNOLDS, MMC
City Clerk

CECELIA F. MCCOY
Deputy City Clerk

CECELIA T. WEBB, CMC
Assistant Deputy City Clerk

July 5, 2016

The Honorable Mayor and Members
of the Roanoke City Council
Roanoke, Virginia

Dear Mayor Lea and Members of Council:

This is to advise of a vacancy created by the unexcused absences of Ssunny Shah on the Roanoke Civic Center Commission for a term of office ending September 30, 2017.

Sincerely,

Stephanie M. Moon Reynolds, MMC
City Clerk



7.a.1.

CITY COUNCIL AGENDA REPORT

To: Honorable Mayor and Members of City Council
Meeting: July 5, 2016
Subject: Amendments to Two Contracts for the Transportation Structures Inspection Program (2014-2018) Year Three of Five (CM16-00083)

Background:

In 1978, Congress passed the Surface Transportation Act, requiring that all bridges and culverts over 20 feet in length, structures, and overhead traffic signs be inspected annually or biannually, depending on construction type. Inspections are due this calendar year on 61 structures in the City of Roanoke.

A Contract dated June 30, 2014, was issued to AECOM Technical Services, Inc. (AECOM) for the Transportation Structures Inspection Program (2014-2018) (Program) with years two through five to be negotiated based on the number of structures to be inspected in each of those subsequent years. A similar Contract dated July 8, 2014, was also issued to Mattern & Craig, Inc. for the Program as the inspection of the structures is rotated among different consultants. Amendments were done for each Contract for year two and Amendments are now needed for year three. AECOM has agreed to inspect 27 structures for the cost of \$76,402.00 for year three. Mattern & Craig, Inc. has agreed to inspect 34 structures for the cost of \$94,394.25 for year three.

In addition to the inspection services, and as allowed under the original Contracts, AECOM has been asked by the City to provide additional engineering services. AECOM will provide the requested services for \$36,342.00. The City Engineer has also recommended that \$10,000.00 be added to each Contract to cover any contingencies that may arise during the provision of the professional services for year three. This will result in a total Amendment amount for AECOM of \$122,744.00 and a total Amendment amount for Mattern & Craig, Inc. of \$104,394.25.

Considerations:

City Council approval is needed to amend the aforementioned contracts.

Funding in the amount of \$227,138.25 for the two (2) third-year Amendments is available in the following accounts:

\$190,796.25 - 01-530-4310-3072, FY 16-17 Engineering Division Bridge Inspections
\$36,342.00 - 08-530-9477, Hollins Road over Lick Run

Recommended Action:

Authorize the City Manager to issue and execute Amendments, approved as to form by the City Attorney, to the City's Contract with AECOM Technical Services, Inc., in an amount up to \$122,744.00 (which includes an Amendment for \$112,744.00) for additional professional services as set forth above.

Authorize the City Manager to issue and execute Amendments, approved as to form by the City Attorney, to the City's Contract with Mattern & Craig, Inc., in an amount up to \$104,394.25 (which includes an Amendment for \$94,394.25) for additional professional services as set forth above.

Authorize the City Manager to take such actions and execute such documents as may be necessary to provide for the implementation, administration, and enforcement of all such Amendments to the above mentioned Contracts, as well as the Contracts themselves. The form of any such documents shall be approved by the City Attorney.



Christopher P. Morrill
City Manager

Distribution: Council Appointed Officers
Sherman M. Stovall, Assistant City Manager for Operations
Barbara A. Dameron, Director of Finance
Robert K. Bengtson, P.E., Director of Public Works
Philip C. Schirmer, P.E., L.S., City Engineer

dfc

7.a.1.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION authorizing the City Manager's issuance and execution of additional Amendments to the City's Contract with AECOM Technical Services, Inc., for additional professional services for the third year of the City's Transportation Structures Inspection Program (2014-2018); and authorizing the City Manager to take such actions and execute such documents as may be necessary to provide for the implementation, administration, and enforcement of such Amendments to the above mentioned Contract, as well as the Contract itself.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. The City Manager is hereby authorized, for and on behalf of the City, to issue and execute additional Amendments as may be necessary to the City's Contract with AECOM Technical Services, Inc., in an amount not to exceed an additional \$122,744.00, including an Amendment in the amount of \$112,744.00, for additional professional services for the third year of the City's Transportation Structures Inspection Program (2014-2018), which provides for additional engineering services to decommission the Norfolk Avenue bridge structure at Hollins Road, all as more fully set forth in the City Council Agenda Report dated July 5, 2016.

2. The form of such Amendments and any additional Amendments shall be approved by the City Attorney.

3. Such Amendments will provide authorization for additions to the work, with an increase in the amount of the Contract and provided the total amount of all such Amendments will not exceed an additional \$122,744.00, all as set forth in the above Agenda Report.

