ROANOKE CITY COUNCIL
REGULAR SESSION

APRIL 4, 2005
9:00 A.M.

ROOM 159

AGENDA

Call to Order--Roll Call.

A communication from Mayor C. Nelson Harris, requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council; and to interview one applicant for appointment to the Roanoke Regional Airport Commission, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended. P 9

A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for public purposes, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended. P 10

Items listed on the 2:00 p.m. Council docket requiring discussion/ clarification, and additions/deletions to the 2:00 p.m. agenda. (15 minutes)

Topics for discussion by the Mayor and Members of Council. (15 minutes)

Items for discussion at the joint meeting of Council and the School Board on Monday, May 2, 2005. (15 minutes)

BRIEFINGS:

• Employee Survey Results	-	20 minutes	P 11;
• Solid Waste Collection Downtown	-	10 minutes	P 12;
• Neighborhood Revitalization Strategy Area Plan	-	15 minutes	P 13;
• Vice/Organized Crime Unit	-	15 minutes	P 14;
• Public Arts Plan	-	15 minutes	P 15

THE COUNCIL MEETING WILL BE DECLARED IN RECESS AT 11:00 A.M.

THE AUDIT COMMITTEE WILL MEET AT 11:00 A.M., IN THE COUNCIL'S CONFERENCE ROOM, ROOM 451, NOEL C. TAYLOR MUNICIPAL BUILDING.

ROANOKE CITY COUNCIL
REGULAR SESSION

APRIL 4, 2005
2:00 P.M.

CITY COUNCIL CHAMBER

AGENDA

1. Call to Order--Roll Call.

The Invocation will be delivered by Vice-Mayor Beverly T. Fitzpatrick, Jr.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Harris.

Welcome. Mayor Harris.

NOTICE:

Today's Council meeting will be replayed on Channel 3 on Thursday, April 7, 2005, at 7:00 p.m., and Saturday, April 9, 2005, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEVA.GOV, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. 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 IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEVA.GOV, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGEMENTS:

A Resolution expressing appreciation to Senator John S. Edwards, Delegate Onzlee Ware and Delegate William H. Fralin, Jr., for their leadership and support during the 2005 session of the General Assembly. | R 16

A Resolution memorializing the late Emma Ruth Brooks, mother of Assistant City Manager Rolanda Russell. | R 18

A Resolution memorializing the late Julian F. Hirst, former City Manager. | R 19

A Resolution memorializing the late Roy Nelson Stroop, former President of the Wildwood Civic League. R 21

A Resolution congratulating the Roanoke Catholic High School basketball team for winning the Fifth Virginia Independent Schools Division II State title game. R 22

Presentation of the United States Flag in memory of the late James N. Kincanon, former City Attorney.

Proclamation declaring the month of April 2005 as Fair Housing Month.

Proclamation declaring the week of April 10 - 16, 2005 as National Public Safety Telecommunicator's Week.

Proclamation declaring the month of April 2005 as Roanoke Valley Crime Line Month.

- **At 3:30 p.m., the Council will publicly interview David B. Carson and William H. Lindsey for positions on the Roanoke City School Board.**

3. 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 Minutes of the regular meetings of Council held on Monday, February 7, 2005, recessed until Friday, February 18, 2005; and the regular meeting held on Tuesday, February 22, 2005. P 24; P 115

RECOMMENDED ACTION: Dispense with the reading of the minutes and approve as recorded.

C-2 A communication from the City Manager requesting that Council schedule a public hearing for Monday, April 18, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of The Scott Robertson Memorial Fund for tax exempt status of certain property located at the easternmost 250 feet of Densmore Road, N. W. P 155

RECOMMENDED ACTION: Concur in the request.

C-3 Qualification of the following:

Robert C. Jones and Sharon L. Stinnette as members of the Parks and Recreation Advisory Board, for terms ending March 31, 2008;

Stuart H. Revercomb as a Director of the Industrial Development Authority, to fill the unexpired term of William L. Bova, resigned, ending October 20, 2005; and

Stephen S. Willis as a member of the Personnel and Employment Practices Commission, for a term ending June 30, 2007.

RECOMMENDED ACTION: Receive and file.

REGULAR AGENDA

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS:

a. A request of the Roanoke Regional Airport Commission to present the proposed 2005-2006 Operating Budget and Proposed Capital Expenditures. Jacqueline L. Shuck, Executive Director, Spokesperson. (Sponsored by the City Manager.) P 156; R 162

6. REPORTS OF OFFICERS:

a. CITY MANAGER:

BRIEFING:

Status Report - Affirmative Action and Diversity Initiatives for Calendar Year 2004 - 15 minutes

P 163

ITEMS RECOMMENDED FOR ACTION:

1. Acceptance of the Juvenile Accountability Block Grant from the Department of Criminal Justice Services, in the amount of $40,581.00; and appropriation of funds.

P 178; B/O 211; R 212

2. Acceptance of insurance advances and proceeds received in connection with flood related damages to City property, in the amount of $188,191.00; and appropriation of funds.

P 213; B/O 215

3. Authorization to submit required forms through which streets are added to or deleted from the City's street system to determine State maintenance payment eligibility.

P 216; R 218

4. Authorization to acquire the necessary property rights in connection with the Southern Hills Drive - Street and Drainage Improvements Project.

P 219; O 223

5. Execution of an Amendment to the Lease Agreement with Crown Roanoke, LLC, in connection with office space located at 111 Franklin Road, S. W., Suite 200, for a period of five years, commencing June 1, 2005.

P 225; O 248

6. Transfer of $489,740.00 in connection with the Fire/EMS Facility Improvement Program.

P 249; B/O 251

7. Authorization to grant a temporary construction easement across City-owned property to the Higher Education Authority.

P 252; O 253

b. CITY ATTORNEY:

1. Authorization for waiver of the City's sovereign immunity in connection with the use of Valley View Mall on Saturday, April 16, 2005, for the Fair Housing Fair.

P 255; R 256

c. DIRECTOR OF FINANCE:

1. Financial report for the month of February 2005. P 257

7. REPORTS OF COMMITTEES: NONE.

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

10. 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.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

12. CITY MANAGER COMMENTS:

CERTIFICATION OF CLOSED SESSION.

THE COUNCIL MEETING WILL BE DECLARED IN RECESS TO BE RECONVENED ON TUESDAY, APRIL 12, 2005, AT 12:00 P.M., AT THE BRAMBLETON CENTER, 3738 BRAMBLETON AVENUE, S. W., ROOM NO. 1, FOR A JOINT MEETING OF THE ROANOKE CITY COUNCIL AND THE ROANOKE COUNTY BOARD OF SUPERVISORS AND THEIR RESPECTIVE LIBRARY BOARDS.

C. NELSON HARRIS
Mayor

CITY OF ROANOKE
OFFICE OF THE MAYOR
215 CHURCH AVENUE, S.W., ROOM 452
ROANOKE, VIRGINIA 24011-1594
TELEPHONE: (540) 853-2444
FAX: (540) 853-1145

April 4, 2005

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

Dear Members of Council:

This is to request a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, and to interview one applicant for appointment to the Roanoke Regional Airport Commission, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

Sincerely,

C. Nelson Harris

C. Nelson Harris
Mayor

CNH:snh

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

April 4, 2005

The Honorable Mayor and Members
of City Council
Roanoke, Virginia

Subject: Request for closed meeting

Dear Mayor Harris and Council Members:

This is to request that City Council convene a closed meeting to discuss the acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to §2.2-3711.A.3, of the Code of Virginia (1950), as amended.

Sincerely,

Darlene L. Burcham
City Manager

DLB/f

c: William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Mary F. Parker, City Clerk

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

April 4, 2005

Honorable C. Nelson Harris, Mayor and Members
of City Council
Roanoke, VA

Dear Mayor Harris and Members of Council:

Subject: Employee Survey Results

This is to request space on Council's agenda for a 15 minute presentation on the above referenced subject.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:sm

c: City Clerk
City Attorney
Director of Finance

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

April 4, 2005

Honorable C. Nelson Harris, Mayor and Members
of City Council
Roanoke, VA

Dear Mayor Harris and Members of Council:

Subject: Solid Waste Collection
Downtown

This is to request space on Council's agenda for a 10 minute presentation on the above referenced subject.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:sm

c: City Clerk
City Attorney
Director of Finance

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

April 4, 2005

Honorable C. Nelson Harris, Mayor and Members
of City Council
Roanoke, VA

Dear Mayor Harris and Members of Council:

Subject: Neighborhood Revitalization Strategy Area Plan

This is to request space on Council's agenda for a 15 minute presentation on the above referenced subject.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:sm

c: City Clerk
City Attorney
Director of Finance

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

April 4, 2005

Honorable C. Nelson Harris, Mayor and Members
of City Council
Roanoke, VA

Dear Mayor Harris and Members of Council:

Subject: Vice/Organized Crime Unit

This is to request space on Council's agenda for a 15 minute presentation on the above referenced subject.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:sm

c: City Clerk
City Attorney
Director of Finance

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

April 4, 2005

Honorable C. Nelson Harris, Mayor and Members
of City Council
Roanoke, VA

Dear Mayor Harris and Members of Council:

Subject: Art Plan

This is to request space on Council's agenda for a 15 minute presentation on the above referenced subject.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:sm

c: City Clerk
City Attorney
Director of Finance

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION expressing appreciation to The Honorable John S. Edwards, Member, Senate of Virginia, the Honorable Onzlee Ware, and the Honorable William H. Fralin, Jr., Members, House of Delegates, for their leadership and support during the 2005 General Assembly Session.

WHEREAS, Senator Edwards and Delegates Fralin and Ware assisted this City during the 2005 Session by displaying commitment to all of the City's interests;

WHEREAS, Senator Edwards and Delegates Fralin and Ware strongly encouraged the budget conferees to support the City's request to include funds for the Roanoke City Health Department; and

WHEREAS, the efforts and support of Senator Edwards and Delegates Fralin and Ware resulted in several of the area cultural agencies receiving funding, including, but not limited to, the Art Museum of Western Virginia ($2,250,000), Blue Ridge Zoological Society of Virginia ($87,500), Center in the Square ($200,000), History Museum and Historical Society of Western Virginia ($37,500), Roanoke Symphony ($5,000), and the Virginia Museum of Transportation ($225,000).

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

1 Council adopts this means of recognizing and commending the services rendered to the City of Roanoke and its people by Senator John S. Edwards and Delegates William H. Fralin Jr., and Onzlee Ware.

2. The City Clerk is directed to forward an attested copy of this resolution to Senator Edwards and Delegates Fralin and Ware.

ATTEST:

City Clerk.

OLS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION memorializing the late Emma Ruth Brooks, mother of Assistant City Manager Rolanda Russell.

WHEREAS, the members of Council learned with sorrow of the passing of Ms. Brooks on Sunday, March 20, 2005;

WHEREAS, Ms. Brooks was the daughter of John and Edna Wynne Nesbitt, and was born in Dyersburg, Tennessee on May 2, 1923;

WHEREAS, during her youth, Ms. Brooks was proud of winning a beauty contest while living in Tennessee;

WHEREAS, Ms. Brooks married Logan Brooks in St. Louis, Missouri in 1947; and for most of her life, Ms. Brooks was a stay-at-home mother;

WHEREAS, Ms. Brooks was a member of New Salem Missionary Baptist Church, where she sang in the choir, served as past secretary and was a member of the missionary society;

WHEREAS, Ms. Brooks was a loving mother whose wishes were that her children cherish their fond memories of her.

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

1. City Council adopts this resolution as a means of recording its deepest regret and sorrow at the passing of Emma Ruth Brooks, and extends to her family its sincerest condolences.

2. The City Clerk is directed to forward an attested copy of this resolution to Ms. Brooks' children: Rolanda Russell, of Roanoke, Virginia; Shirley Davis, Louis Clark Davis, Jean Tyson, Betty Ann Brooks, and Andre Brooks of Decatur, Illinois; and Edna Brooks and Jacqueline Brooks of Chicago, Illinois.

ATTEST:

City Clerk.

K:\MEASURES\r-memorializingrolandasmotheremma.doc

J45

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION memorializing the late Julian F. Hirst of Norfolk, Virginia, a former City Manager of Roanoke.

WHEREAS, the members of Council learned with sorrow of the passing of Mr. Hirst on Sunday, February 27, 2005;

WHEREAS, Mr. Hirst was born in Purcellville, Virginia in 1921, the son of the late J. Terry Hirst and Katherine Fox Hirst;

WHEREAS, Mr. Hirst graduated from Virginia Military Institute in 1941 and served in the U.S. Army Air Corps during World War II;

WHEREAS, Mr. Hirst was married to the late Margaret Jane Fagan Hirst for 54 years;

WHEREAS, Mr. Hirst came to this community as an experienced former chief executive officer, and at all times displayed a bold and progressive leadership in the administration of this City's affairs;

WHEREAS, during his tenure as City Manager, both the Roanoke Civic Center and the Municipal Annex, now known as the Noel C. Taylor Municipal Building, were built;

WHEREAS, Mr. Hirst came to Roanoke after serving as City Manager of Martinsville, and served as City Manager of Roanoke from October 15, 1965 to December 31, 1972;

WHEREAS, Mr. Hirst had also served as City Manager of Pearisburg and Pulaski, and after leaving Roanoke to become Executive Director of the Virginia Municipal League in Richmond, Virginia, he then went on to serve as City Manager of Norfolk, Virginia;

WHEREAS, Mr. Hirst served as Executive Director of the Virginia Municipal League from 1973 through 1975, and was Chairman of the Board of Directors of J.T. Hirst and Company in Leesburg;

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

1. City Council adopts this resolution as a means of recording its deepest regret and sorrow at the passing of Julian F. Hirst, and extends to his family its sincerest condolences.

2. The City Clerk is directed to forward an attested copy of this resolution to Mr. Hirst's children, J. Terry Hirst of New York, David T. Hirst of Virginia Beach, Virginia, and Jane Hirst Green of Altavista, Virginia.