4. The City Manager is further authorized to take such actions and execute such documents as may be necessary to provide for the implementation, administration, and enforcement of such Amendments to the above mentioned Contracts, as well as the Contracts. All such documents shall be approved as to form by the City Attorney.

ATTEST:

City Clerk.

AC

7.a.1.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION authorizing the City Manager's issuance and execution of additional amendments to the City's Contract with Mattern & Craig, Inc., for additional professional services for the third year of the City's Transportation Structures Inspection Program (2014-2018); and authorizing the City Manager to take such actions and execute such documents as may be necessary to provide for the implementation, administration, and enforcement of such Amendments to the above mentioned Contract, as amended, as well as the Contract itself.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. The City Manager is hereby authorized, for and on behalf of the City, to issue and execute additional Amendments as may be necessary to the City's Contract with Mattern & Craig, Inc., in an amount not to exceed an additional \$104,394.25, including an Amendment in the amount of \$94,394.25, for additional professional services for the third year of the City's Transportation Structures Inspection Program (2014-2018), all as more fully set forth in the City Council Agenda Report dated July 5, 2016.

2. The form of such Amendment and any additional amendments shall be approved by the City Attorney.

3. This Amendment and such additional amendments, shall provide authorization for additions to the work, with an increase in the amount of the Contract, and provide that the total amount of this Amendment and such other amendments will not exceed an additional \$104,394.25, all as set forth in the above mentioned City Council Agenda Report.

4. The City Manager is further authorized to take such actions and execute such documents as may be necessary to provide for the implementation, administration, and enforcement of the Contract, as amended by this Amendment and any such additional amendments. Such documents shall be approved as to form by the City Attorney.

ATTEST:

City Clerk.



T.A.J.

CITY COUNCIL AGENDA REPORT

To: Honorable Mayor and Members of City Council
Meeting: July 5, 2016
Subject: Amendment No. 2 to Contract for Purchase and Sale of Real Property Dated February 28, 2014 Between the City of Roanoke, Virginia and Northwest Recreation Club, Inc. (CM16-00096)

Background:

The City of Roanoke, as part of the implementation of the Countryside Master Plan, as amended, adopted by City Council on September 17, 2012, entered into a Contract for Purchase and Sale of Real Property, dated February 28, 2014 (Contract) authorized by Ordinance No. 39868-021814, adopted by City Council on February 18, 2014 with the Northwest Recreation Club, Inc. (Buyer) regarding a site not to exceed 3.60 acres which included a former tennis facility building, fronting along Highland Farm Road, N.W.. The Contract contained a number of performance obligations and conditions imposed on the Buyer including the completion of all proposed improvements for the Buyer's contemplated use of the property within 450 days after the real estate closing date. By an agreement dated June 27, 2014, Buyer assigned all of its rights and obligations under the Contract to Countryside Sportsplex, Inc. (Countryside), as permitted under the Contract.

Upon Countryside meeting certain fund raising, financing, and due diligence obligations required under the Contract, the City, by execution of a Special Warranty Deed, conveyed the property to Countryside on July, 30, 2014. Following the closing, Countryside proceeded to undertake initial pre-construction and design activities related to the property as required by the Contract including obtaining permits for environmental testing, interior demolition of the former tennis building, and related activities at the site prior to November 30, 2014. The Contract required substantial completion of the improvements by October 23, 2015.

Countryside, however, encountered several delays in the project's development and requested that the Contract be amended to change the project substantial completion date to July 29, 2016. By Ordinance No. 40360-100815, adopted by City Council on October 8, 2015, Amendment No.1 to the Contract was approved by City Council. The parties executed Amendment No. 1 on October 19, 2015. Countryside has recently contacted City Administration to indicate that subsequent issues related to an extended building renovation design process, unforeseen site utility conditions affecting connections to the former tennis building, and an unusually wet Spring and early Summer affecting the ability to undertake necessary site improvements have caused the project to fall

behind the revised schedule. Countryside requests that the Contract be amended further to change the project substantial completion date to December 30, 2016.

Considerations:

With the proposed execution of Contract Amendment No. 2, the remaining performance-based obligations which Countryside will be bound to perform as summarized below will not be affected:

- Upon substantial completion of the project, to provide to the City's Parks and Recreation Department exclusive access and use of two indoor multi-purpose courts, at no cost to the City, during the months of November through February, inclusive, on Saturdays from 9:00am - 2:00pm.
- Based upon mutually agreeable terms as contained in the Contract, the City shall continue such exclusive use of the two multi-purpose courts as outlined above until the value of such use by the City reaches the sum of \$52,000. Based on the terms of use contained in the Contract, it is estimated that it would take approximately six and one-half (6.5) utilization seasons to exhaust the \$52,000 value. (The \$52,000 amount equates approximately to the assessed value of the land when it was proposed to be conveyed.)
- As security for Countryside's compliance with the terms and conditions of the Contract, Countryside provided previously a form of security to the City upon execution of the Contract in the amount of \$52,000. Such security would be paid to the City, in whole or in part, if Countryside does not completely and satisfactorily perform the obligations of the Contract.