ATTEST:

City Clerk.

WMH

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION memorializing the late Roy Nelson Stroop of Roanoke.

WHEREAS, the members of Council learned with sorrow of the passing of Mr. Stroop on Friday, March 11, 2005;

WHEREAS, Mr. Stroop served his country honorably in the U.S. Army Air Corps during World War II;

WHEREAS, Mr. Stroop was an active member of Mineral Spring Baptist Church;

WHEREAS, Mr. Stroop retired from the Exxon Company USA;

WHEREAS, Mr. Stroop was active in community and church activities including serving as the property chairman for the Baptist Mission Centers and president of the Wildwood Civic League.

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

1. City Council adopts this resolution as a means of recording its deepest regret and sorrow at the passing of Roy Nelson Stroop, and extends to his family its sincerest condolences.

2. The City Clerk is directed to forward an attested copy of this resolution to Mr. Stroop's widow, Betty Stroop, of Roanoke.

ATTEST:

City Clerk

WMH

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION congratulating the Roanoke Catholic Celtics Basketball Team for its winning the Virginia Independent State, Division II, Basketball Tournament.

WHEREAS, the Roanoke Catholic Celtics had an 18-10 record in their 2004 basketball season;

WHEREAS, the Celtics defeated the number two seeded Walsingham Academy on Friday, March 4, and won the opportunity to play in the Virginia Independent State, Division II, Basketball Tournament;

WHEREAS, under the leadership of Coach Joe Gaither and Assistant Coaches Tony Joyce and Dennis Blanchard, the team played Miller School in the Tournament on Saturday, March 5, at Richard Bland Community College in Petersburg;

WHEREAS, the team members represented Roanoke with the highest level of performance, sportsmanship, and pride against a worthy opponent and played to the best of their abilities to win the title with a score of 75-67.

WHEREAS, the Roanoke Catholic Celtics Basketball Team has won a total of four state titles in the past six years.

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

1. Council adopts this resolution as a means of recognizing and congratulating the Roanoke Catholic Celtics for winning the Virginia Independent State, Division II, Basketball Tournament.

2. The City Clerk is directed to forward an attested copy of this resolution to the Celtics' coach, Joe Gaither.

ATTEST:

City Clerk.

ROANOKE CITY COUNCIL

February 7, 2005

9:00 a.m.

The Council of the City of Roanoke met in regular session on Monday, February 7, 2005, at 9:00 a.m., in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor C. Nelson Harris presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 36762-070604 adopted by the Council on Tuesday, July 6, 2004.

PRESENT: Council Members Brian J. Wishneff, M. Rupert Cutler, Beverly T. Fitzpatrick, Jr., Sherman P. Lea, Brenda L. McDaniel, and Mayor C. Nelson Harris----------6.

ABSENT: Council Member Alfred T. Dowe, Jr. ----------1.

The Mayor declared the existence of a quorum.

SCHOOL TRUSTEES PRESENT: William H. Lindsey, Gloria P. Manns, Alvin L. Nash, Courtney A. Penn, Robert J. Sparrow, David B. Trinkle, and Kathy G. Stockburger, Chair----------7.

ABSENT: None----------0.

OFFICERS PRESENT: Representing the City of Roanoke: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

Representing the Roanoke City School Board: Doris N. Ennis, Acting Superintendent; Cindy H. Lee, Clerk to the School Board; and Timothy R. Spencer, Assistant City Attorney and Legal Counsel to the School Board.

SCHOOLS-COUNCIL: The Mayor expressed appreciation to Members of the School Board for taking time from their busy schedule to meet with Council. He called attention to monthly meetings attended by the Mayor, Chair of the School Board, the City Manager and the Acting Superintendent of Schools to discuss issues of benefit to both bodies in an effort to move forward on matters of mutual interest and concern.

Chair Stockburger expressed appreciation to Council for meeting with the School Board in a more informal type setting. She reported on the following activities:

Superintendent Search:

- A meeting was held with the search firm last week and the School Board is excited about not only the number of applicants, but the caliber of applicants who have applied for the position.

- Pursuant to Section 2.2-3712 (b), Code of Virginia, 1950, as amended, the School Board will conduct a Closed Meeting within the next 15 days for the purpose of interviewing candidates for the position of Superintendent.

- The School Board is on schedule for interviews, barring any unforeseen inclement weather, and it is hoped to make an announcement regarding the selection of a new Superintendent by February 28.

- The search process has gone well, the relationship with the search firm has been excellent and the product generated to this point has gone beyond expectations.

- A specific criteria was developed to discuss which of the 125 inquiries, representing 38 States, would result in the top candidates; not all inquiries resulted in a full application, and over 60 complete applications were received.

- The top six candidates have been identified and will be interviewed over the next seven to ten days.

- Top candidates will be introduced to the public.

- The process included public input from the beginning to determine the types of candidates that the School Board was looking for and the Board has not deviated from the established criteria.

School District Update:

- The Patrick Henry High School renovation project is proceeding on schedule.

- The same process is anticipated with regard to the William Fleming High School renovation/construction project, with the first pubic input meeting to be held on February 16 at 5:30 p.m., in the William Fleming High School Cafeteria.

- The William Fleming building will not be the same as the Patrick Henry High School facility, but will be customized to fit the needs of the school.

- There is a positive attitude by parents, students and teachers about the Patrick Henry project.

- The opening for Roanoke Academy of Mathematics and Science (RAMS) has been delayed due to certain construction issues; however, teachers are positive about the brief delay in construction.

In view of recent publicity that the fire wall was extended to the ceiling instead of to the roof at the RAMS structure which delayed the opening date, question was raised with regard to the circumstances surrounding the over sight.

The Acting Superintendent of Schools responded that in today's society, one cannot be too safe when children will occupy a facility. The Chair advised that the RAMS building must be constructed to the specifications that the School Board believes is necessary prior to occupancy. The observation was made that either the architect or the engineer should have discovered the error early on in the construction process.

Crystal Y. Cregger, Manager, Purchasing of Contract Services, advised that School officials met with City officials, including the Building Commissioner, all of whom have been most helpful in addressing the situation. She Stated that the contractor did not call for inspections as the work progressed, therefore, the Building Commissioner did not have an opportunity to discover the error; four job superintendents have worked on the project and the Building Commissioner's Office and the City Manager's Office have been supportive of efforts to resolve issues.

With regard to Patrick Henry High School construction/renovation, Ms. Cregger reported that the contractor and the architect discovered an error in the specifications for fire proofing which will be addressed through a pending change order.

The Chair advised that whenever incidents of this nature occur, the School Board is even more vigilant when looking at the next project.

The City Manager advised that a "Clerk of the Works" is assigned to large City projects because the contractor/architect should not also be responsible for inspections. She explained that a third party contractor or employee is present for onsite reviews which is key to major construction projects.

An observation was made that the Roanoke Academy of Mathematics and Science is the first new school to be constructed in the City of Roanoke in approximately 25 - 30 years and with completion of Patrick Henry and William Fleming High Schools in the next decade, the three schools should be showcased and publicized as much as possible.

Safety Task Force Recommendations:

- Recommendations are continuing to be implemented which have served as a model of intentional input in a methodological way, resulting in certain changes in some of the schools. It is hoped that a model can be replicated in the schools when various issues demand a level of attention.

- Conflict remediation training for students has been implemented across the board in elementary schools and it is hoped to implement conflict mediation training for parents as well.

- A number of hard pieces have been implemented, such as cameras in the schools, enhanced training and de-escalation training is almost complete; 80 teachers have participated in de-escalation training, who, in turn, visit other schools as a team to train staffs.

- The Acting Superintendent of Schools serves as point person for recommendations of the School Safety Task Force.

- Youth courts have been established and are successful as a new pilot program; the William Fleming Youth Court will start during this semester; the Patrick Henry Youth Court started last year; the Youth Court is effective because it gives students the responsibility of accountability and is congruent with the mediation process.

- Middle Schools have established peer remediation programs.

Council Member Lea entered the meeting.

- Two new alternative education programs have been established; i.e., New Start, which addresses students in the third and fourth grades who are experiencing difficulty in terms of attentiveness, are not academically successful, and have behavior problems, students have the benefit of one on one instruction, and five students participate in the Morningside Elementary School program and eight to nine students participate in the program at Hurt Park Elementary School. As the program continues, Adolescent Uplift will be offered at the middle school level and will provide a ripple effect in terms of students attending the Noel Taylor program. The Noel Taylor Alternative Education Program has approximately 200 students who attend school from 7:30 a.m. to 6:00 p.m.; with a dual program year, some students arrive at 2:30 p.m., and they are taught by an adjunct staff from Patrick Henry and William High Schools. Teaching staff work with those students who otherwise might become drop outs or those who have experienced difficulty in a larger school setting. Blue Ridge Technical Academy is doing well.

- The Chair volunteered to provide Council with a one page summary listing all alternative education programs, with a brief description, including the Governor's School and CITY School, etc.

- The terminology "alternative education" may be changed to "adjunct education program," or some other terminology because "alternative education" implies behavioral problems which is not totally true with today's students who are involved in other situation such as jobs that require modified schedules, etc.

- In addition to safety issues, there is a need to focus on instruction; some schools have not made AYP and some schools are not accredited, therefore, it will take a community effort in conjunction with Central Council PTA Executive staff to involve the entire community, and a detailed presentation will be made at an upcoming School Board meeting.

- Bench mark testing is done to analyze accomplishments of students in terms of objectives that need to be met at the end of the school year when they take the Standards of Learning test, which provides a diagnostic prescriptive testing of learning in order to focus on individual student needs.

- Central Council PTA no longer represents all of the schools, some schools are represented by a body that acts on behalf of all students. Central Council PTA will host an annual event including a model night in which they will invite all principals, PTA representatives, and parent representatives from those schools where there is no PTA to address such basic activities as feeding the child a good breakfast, the disadvantage of engaging in family conflicts on the night before a test, the importance of getting to school on time, etc. The Executive staff will present information on the importance of testing and it is hoped that the initiative will become an annual event and that an assessment night will be held in each school in the division.

- Some of the schools that do not have Parent Teacher Associations have strong parental involvement, each school is defined by a different school culture and those schools that do not have a viable PTA are some of the same schools that have a strong school based leadership team composed of parents who serve on a committee and make decisions; and school based leadership teams are composed of students, parents, teachers and the PTA President if the school has an active PTA.

- Research continues to be done by executive staff with regard to the extended school day. When looking at the School schedule, there are enough minutes in the School day, but the question centers around how those minutes are used. Transportation is being reviewed in terms of how much time is used to transport students, i.e.: the feasibility of elementary school, middle school and high school students reporting to school at different times throughout the school day.

School Uniforms:

- There is an ongoing review of school uniforms as well as a school dress code; dress codes vary widely from school to school, a committee will review revamping the dress code, while allowing some flexibility between the uniforms; the committee will review a policy that would allow the individual schools to adopt a uniform with approval by 70 per cent of the parents; the policy would State how uniforms would be adopted at each individual school; it might be easier to initiate the pilot program at the elementary school level with the goal of bench marking those schools against other schools to determine what type of influence a uniform has on school safety, etc.

- If it can be determined that a school uniform helps education, safety, social environment, etc., the School Board has a responsibility to pursue the issue; it is hoped to have at least two pilot schools and a minimum requirement of time for the uniform program to be in place in order to attain numbers for bench marking purposes.

During a discussion it was noted that the Cities of Lynchburg and Norfolk have implemented school uniforms and question was raised as to whether data from those localities have been reviewed for bench marking purposes. It was pointed out that there is not a lot of available data, however, data from the City of Norfolk has been reviewed by the committee.

The Mayor advised that it would appear that school uniforms may have deeper impacts in certain areas that may not be quantified, i.e.: those children who do not have a variety of clothing as opposed to those who may not wear the same outfit for the next 15 days, which creates a social disparity among children that could lead to life long scars. He stated that if requiring a uniform could add some equilibrium to that kind of situation, while it does not solve a safety problem or an academic problem, it begins to modify a social stigma that is hard to measure or to quantify; therefore, a school uniform may have certain positive ramifications beyond that which can be measured.

The Assistant City Attorney was requested to comment on the threshold percentage for approval by parents of school uniforms, whereupon, he advised that the ranges are between 70 - 75 per cent which seems to be the norm in most localities; there is an opt in and an opt out requirement to give parents flexibility; and according to State law, public funds cannot be used to purchase uniforms, therefore, often times criteria is established through the Education Foundation to pay for uniforms for those children who receive free or reduced lunches.

Public/Private Education Act (PPEA):

- Council addressed the PPEA approximately one year ago which provides a way to place private funding and private risks to public projects. The School Board was provided with information on the Act in order to understand the guidelines established by Council and Council will be provided with guidelines to be established by the School Board.

Mr. Spencer advised that draft guidelines were modeled after the same guidelines that were adopted by Council and will be considered by the School Board at its March meeting. He referred to major changes at the State level with regard to what constitutes public purpose so that the PPEA can be used for more than just education, and internal guidelines will be developed on how to move various issues through the organization.

The City Manager offered the assistance of the City's Engineering staff to the School Board.

Roanoke City School Board Education Foundation:

- An overview of the Public School Foundation was provided, in addition to a compilation from the National School Board Association Library on websites where more information may be accessed, mission Statements from various currently operating Education Foundations, a list of the Board of Directors, By-laws and Articles of Incorporation that were approved by the School Board; and a list of Foundation programs funded by the City of Asheville, North Carolina.

- The purpose of the Education Foundation is not to provide basic school funding, but to provide for enhancements, scholarships, or those kinds of expenditures that will enhance student achievement.

- Education Foundations, which are being established all across the country, can provide creative ways to support the school division, and the City of Roanoke is positioning itself to provide an even better climate of learning for Roanoke's students to achieve within the framework of the Foundation.

There being no further business, at 10:40 a.m., the Mayor declared the Council meeting in recess.

The Chair declared the School Board meeting adjourned.