Ensuring the completion of this project will not only further the general intent of the Countryside Master Plan, but also provide the City's Park and Recreation Department needed access to indoor facilities for its recreational programs, and help further define a critical mass of recreational opportunities for both individuals and team sports in this part of Roanoke.

Proposed Amendment No. 2 is attached to this report for City Council's review and information.

Recommended Action:

Authorize the City Manager to execute Amendment No. 2 to the Contract for Purchase and Sale of Real Property, substantially similar in form to such Amendment No. 2 which is attached to this report. Such Amendment No. 2 is to be approved as to form by the City Attorney.

Authorize the City Manager to execute such further documents and take such further actions as may be necessary to accomplish the above matter, with the form of any such documents to be approved by the City Attorney, and to implement, administer, and enforce the above-mentioned Contract, as amended, and any subsequent documents.



Christopher P. Morrill
City Manager

Attachment

Distribution: Council Appointed Officers
Brian Townsend, Asst. City Mgr. for Community Development
Christopher Chittum, Director, Planning Building and
Development

COUNTRYSIDE SPORTSPLEX, INC.

REQUEST FOR EXTENSION

We are requesting an extension to the contract completion date from July 29, 2016 to December 30, 2016 for the following reasons:

1. Length of time required to complete building design plans.
2. Encountering unforeseen existing site water and sewer utility connection deceptions/conditions.
3. Weather delays during the months of March, April and May, 2016.

DESIGN DELAY

We submitted our first request for an extension of time for completion in August 2015. Our Architect submitted the project plans and drawings to the City plan review section to obtain a building permit on this project on September 25, 2015. We anticipated that the review of the documents would take one to two months because of our preliminary discussions with the City's review staff prior to completing the construction documents. We submitted revised plan on December 23, 2015. The review of plans and drawings resulted in issuance of the building permit on March 3, 2016. The extended design period substantially impacted the construction schedule. The new addition foundation portion of the building could not begin until the site utilities had been completed. The following sequences had to occur: 1. The sequence relationship of the water and sewer piping being installed under the storm water pipe. 2. The installation of 18" diameter storm water pipe was also critical. 3. Due to the storm water pipe close location to the retaining wall, the wall could not be constructed until after the installation and backfilling occurred at the storm water pipe system. 4. The construction of the retaining wall is critical to the building addition foundation system. This retaining wall supports and retains portions of the earth that the new building foundation is bearing on. The wall installation and backfilling of earth also allows for the installation of a new sidewalk that will provide access to the building.

Our projections for an extension to complete to the end of July 2016 were based on the issuance of a building permit no later than November 2015. The issuance of the building permit on March 3, 2016, reduced the time for construction from eight-nine months to less than five.

EXISTING SITE UTILITY CONDITIONS

Upon commencement of construction of the site utilities for water and sewer we encountered a problem identifying where the sewer lateral connections would occur to the existing sewer pipe. Once this was resolved, a revised sketch was submitted for approval. We continued storm water piping installation once the sketch was approved.

This field connect location change impacted the storm water piping line installation, because the storm water piping had to pass over the sewer pipe.

WEATHER DELAYS

During the installation of the storm water pipe we encountered unseasonal amount of precipitation in the months of March, April, and May*; which delayed the storm water pipe installation. The wet conditions affected portions of the excavation and installation progress. At times no work could be completed until the soil dried enough to permit work.

We are progressing with the construction of this project, but delays in design and permit related processes, unforeseen site utility conditions and the rain that has occurred necessitates our request for additional time to complete this project. We have completed a portion of the site critical items that impacts the new building foundation installation. We have also completed portions of the work that is required for the renovation of the existing building, such as plumbing rough-in, roof insulation, and a portion of new wall framing.

For the foregoing reasons, we respectfully request a further extension of time to December 30, 2016, to achieve substantial completion pursuant to Section 4(B)(3) of the Contract with the City dated February 28, 2014.

* According to one source, www.wunderground.com/history/airport/KROA, in March-May 2016, Roanoke experienced at least a trace of rain or snow on thirty-nine (39) days with total precipitation measured at 9.44".

AMENDMENT NO. 2 TO CONTRACT
FOR PURCHASE AND SALE OF REAL PROPERTY
DATED FEBRUARY 28, 2014, AS AMENDED, BETWEEN
CITY OF ROANOKE, VIRGINIA AND
NORTHWEST RECREATION CLUB, INC.

This Amendment No. 2 to Contract for Purchase and Sale of Real Property dated February 28, 2014, as amended, between the City of Roanoke, Virginia (“Seller” or “City”) and Northwest Recreation Club, Inc., a Virginia non-stock corporation (“Buyer”) (Amendment No. 2) is made as of this ____ day of July, 2016, by and between Seller and Countryside Sportsplex, Inc., a Virginia non-stock corporation (“Countryside”).