ITEMS LISTED ON THE 2:00 P.M., COUNCIL DOCKET REQUIRING DISCUSSION/CLARIFICATION, AND ADDITIONS/DELETIONS TO 2:00 P.M., AGENDA: NONE.

TOPICS FOR DISCUSSION BY THE MAYOR AND MEMBERS OF COUNCIL: NONE.

COMMITTEES-CITY COUNCIL: A communication from Mayor C. Nelson Harris 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, was before the body.

Council Member McDaniel moved that Council concur in the request of the Mayor to convene in Closed Meeting as above described. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

CITY COUNCIL: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for a public purpose where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

Vice-Mayor Fitzpatrick moved that Council concur in the request of the City Manager to convene in Closed Meeting as above described. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

CITY COUNCIL: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for a public purpose where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

Council Member Cutler moved that Council concur in the request of the City Manager to convene in Closed Meeting as above described. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

CITY COUNCIL: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for a public purpose where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

Vice-Mayor Fitzpatrick moved that Council concur in the request of the City Manager to convene in Closed Meeting as above described. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

BRIEFINGS:

- Storm Water Update:

SEWERS AND STORM DRAINS: The City Engineer advised that approximately one month ago, Council was presented with copy of the Storm Drain CIP needs as prepared by the consultant, AMEC, who has continued to work on what a storm water utility could mean to the City of Roanoke in terms of fees, potential revenue, and how to retire some of the City's CIP needs. He introduced Doug Mosley and Elizabeth Treadway, representing AMEC, to continue the Council briefing.

Mr. Mosley reviewed the scope of the study which includes the program phase that will determine the level and extent of storm water management service based upon community needs and Capital Improvement Programming; and data development and analysis which will evaluate data needed to determine an equitable allocation of the cost of service. He noted that the study is designed to help the City reach a decision point concerning implementation of a storm water utility fee.

He advised that:

- Level and extent of service program objectives include: meet community service needs and expectations, address aging infrastructure (CIP backlog and maintenance), enhance flood plain management and flood mitigation capabilities and riparian habitat protection and restoration.

Key Areas of Program Needs

Reinvestment in the infrastructure

Total program costs:	$695,000.00 annually
CIP needs:	$57 million
Maintenance and operations needs:	$1 million/annually

Build capacity to maintain infrastructure

Increase capital spending:	$ 3 - 5 million annually

Ensure compliance with regulatory mandates

Address water quality needs through CIP

- Specific program preliminary recommendations include:

  Engineering Services; i.e.: target floodplain management- enhance CRS Program and maintain GIS data sets - keep system inventory current

  Capital Construction; i.e.: address flooding - increase reinvestment program to eliminate backlog over the next 15 years and increase current system capacity through remedial maintenance

  Operations and Maintenance; i.e.: enhance maintenance capabilities - add one four-person crew; and ensure effective performance by completing the inventory of storm sewer system and identifying current easements

  General Administration; i.e.: educate the public - provide customer assistance resources.

- Preliminary Reinvestment Strategy:

  Engineering services:

  $75,000.00 in year one (mapping and GIS support)
  $97,000.00 in subsequent years to support CRS program and GIS

Capital construction:

$3,200,000.00 in year one
$4,000,000.00 to $5,800,000.00 in subsequent years

Operations and Maintenance:

$1,000,000.00 annually

General Administration:

$103,000.00 annually for customer assistance and education

Utility costs annually (billing system) - $75,000.00

- Charts were reviewed explaining billing unit determination methodology - equivalent residential unit (ERU)

- Solid Waste Utility Fee Schedules from Norfolk, Virginia Beach, Portsmouth, Newport News, Hampton, Chesapeake and Prince William County were reviewed.

Council Member Cutler advised that he had numerous questions, however, in the interest of time, he would submit his questions to the consultants, with a copy of the response to Council.

Questions/comments by Council:

- A considerable amount of the City's flood water originates in Roanoke County, the City of Roanoke is surrounded by Roanoke County and the topography is down hill from the County through the City to the river, and anything the County does by way of development will exacerbate flood storm water runoff in the City. This should be closely coordinated with or tied into the study.

- The By-laws and Articles of Incorporation of the Western Virginia Water Authority provide for assuming responsibility for storm water management for both the City and the County at some future time, as well as the addition of other units of government. Other issues were mentioned such as low impact development, protection of water quality, potential day lighting of streams and rain gardens, and new technology that improves the environment while addressing storm water run off through easement inventory.

- The Western Virginia Water Authority has adopted a policy for the extension of utility lines and the Water Authority is encouraged to work with the Roanoke Valley Greenway Commission to obtain surface right-of-way for public access at the same time utility lines are extended, and the same should be true with respect to storm water easements, particularly closed pipe systems, with the surface to be opened to the public if possible.

- A clarification was requested as to what extent a storm water utility fee is required as apposed to optional. The City Engineer advised that the City can meet all requirements under the NPDES program with current funding allocations for water quality, therefore, a storm water utility is not required in order to meet those obligations. However, he stated that the City has a much larger need for capital projects for which no dedicated funding mechanism has been identified, and the list continues to grow each year.

- Percentage-wise, what can the current system handle? The City Engineer advised that it would be difficult to venture a guess on the percentage, however, it should be noted that the City of Roanoke is an older community, much of its infrastructure is in need of repair and a substantial need is not being addressed.

- Is the current requirement for water runoff a local or State requirement? The City Engineer responded that minimum standards are established by the State, and current requirements of the City provide that post development runoff cannot exceed pre development runoff from both the ten year storm and the two year storm in the City of Roanoke, and minimum State standards apply to the two year storm.

- If the list of CIP storm drainage projects is implemented, how would storm water runoff be impacted? The City Engineer responded that it would provide infrastructure as economic development occurs in the City; and the largest impact would be seen in development credits for those who go above and beyond minimum standards.

- Are there more regional solutions that CIP funds could be used for that would lessen the need for drainage? The City Engineer advised that staff reviewed the 1996 Valley Wide Storm Water Management Study, and of the $57 million list, $17 million of the projects identified in the study are located just within the boundaries of the City of Roanoke; and companion projects in Roanoke County, Botetourt County and Floyd County could be implemented if the storm water utility tax is approved.

- Would it make sense to bond rather than pay as you go? The City Manager responded that the City could bond, but she would be hesitant to recommend any type of fee that creates funds that the City cannot spend within a given time because the community's expectation, when a project is placed in the capital improvement budget, is to see the results of the project within the year; and quite often the project is not completed that quickly due to design, engineering and sometimes land acquisition issues. The City has started to break some projects into smaller pieces with the intent that in the first year X amount of dollars will be needed because X amount of the project will be completed. With a storm water utility fee, the community will expect fast results, and the start up year would involve a significantly smaller amount of money with the idea of spending funds to design the projects. There have been discussions with regard to how to spread the projects around the community so that more people would have the opportunity to see the impact of this type of fee, however, the real issue is whether the City has the necessary staff resources, both to oversee the design of projects followed by construction. Roanoke County has been invited to participate in the study, but has not indicated a willingness to be partners in the effort to move forward. The opportunity to enhance the value and the resale of homes in the City of Roanoke is impacted by whether or not the City addresses flooding that is occurring in many of its neighborhoods.

- A storm water management/storm water utility fee should be addressed at meetings of elected officials of the Roanoke Valley.

Lick Run Greenway:

GREENWAYS: The City Manager advised that an item is included on the formal Council agenda at 2:00 p.m., in regard to a negotiated Memorandum of Understanding that would establish a cooperative effort between the Virginia Department of Transportation and the City of Roanoke for the temporary use of non-limited access rights-of-way along I-581 between the Orange Avenue interchange and Walker Avenue on the west side of I-581. The City Manger further advised that the Agreement is for the temporary placement of a portion of the Lick Run Greenway on the VDOT non-limited access rights-of-way pending future roadway corridor modifications; the Memorandum of Understanding requires Council to request VDOT's permission to temporarily place a portion of the greenway on VDOT's non-limited access I-581 rights-of-way; and Council will be requested to agree to have the City of Roanoke apply all costs associated with removing the greenway at such time as future roadway corridor modifications necessitate its removal, if and when removal is requested by VDOT.

L. Donnie Underwood, Parks Planner, advised that a greenway serves as a habitat that may include many different types of geography, such as wet lands, rivers, plants, forests and fields; it is an area in the landscape along which water, animals, plants and people move; it is an area whose filtration prevents the passage of some things, but allows the passage of others; it is a resource within an urban climate that provides an unique edge of open space to adjacent communities; and properly defined and managed greenways can help wildlife overcome the effects of fragmentation by increasing the effective size of protected areas, creating access to different habitats and connecting wildlife populations.

He presented photographs of projects that have been completed such as Roanoke River/Wasena Park; Lick Run Phase I which began at Valley View Mall across I-581, down to Andrews Road that will go to bid in March-April and connect a portion of the greenway through Brown-Robertson Park and Washington Park, wrap around the Holiday Inn and end up at The Hotel Roanoke.

Mr. Underwood advised that an agreement has been reached with VDOT to allow the City to use the rights-of-way for the greenway on a temporary basis and if I-581 is widened, VDOT will work with the City to relocate the greenway within the I-581 right-of-way. He stated that at the location of the Holiday Inn, a significant bench cut/retaining wall system will be installed.

He presented slides containing examples of landscaping/architecture proposed for Walker Avenue in order to make the area more compatible with the Civic Center to The Hotel Roanoke, because it is believed that this will be the most used section of greenway in the City of Roanoke.

He reviewed the following costs:

Estimated Cost:	$ 1,368,438.00
Funding Sources:	
• General Fund	4,430.00
• Land Sale	125,110.00
• T-21 Grant	875,000.00
Transportation Funds	75,000.00*(10th St.)
• TEA Enhancements 2004	33,000.00 (2nd St.)
• CDBG Funding for Gainsboro	127,000.00
• Total Budget	$ 1,239,540.00

- Photographs were presented of floodway design, timber amenities, markings, pull-outs, timber gating, native landscape, signage, and greenway map/kiosks, way finding downtown, and interpreted signage in Brown-Robertson Park and Washington Park to address the historic significance.

(See copy of power point on file in the City Clerk's Office.)

Gateway to the Civic Center:

ROANOKE CIVIC CENTER: The City Manager advised that Walker Avenue at the rear entrance to the Roanoke Civic Center has been of concern for some time as it relates to improvements to the back area through the Lick Run Greenway. She called upon staff for a presentation on proposed initial improvements to the rear entrance to the Civic Center, with the intent of adding certain other enhancements over time.

Brenda D. Landes, representing the City Engineer's Office, advised that:

- Council is requested to consider a project that would create an upgraded pedestrian connection between the Lick Run Greenway and the Civic Center at Walker Avenue.

- The existing pedestrian right-of-way is a dark and somewhat foreboding route and most people do not think of the area as a connection to the Civic Center because there are no amenities that would draw a pedestrian to the area.

- A multi phased project is proposed to create a more attractive, safe and inviting pedestrian way, with the first phase to include areas that would increase safety and awareness.

- Phase I would attempt to draw pedestrians to the area by increasing the quality and quantity of lighting; extend the sidewalk into one lane of the road; currently, the road is four lanes wide, but there is no need, traffic-wise, to have more than two lanes, although to accommodate emergency access is advisable to provide three lanes; and remove one of the existing pedestrian bridges and replace it with a bridge that is visually accessible and can be seen from Second Street, with an obvious pedestrian connection.

- Close off the ledge above the slope protection.

- Other potential enhancements include: decorative columns with bright colors through possibly a contest involving local artists and schools, etc., possibly covering the columns with mosaic tiles, etc., based on input by VDOT since the columns would have to be tested every two years, and commission a piece of art work or some type of active events board with landscaping.

- Other phases would serve to more directly connect the Lick Run Greenway and the Walker Avenue area with a more whimsical theme, such as installation of gateway signage at the entrance to Walker Avenue, sidewalk upgrade by installing color stamped

concrete to coordinate with that part of the greenway, substantially upgrade landscaping by installing a dry creek bed with stone walls and a boulder scope, install a wooden pedestrian bridge that would be a part of the Lick Run Greenway, while tying back into the connector piece that goes over the dry creek bed and remove the remaining pedestrian bridge.

The City Manager pointed out that as staff looked at the rear entrance to the Civic Center, Phase II improvements have been designed to allow entrance to the Civic Center from the rear without having to walk around the building. She stated that this is an area that needs special attention as expansion of the Civic Center occurs, and in an effort to encourage the movement of people between the Civic Center and the downtown area and to capture the opportunity for patrons to use downtown parking as much as possible for events and activities at the Civic Center; and a lighted greenway will cause the area to be used in a way that it has not been used to this point.

Questions/comments by Council:

- A formal stone wall surrounds Lick Run and standard lighting similar to lighting currently installed on Wells Avenue should be used.

- Signage should be placed on the side of the bridge so that there is less obstruction and any lights should be installed on the bridge proper, thereby making the bridge the grand entrance.

- The City's new branding logo could be placed on the wall with the event board which would create a source of pride.

- The section between Walker Avenue and Wells Avenue to The Hotel Roanoke will be the one lighted portion of the greenway which ties in with historic Gainsboro and the light poles that are currently in place.

- There are obvious benefits to respective staffs of the Engineering and Parks and Recreation Departments working together and it is hoped that the relationship will continue.

- Lick Run should be returned to a live stream with vegetation, and support was expressed for the day lighting of converted streams and returning streams to their natural condition whenever practical.

- There should be a way to embrace the Gainsboro community by identifying certain historic structures that previously existed.

Based upon comments by Council Members, the City Manager advised that it would appear that Council supports the current direction by staff. She stated that the project will be completed in phases, with completion of the first phase to complement the schedule for Civic Center Phase II Improvements.

At 12:00 p.m., the Council met in a joint session with the Architectural Review Board, Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor C. Nelson Harris and Chairman Robert N. Richert, Chair, Architectural Review Board, presiding.