RECITALS

WHEREAS, Seller and Buyer entered into a Contract for Purchase and Sale of Real Property dated February 28, 2014, following adoption of Ordinance No. 39868-021814 by Roanoke City Council on February 18, 2014, and amended by Amendment No. 1 dated October 19, 2015 (Contract), pursuant to which Contract Seller agreed to sell to Buyer, and Buyer agreed to acquire, certain real property, together with improvements thereon, consisting of approximately 3.34 acres of land, not to exceed 3.60 acres, fronting along Highland Farm Road, in Roanoke, Virginia, and being a portion of property of Seller bearing Official Tax Map No. 642302 (Property);

WHEREAS, the Contract included certain conditions and performance obligations imposed on Buyer, including substantial completion of all improvements for Buyer’s Contemplated Use of the Property within 450 Days after the Closing Date;

WHEREAS, the Buyer completed a subdivision plat to subdivide the Property from the parcel bearing Official Tax Map No. 6472302;

WHEREAS, the Property bears Official Tax Map No. 6472303, consisting of 3.5890 acres of land;

WHEREAS, pursuant to an Assignment of Contract dated June 27, 2014, Buyer assigned its rights to purchase the Property to Countryside, and Countryside assumed all of Buyer’s obligations and duties under the Contract, the Seller having consented to such assignment;

WHEREAS, Seller executed a special warranty deed on July 30, 2014, to convey the Property to Countryside, subject to the Terms of the Contract, and Countryside recorded the Deed in the Clerk’s Office of the Circuit Court of the City of Roanoke, Virginia as Instrument No. 140007392 (Deed);

WHEREAS, a copy of the Contract is attached to the Deed as Exhibit A;

WHEREAS, following the closing Countryside encountered several delays in commencing work at the Property, including drainage issues, and requested Seller to amend the

Contract by extended the date by which the Project needed to be Substantially Completed to July 29, 2016;

WHEREAS, City Council adopted Ordinance No. 40360-100815 on October 8, 2015, to authorize the execution of Amendment No. 1 and Seller and Countryside executed Amendment No. 1 on October 19, 2015;

WHEREAS, Countryside encountered several delays in completing the proposed improvements as a result of many issues it has encountered, including delays in completion of design of the Project in order to obtain permits, unforeseen existing site utility connection conditions and weather related delays; to commence and complete construction by July 29, 2016;

WHEREAS, Countryside has requested amendments to the Contract to extend the date by which all improvements must be substantially complete from (i) July 29, 2016 (the date established pursuant to Amendment No. 1), to (ii) on or before December 30, 2016; and

WHEREAS, Seller is willing to amend the Contract with respect to performance of this condition, subject to approval by Roanoke City Council.

NOW, THEREFORE, based on the mutual promises and covenants contained herein, other good and valuable consideration, and the Recitals set forth herein which are a material part of this Amendment No. 2, Seller and Countryside hereby agree to amend the Contract as follows:

1. Amendments to Contract.

The following sections of the Contract are hereby amended:

- (a) The definition of Project is hereby deleted and the following inserted in its place:

Project: This term means and includes the structural stabilization, interior demolition, construction and renovation work to be done by Buyer on or before December 30, 2016, as well as any related and/or connected work that may be required and/or done on any part of the Property to result in Buyer's Contemplated Use of the Property, all in accordance with the terms and provisions of the Contract.

- (b) Section 4.B.3 of the Contract, as amended, is amended by deleting the phrase "on or before July 29, 2016" wherever it appears in Section 4.B.3 of the Contract, as amended, and inserting the following phrase in its place: "on or before December 30, 2016."

2. Effect of Amendment No. 2.

Except as amended by Amendment No. 2, the Contract, as amended, remains in full force and effect in accordance with its terms and provisions, the Contract, as amended by

Amendment No. 2, constitutes the entire agreement by Seller, Buyer, and Countryside with respect to the Contract. This Amendment No. 2 is made pursuant to Section 32 of the Contract.

3. Acknowledgement of Remedies.

Countryside acknowledges and agrees that, in the event that the Project is not Substantially Completed by December 30, 2016, Seller has all of its remedies under the terms of the Contract, as amended, including the right of Seller to recover the amount of the Performance Security, as defined in Section 12 of the Contract, as amended. Countryside further acknowledges and agrees that, in the event that Seller exercises its right to recover the Performance Security for such default, Countryside remains obligated to provide Seller with exclusive use of the Facility as provided in Section 4.B.5 of the Contract, as amended.

4. Recording of Amendment.

Countryside shall, at its sole cost and expense, record a copy of this Amendment No. 2 and an attested copy of the ordinance adopted by Roanoke City Council authorizing the City Manager to execute, deliver, and perform this Amendment No. 2 with the Clerk's Office of the Circuit Court of City of Roanoke, Virginia. Countryside shall request that a copy of this Amendment No. 2 and the attached copy of the ordinance be indexed with Seller as Grantor and Countryside as Grantee and refer to the Deed.