ROANOKE CITY COUNCIL MEMBERS PRESENT: M. Rupert Cutler, Beverly T. Fitzpatrick, Jr., Sherman P. Lea, Brenda L. McDaniel, Brian J. Wishneff and Mayor C. Nelson Harris----------6.

ABSENT: Council Member Alfred T. Dowe, Jr. ----------1.

ARCHITECTURAL REVIEW BOARD MEMBERS PRESENT: Alison S. Blanton, Barbara A. Botkin, Robert B. Manetta, James Schlueter, Jon J. Stephenson and Chairman Robert N. Richert----------6.

ABSENT: Board Member Donald C. Harwood----------1.

OTHERS PRESENT: Darlene L. Burcham, City Manager, William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; Mary F. Parker, City Clerk; and R. Brian Townsend, Director, Planning, Building and Development; Anne Beckett, Agent; and Martha P. Franklin, Secretary, Architectural Review Board.

The meeting was opened with a prayer by Council Member Lea.

ARCHITECTURAL REVIEW BOARD-ANNUAL REPORTS: Following lunch, the Mayor welcomed members of the Architectural Review Board and staff to the meeting, and called on the Chair for presentation of the 2004 Annual Report of the Architectural Review Board.

Chairman Richert stated that one-half of the Certificates of Appropriateness that were issued were processed administratively by City staff and approved without consultation; and he was encouraged by infill development that had taken place on several vacant lots in the old southwest neighborhood with regard to the H-2, Historic District. He referenced several trends not reflected in the Annual Report, such as an increased number of applications in the H-2 districts in the Gainsboro, West End, Mountain View and Patterson Avenue neighborhoods. He indicated that property owners in those neighborhoods were not familiar with the historic district guidelines; therefore, the Board and City staff must raise their level of awareness.

Anne Beckett, Agent to the Board, advised that information provided by the Office of Real Estate Valuation indicated that between 2001 and 2005, property values in Old Southwest had increased 46% as compared to 32% in the Raleigh Court, Grandin Court and Wasena neighborhoods.

The Chair highlighted the following areas of concern:

Protection of infrastructure in the H-1 and H-2 historic districts, i.e.: streets, alleyways, etc.

The need for legislative action with regard to roofing and siding issues requiring building permits; and

It is imperative that inner-City and historic neighborhood property owners be protected, especially the residential neighborhoods on Marshall, Day and Elm Avenues.

COMMENTS BY COUNCIL/ARCHITECTURAL REVIEW BOARD MEMBERS:

Mayor Harris inquired about the rate of home ownership in historic districts and whether the rate had increased; whereupon, it was noted that the rate was about 52%. He requested that information pertaining to home ownership in historic districts be provided to the Members of Council.

The City Manager Stated that the City's Tax Abatement Program has been part of the trend in the Old Southwest community, and City staff has revised the program to further improve its use on a City-wide basis. She further stated that an additional tax credit of five years is given to a property owner if the property is converted to a lower density.

Mayor Harris inquired about the status of legislative updates; whereupon, the City Attorney responded that legislation authorizing localities to require building permits for installation of replacement siding, roofing and windows in buildings within historic districts was drafted, but because the City did not have a sponsor, the bill was not considered by the General Assembly. Due to the importance of the legislation, Mayor Harris suggested that he and Mr. Richert schedule a meeting with the City's representatives to the General Assembly to discuss the issue.

The City Manager suggested that surrounding localities that share an interest on similar issues should be contacted to lend their support and lobbying assistance.

In response to increasing public awareness with regard to property in the historic districts, Mr. Richert advised that City staff has initiated the following:

Annual notification to all property owners in historic districts that their property is located in a historic district;

Notification from the Department of Real Estate Valuation to property owners who have purchased property in historic districts advising of the guidelines applicable to property included in a historic district; and

Notification to all contractors in the Roanoke Valley of the requirements for a Certificate of Appropriateness for improvements to property in a historic district.

Council Member Cutler expressed appreciation to the Architectural Review Board for its efforts and noted that the increase in property values in old southwest is something that the public should be aware of. He inquired if the Board had viewed the C2C housing projects on display at the Art Museum and if any of the designs would be appropriate in old southwest. Mr. Richert responded that he had viewed the designs, Members of the Board believe that several of the designs have potential, especially on a vacant lot on Day Avenue, S. W.; and the biggest challenge for the Board is the blend that affects the streetscape within a historic district.

Vice-Mayor Fitzpatrick expressed appreciation to the Board for its dedication and commended Old Southwest on its grace and ability to continue to push ahead. He also suggested that a press release be issued with regard to home ownership and information concerning the progress in Old Southwest.

With regard to certain concerns in connection with the proposed zoning ordinance, Mr. Richert advised that every parcel of land in the City of Roanoke will be rezoned under the new zoning ordinance. He further advised that most of the residential property in Old Southwest was zoned RM-2, Residential Multifamily, Medium Density District, and Old Southwest is promoting conversion of multi-family structures to single family homes. He stated that Old Southwest, Inc., has proposed that most of the old southwest neighborhood be zoned single-family in order to prevent conversions to multi-family structures.

The City Manager advised that the proposed new zoning ordinance will implement new overlay districts and contain legal restrictions with regard to zoning exclusively to one category. Mr. Townsend indicated that the proposed zoning ordinance will change how nonconformities are regulated.

Council Member Wishneff questioned the process for adding areas to the historic district; whereupon, Mr. Townsend advised that national and State designation is initiated by the property owner and local designation is approved by the Board or City Council. Chairman Richert added that there are parcels of land in the City of Roanoke that have a historic overlay, but are not included on State or national historic registers.

Council Member Wishneff inquired about a historic designation for tax purposes and whether it applied to home ownership; whereupon, Ms. Beckett Stated that very few applications were submitted by homeowners and the tax credits apply primarily to larger projects. Council Member Wishneff suggested that the public be aware that City staff is available to assist with completion of applications.

There being no further business to come before the Council and the Architectural Review Board, at 1:10 p.m., the Mayor declared the Council meeting in recess.

The Chair declared the meeting of the Architectural Review Board adjourned.

The Council meeting reconvened at 1:15 p.m., in Room 159, Noel C. Taylor Municipal Building, for a continuation of Council briefings, with all Members of Council in attendance, except Council Member Dowe, Mayor Harris presiding.

Fire-EMS Station No. 1:

James Grigsby, Chief, Fire/EMS, Stated that the briefing is a followup to questions and concerns raised by Council at the briefing which was held on Monday, January 3, 2005.

He advised that:

- The current Capital Improvements budget is $5,041,840.00.
- The Council presentation on January 3, 2005, identified minimum estimated additional resources of $301,740.00 (site construction and additional circulation in building due to site constraints)
- Desired "add backs" include:

Underground Electric Service	$	20,000.00
Additional Fire Pole (2 total)	$	18,000.00
Upgrade Exterior Finish (Add Precast)	$	115,000.00
Roof Re-Design	$	35,000.00
	$	188,000.00
Items to be bid as alternates:		
Fire Excursion Bay/Storage	$	280,000.00
Additional Stair Flight between 2nd and 3rd floors	$	108,000.00
	$	388,000.00

- Minimum additional resources:

$371,740.00 + $188,000.00 = $489,740.00

Independent cost estimates exceed this amount by $503,500.00

- Funding Available from EMS Fee Revenue:

EMS Fee revenues can support over three years
Borrow from Flood Reduction Program and repay over three years

- Building designs identified as Options 1, 2 and 3 were reviewed.