5. Authorization.

The persons who have executed this Amendment No. 2 on behalf of the parties represent and warrant that they are duly authorized to execute this Amendment No. 2 on behalf of their respective entity.

SIGNATURES APPEAR ON FOLLOWING PAGES

IN WITNESS WHEREOF, Seller and Countryside have executed this Amendment No. 2 by their authorized representatives.

ATTEST:

CITY OF ROANOKE, VIRGINIA

City Clerk

By: _____
Christopher P. Morrill, City Manager

COMMONWEALTH OF VIRGINIA
CITY OF ROANOKE, to-wit:

The foregoing instrument was acknowledged before me this ___ day of _____, 2016, by Christopher P. Morrill, City Manager for the City of Roanoke, Virginia, a Virginia municipal corporation, for and on behalf of said municipal corporation.

My commission expires:

Notary Public

SEAL

WITNESS/ATTEST:

COUNTRYSIDE SPORTSPLEX, INC.

By: _____
Clay L. Dawson, President

COMMONWEALTH OF VIRGINIA
CITY OF ROANOKE, to-wit:

The foregoing instrument was acknowledged before me this ___ day of _____, 2016, by Clay L. Dawson, President of Countryside Sportsplex, Inc., a Virginia non-stock corporation, for and on behalf of such entity.

My commission expires:

Notary Public

Draft Date: 06.28.2016

SEAL

Approved as to Form:

Approved as to Execution:

Assistant City Attorney

Assistant City Attorney

Authorized by Ordinance No. _____.

AMENDMENT NO. 2 TO ACKNOWLEDGEMENT OF POST-CLOSING PERFORMANCE DATES DATED JULY 30, 2014, BETWEEN CITY OF ROANOKE, VIRGINIA AND NORTHWEST RECREATION CLUB, INC., AS AMENDED

This Amendment No. 2 to Acknowledgement of Post-Closing Performance Dates dated July 30, 2014 (“Acknowledgment”) between the City of Roanoke, Virginia (“Seller” or “City”) and Northwest Recreation Club, Inc., a Virginia non-stock corporation (“Northwest”), Countryside Sportsplex Inc., a Virginia non-stock corporation (“Sportsplex”), and Bank of Botetourt, a Virginia corporation (“Bank”) (“Amendment No. 1”) is made as of this ____ day of July, 2016, among Seller, Northwest, Sportsplex, and Bank.

RECITALS

WHEREAS, the City and Northwest entered into a Contract for Purchase and Sale of Real Property dated February 28, 2014, as amended (“Contract”), wherein the City agreed to sell to Northwest, or its permitted assigns, certain real property, together with improvements thereon, situated in Roanoke, Virginia, and being a portion (not to exceed 3.60 acres) of a parcel of real property fronting Highland Road (“Property”);

WHEREAS, by Agreement dated June 27, 2014, Northwest assigned all of its rights and obligations under the Contract to Sportsplex;

WHEREAS pursuant to the terms of the Acknowledgment, the City, Northwest, Sportsplex, and the Bank acknowledged that Sportsplex and Northwest must substantially complete renovation of the improvements and building on the Property by October 23, 2015, under the terms of the Contract;

WHEREAS, the Contract was subsequently amended pursuant to Amendment No. 1 to the Contract dated October 19, 2015, which extended the date by which substantial completion of the renovations to the Property must be substantially completed from October 23, 2015, to a date on or before July 29, 2016, and executed Amendment No. 1 to the Acknowledgment to reflect the new performance date;

WHEREAS, the Contract was subsequently amended pursuant to Amendment No.2 dated July __, 2016, which extended the date by which substantial completion of the renovations to the Property must be substantially completed from July 29, 2016, to a date on or before December 30, 2016,

WHEREAS, the parties desire to amend the Acknowledgment to conform to the amendments made pursuant to Amendment No. 2 to the Contract.

NOW, THEREFORE, based on the mutual promises and covenants contained herein, other good and valuable consideration, and the Recitals set forth herein which are a material part of this Amendment No. 2, City, Northwest, Sportsplex, and Bank hereby agree to amend the Acknowledgment as follows:

1. Section 2 of the Acknowledgment, Completion of Construction, is hereby amended in its entirety to read and provide as follows:

SECTION 2. COMPLETION OF CONSTRUCTION.

The parties acknowledge and agree that the obligation of Sportsplex and Northwest to Substantially Complete renovation of the improvements and building on the Property pursuant to Section 4.B.3 of the Contract must be satisfied by a date no later than December 30, 2016. Pursuant to Section 20 of the Contract, time is of the essence. Failure to Substantially Complete renovation of the improvements and building by a date no later than December 30, 2016, shall be a default under the Contract and the City shall have its rights and remedies for such default.

2. Effect of Amendment No. 2.

Except as amended by this Amendment No. 2, the Acknowledgement and the Contract, as amended, remain in full force and effect.

SIGNATURES APPEAR ON FOLLOWING PAGE

IN WITNESS WHEREOF, City, Northwest, Sportsplex, and Bank have executed this Amendment No. 2 by their authorized representatives.

ATTEST:

CITY OF ROANOKE, VIRGINIA

City Clerk

By: _____
Christopher P. Morrill, City Manager

WITNESS/ATTEST:

NORTHWEST RECREATION CLUB, INC.

By: _____
Clay L. Dawson, President

WITNESS/ATTEST:

COUNTRYSIDE SPORTSPLEX, INC.

By: _____
Printed Name: _____
Title: _____

WITNESS/ATTEST:

BANK OF BOTETOURT

By: _____
Printed Name: _____
Title: _____

Approved as to Form:

Approved as to Execution:

Assistant City Attorney

Assistant City Attorney

Amend 1/14/15

T.a.2.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE approving certain changes and modifications to the Contract for Purchase and Sale of Real Property dated February 28, 2014, by and between the City of Roanoke, Virginia, and Northwest Recreation Club, Inc., as amended by Amendment No. 1 dated October 19, 2015 (“Contract”), and under the terms of the Contract, Northwest Recreation Club, Inc. assigned its rights and obligations as buyer to Countryside Sportsplex, Inc. (“Countryside”), to extend the time Countryside has to meet certain performance obligations and conditions imposed on Countryside under the terms of the Contract; authorizing the City Manager to execute Amendment No. 2 to the Contract to provide for such extension of time; and dispensing with the second reading of this Ordinance by title.

WHEREAS, the City, as seller, and Northwest Recreation Club, Inc., as buyer (“Buyer”) entered into the Contract for the sale of certain City-owned property fronting along Highland Farm Road, N.W., Roanoke, Virginia, not to exceed the amount of 3.60 acres, which property included a former tennis facility building (“Property”), as authorized by Ordinance No. 39868-021814, adopted by City Council on February 18, 2014;

WHEREAS, the Contract originally provided that all proposed improvements for the Buyer’s contemplated use of the Property would be completed within 450 days after the real estate closing date;

WHEREAS, by Agreement dated June 27, 2014, the Buyer assigned all of its rights and obligations under the Contract to Countryside;

WHEREAS, the City and Countryside closed the Property on July 30, 2014;

WHEREAS, Countryside, informed the City that it encountered several delays in completing the proposed improvements on the Property pursuant to the terms of the Contract as a result of many issues it encountered, including drainage issues at the Property, and requested that the City amend the Contract to extend the time Countryside has to complete the performance obligations and conditions under the terms of the Contract, including completing the proposed improvements on the Property, from 450 days after the closing date until a date no later than July 29, 2016;

WHEREAS, Council adopted Ordinance No. 40360-100815 on October 8, 2015, and authorized execution of Amendment No. 1 to extend completion of the performance obligations until July 29, 2016;

WHEREAS, Countryside, has informed the City that it has encountered several delays in completing the proposed improvements on the Property pursuant to the terms of the Contract as a result of many issues it has encountered, including delays in completion of design in order to obtain permits, unforeseen site utility connection conditions and weather delays issues at the Property, and requested that the City amend the Contract to extend the time Countryside has to complete the performance obligations and conditions under the terms of the Contract, including completing the proposed improvements on the Property, from July 29, 2016, to December 30, 2016; and

WHEREAS, City staff recommends that City Council authorize such Amendment No. 2.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. City Council hereby approves the changes and modifications to the Contract to extend the time Countryside has to complete the performance obligations and conditions under the Contract, including completing the proposed improvements on the Property, from July 29, 2016, until on or before December 30, 2016; upon such other terms as more fully described in the City Council Agenda Report dated July 5, 2016, to this Council, and the proposed Amendment No. 2, which is an attachment to such Report.

2. The City Manager is hereby authorized to execute Amendment No. 2 to the Contract, substantially similar to Amendment No.2 attached to the City Council Agenda Report dated July 5, 2016, to provide for such extension of time, and to take such additional actions as may be necessary to provide for the implementation, administration, and enforcement of Amendment No. 2. All documents shall be upon form approved by the City Attorney.

3 Pursuant to the provisions of Section 12 of the City Charter, the second reading of this Ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

7.6.1.



CITY OF ROANOKE
OFFICE OF THE CITY ATTORNEY
464 MUNICIPAL BUILDING
215 CHURCH AVENUE, SW
ROANOKE, VIRGINIA 24011-1595

Timothy R. Spencer
Steven J. Talevi
David L. Collins
Heather P. Ferguson
Laura M. Carini
Assistant City Attorneys

Daniel J. Callaghan
City Attorney

TELEPHONE 540-853-2431
FAX 540-853-1221
EMAIL: cityatty@roanokeva.gov

July 5, 2016

The Honorable Mayor and Members
of City Council
Roanoke, Virginia

Re: Reenactment of City Code

Dear Mayor Bowers and Council Members:

Since 1982, City Council has reenacted and recodified the City Code on an annual basis in order to properly incorporate in the Code amendments made by the General Assembly at the previous Session to State statutes that are incorporated by reference in the City Code. This procedure ensures that the ordinances codified in our Code incorporate the most recent amendments to State law.

Incorporation by reference is frequently utilized in local codes to preclude having to set out lengthy provisions of State statutes in their entirety. In addition, the technique ensures that local ordinances are always consistent with the State law as is generally required.

The procedure whereby a local governing body incorporates State statutes by reference after action of the General Assembly has been approved by the Attorney General. See Report of the Attorney General (1981-1982) at 272. I recommend that Council adopt the attached ordinance to readopt and reenact the Code of the City of Roanoke (1979), as amended. If the attached ordinance is not adopted, City Code sections incorporating provisions of the State Code amended at the last Session of the General Assembly may not be deemed to include the recent amendments and may be impermissibly inconsistent which could result in the dismissal of criminal prosecutions under these City Code sections.

Sincerely yours,

Daniel J. Callaghan
City Attorney

LSC/I
Attachment

- c: Christopher P. Morrill, City Manager
- The Honorable Donald S. Caldwell, Commonwealth's Attorney
- Timothy Jones, Acting Chief of Police
- Stephanie M. Moon Reynolds, City Clerk

Spallone

7.6.1.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to readopt and reenact the Code of the City of Roanoke (1979), as amended; and dispensing with the second reading of this ordinance by title.

WHEREAS, by Ordinance No. 25043, adopted April 7, 1980, this Council adopted and enacted a new code for the City of Roanoke entitled the Code of the City of Roanoke (1979) (hereinafter sometimes referred to as the "City Code");

WHEREAS, such Code, as amended, contains certain provisions which incorporate by reference portions of the Code of Virginia (1950), as amended, (hereinafter "State Code");

WHEREAS, from time to time, certain of these State Code sections which are incorporated by reference in the City Code have been amended by the General Assembly;

WHEREAS, such amendments are a matter of public record which are set forth in the Acts of Assembly and supplements and replacement volumes of the State Code; and

WHEREAS, it is the desire of this Council that those provisions of the City Code which adopt by reference State Code provisions shall be fully consistent with enactments of the most recent Session of the General Assembly.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that:

1. The Code of the City of Roanoke (1979), as amended, a copy of which is on file in the City Clerk's Office, consisting of Chapters 1 through 36.2, each inclusive, is hereby readopted and reenacted. Such Code amendments heretofore and hereafter adopted shall continue to be known as the Code of the City of Roanoke (1979), as amended.

2. With respect to sections or provisions of the State Code incorporated by reference in the City Code, Council recognizes any amendments made to such sections or provisions of the State Code by the most recent Session of the General Assembly and hereby expresses the intent and ordains that such amendments to sections or provisions of the State Code incorporated by reference in the City Code shall be included in the City Code verbatim as enacted by the most recent Session of the General Assembly.

3. Any reference in the City Code to any section, article or chapter from former Titles of the State Code shall be deemed and construed to apply to the successor section, article or chapter of the State Code, comparable sections being set out in Tables of Comparable Sections for certain Repealed and Revised Titles published in Volume 10.

4. Pursuant to Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



Daniel J. Callaghan
City Attorney

CITY OF ROANOKE
OFFICE OF THE CITY ATTORNEY
464 MUNICIPAL BUILDING
215 CHURCH AVENUE, SW
ROANOKE, VIRGINIA 24011-1595

TELEPHONE 540-853-2431
FAX 540-853-1221
EMAIL: cityatty@roanokeva.gov

7.6.2.
Timothy R. Spencer
Steven J. Talevi
David L. Collins
Heather P. Ferguson
Laura M. Carini
Assistant City Attorneys

July 5, 2016

The Honorable Sherman P. Lea, Sr., Mayor
and Members of City Council
Roanoke, Virginia

Re: Request from Western Virginia Water Authority for Conveyance
of Permanent Water Line Easement and Temporary Construction
Easement Across Property Designated as Roanoke Official Tax
Map No. 2250102

Dear Mayor Lea and Members of Council:

Background:

Pursuant to Ordinance No. 40289-070615, adopted by City Council on July 6, 2015, the City of Roanoke conveyed the Western Virginia Water Authority ("Authority") a permanent 20' water line easement and a 10' temporary construction easement across City owned real estate designated as Roanoke Official Tax Map No. 2250102, known as 2020 Oakland Blvd. (the site of Round Hill Elementary School), for the installation, maintenance, and operation of a water line to connect to an existing water line located on Valley View, Blvd., N.W., in order to increase the water flow to the area and installation of a fire hydrant to serve Round Hill Elementary School.

After installation of the water line had commenced, the Authority realized that the area where the fire hydrant needed to be installed was located outside of the area of the easement conveyed by the City. The Authority has now requested the City to convey the Authority an additional 20' permanent water line easement and a 10' temporary construction easement across Official Tax Map No. 2250102 for installation, maintenance, and operation of a fire hydrant and water line for the above stated purposes.

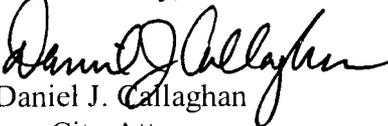
Considerations:

The temporary construction easement would expire upon installation of the fire hydrant and water line, and the interests granted would revert to the City. Conveyance of both easements are in the best interest of the City and its citizens, as the purpose of the water line easement is to provide additional water service the neighborhood and to facilitate fire extinguishment at Round Hill Elementary School.

Recommended Action:

Authorize the City Manager to execute a Deed of Easement, substantially similar in form to the proposed easement attached to this letter, conveying the permanent waterline easement and temporary construction easement, across City owned property designated as Roanoke Official Tax Map No. 2250102, to the Western Virginia Water Authority. All documents necessary for this conveyance shall be upon form approved by the City Attorney.

Sincerely,


Daniel J. Callaghan
City Attorney

- c: Christopher P. Morrill, City Manager
- R. Brian Townsend, Assistant City Manager
for Community Development
- Sherman Stovall, Assistant City Manager
for Operations
- Barbara Dameron, Director of Finance
- Phillip Schirmer, City Engineer
- Stephanie Moon Reynolds, City Clerk

7.6.21

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE authorizing the conveyance of a permanent water line easement and a temporary construction easement across City-owned property located at 2020 Oakland Blvd., N.W., designated as Roanoke Official Tax Map No. 2250102, to the Western Virginia Water Authority, upon certain terms and conditions; and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that:

1. The City Manager is hereby authorized, for and on behalf of the City, to execute the necessary documents providing for the conveyance of a 20' permanent water line easement and a 10' temporary construction easement across City-owned property located at 2020 Oakland Blvd., N.W., designated as Roanoke Official Tax Map No. 2250102, to the Western Virginia Water Authority, for the installation, maintenance, and operation of a water line to connect to an existing water line located on Valley View, Blvd., N.W., in order to increase the water flow to the neighborhood and installation of a fire hydrant to serve Round Hill Elementary School, as more particularly set forth in the City Attorney's letter to City Council dated July 5, 2016.
2. All documents necessary for this conveyance shall be in a form approved by the City Attorney.
3. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk

W. Callaghan

10.a.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE repealing Ordinance No. 40575-062016, adopted June 20, 2016; amending and reordaining Ordinance No. 40501-050916, adopted May 9, 2016, to adjust the City Manager's compensation by amending the salary of Christopher P. Morrill and amending the employer contribution paid by the City on behalf of the City Manager to the deferred compensation plan established pursuant to Internal Revenue Code Section 401(a); establishing an effective date of July 1, 2016; and dispensing with the second reading of this ordinance by title.

WHEREAS, the City Council adopted Ordinance No. 40501-050916 on May 9, 2016, to establish the pay of the City's employees effective July 1, 2016;

WHEREAS, the personnel committee has recommended that City Council increase the compensation of the City Manager by (i) increasing the annual salary of the City Manager from \$200,886.86 as set forth in paragraph No. 5 of Ordinance No. 40501-050916 to a new annual salary of \$210,886.86; and (ii) increasing the amount of the employer contribution paid by the City on behalf of the City Manager to the deferred compensation plan established pursuant to Internal Revenue Code Section 401(a) from \$15,000.00 per calendar year, as set forth in paragraph No. 8 of Ordinance No. 40501-050916, to \$20,000.00 per calendar year.

WHEREAS, City Council adopted Ordinance No. 40575-062016, on June 20, 2016, to implement the recommendation of the personnel committee although the title paragraph of Ordinance No. 40575-062016 did not fully state the purpose of the intended action taken by City Council; and

WHEREAS, City Council desires to repeal Ordinance No. 40575-062016 and replace that ordinance with this Ordinance with an effective date of July 1, 2016.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. Ordinance No. 40575-062016 is hereby REPEALED.

2. City Council hereby amends and reordains Ordinance No. 40501-050916, to increase the annual compensation of the City Manager, Christopher P. Morrill by (i) increasing his salary from \$200,886.86 to a new annual salary of \$210,886.86; and (ii) increasing the amount of the employer contribution paid by the City on behalf of the City Manager to the deferred compensation plan established pursuant to Internal Revenue Code Section 401(a) from \$15,000 per calendar year, as set forth in paragraph No. 8 of Ordinance No. 40501-050916 to \$20,000 per calendar year.

3. Except as specifically amended by this ordinance all other terms and conditions contained in Ordinance No. 40501-050916 shall be in full force and effect, retroactively, on and after July 1, 2016.

4. This ordinance shall be in full force and effect, retroactively, to July 1, 2016.

5. Pursuant to Section 12 of the Roanoke City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.