- Staff prefers Option No. 3 because of the aesthetic appeal of a full gable roof.

Discussion/comments by Council:

The design will result in the closing of Fire Stations 1 and 3; therefore, Council Member Wishneff advised that he could not support the closing of Station No. 1 on Church Avenue because it is the oldest continuous operating fire station in the country.

The Mayor advised that the information provided by staff is responsive to the questions previously raised by Council. He concurred in the recommendation by staff with regard to Option No. 3 which is, aesthetically, the best. He added that the station will bring three elements together; i.e.: Station No. 3, Station No. 1 and the fire administration, and as Council and staff continue to move forward, there is a need for a certain level of sensitivity to old Fire Station No. 1. He stated a preference that Station No. 1 remain a City owned and operated facility, but he would not look with favor upon converting the building into a museum. He advised that he had previously inquired of the City Manager if old Fire Station No. 1 could be used in keeping with a public safety operation.

The City Manager advised that it has been suggested that the consultant engaged to study the City Market area will also look at Fire Station No. 1 as a part of the study to help identify the best use of the building in keeping with its historic significance, but not necessarily converting the building into a museum.

The Mayor advised that when the fire administration moved into The Jefferson Center, it was intended to be a temporary location and it was the City's way of providing funds to The Jefferson Center project; Fire Station No. 3 is in a deteriorated condition and is ill located, etc., therefore, providing a permanent residence for fire administration, closing Fire Station No. 3, bringing the elements of downtown and Old Southwest fire protection under one roof is the right thing to do, but there is a sensitivity to the future use of old Fire Station No. 1. He reiterated his previous remarks regarding the use of old Fire Station No. 1 for a public safety function.

The Mayor advised that he supports additions to the budget for Fire Station No. 3 which is responsive to the request of Council.

Council Member Cutler concurred in the remarks of the Mayor with regard to the future use of Fire Station No. 1. He spoke in support of Option No. 3 for Fire Station No. 3, and inquired about landscaping and at what point the Roanoke Arts Commission would be involved with regard to art acquisition for Station No. 3.

The City Manager advised that it was her understanding that the Roanoke Arts Commission does not wish to address specific recommendations or pieces of art until the Arts Master Plan is completed; the Arts Commission is aware of the project and if the Arts Commission would like to make recommendations for any of the buildings that are under design or construction, they may do so. She stated that the only other decision that the Council has made regarding the Arts Master Plan is an agreement to purchase the Best of Show each year from the Annual Art Show, with funds to be taken from the Percent for the Arts Program.

Chief Grigsby advised that with approval by the artist, it is proposed to move the fire fighters memorial from its current location at the entrance to the Virginia Museum of Transportation to Fire Station No. 3 to serve as an anchor art piece.

The Mayor left the meeting and the Vice-Mayor presided over the remainder of the work session.

Vice-Mayor Fitzpatrick advised that all options for Fire Station No. 1 should be explored, and some persons would prefer that Fire Station No. 1 become a fire and rescue museum since Roanoke was the first location to have a volunteer rescue squad. He stated that he would also prefer to retain the building as a City property, but all options should be explored because Roanoke is beginning to gain a reputation as a transportation mecca in terms of museums.

The Vice-Mayor noted that there appears to be a consensus of the Council to approve Option No. 3 for Fire Station No. 3.

Prior to her coming to Roanoke, the City Manager advised that a former Mayor had announced that not only would the City give old Fire Station No. 1 to the Julian Stanley Wise Museum, but the City would donate $1 million for that purpose; however, she was advised by the Council that the Council had not participated in the decision, nor was the City Manager to consider such to be the direction by the Council to the City Manager.

Roanoke River Right-of-Way Proposed Riparian Corridor Overlay District:

Steven C. Buschor, Director, Parks and Recreation, presented information about the potential of developing a Riparian Corridor Overlay District in the City of Roanoke and the benefits associated with the District. He advised that:

- Internal benefits would allow the City to provide active/passive recreation opportunities, aesthetic and scenic views, environmental/ecological values which would preserve open space, maintain tree canopy, preserve water quality and habitat, serve as flood retention, and minimize erosion.

- External benefits would link neighborhoods to schools, retail and shopping areas and other parks; and serve as a buffer between land uses, and increased property valuation "Proximate Principle"

- "Proximate Principle" is defined as follows: In the green strip along the riparian corridor, it has been determined that property associated within 500 feet of a green space will increase in value and one of the benefits is called the "Proximate Principle." The "Proximate Principle" uses an economic method that talks about how natural resources and application of natural resources impact associated property values; secondary benefits occur as the Corridor is developed and there is an opportunity for future economic development growth. The third component of the concept of "Proximate Principle" involves the willingness of persons to pay for higher valued property next to the green infrastructure which increases property values and assessment and ultimately increases property taxes.

- An example of the "Proximate Principle" is: If the City invests $90,000.00 per year to service construction or renovation of a park, values of properties proximate to the park increase, annual property taxes paid by proximate principles incrementally increase, and the City is fully reimbursed its $90,000.00 annual financial investment by the incremental increases which continues to cycle as properties are acquired.

- A graph was presented demonstrating the principle in linear fashion which shows that the closer the park is located to residential sections of property, the higher the appraisal value.

- The following is a short list of localities/organizations that have endorsed the "Proximate Principle:"

- The National Recreation and Parks Association
- Dr. John R. Compton, Texas A&M University
- Frederick Law Olmstead
- The Conservation Fund
- Boston Park Commission
- New York Department of Natural Resources
- Kansas City Missouri
- District of Columbia
- Teton County, Wyoming
- City of Fort Worth, Texas
- City of Bellevue, Washington
- American Planning Association
- Trust for Public Lands

- Photographs were shown of unusual development along river corridors throughout the country, such as in Providence, Rhode Island, Reno, Nevada, Kansas City, Missouri, and Asheville, North Carolina.

- Photographs were shown with regard to the impacts to existing river corridors and on proximate values.

Mr. Buschor requested that Council support an effort to secure easements, rights-of-way, and the acquisition of land necessary to establish a "Riparian Corridor Overlay District" for the City of Roanoke.

R. Brian Townsend, Director, Planning Building and Development, advised that acquisition of easements and rights-of-way is different than regulating the use of property. He stated that the new zoning ordinance will include a River and Creek Overlay District for all contributories to the Roanoke River and clarified that the zoning ordinance does not acquire land, but restructures how land can be used; therefore, the zoning ordinance should not be perceived as a means of taking use of property.

The City Manager suggested that City staff provide Council with a list of currently owned City property, acquired easements and rights-of-way, following which Council could make a decision with regard to establishment of a program for acquiring property and creation of a Riparian Corridor Overlay District.

Dr. Cutler advised that he would favor City owned land along the Roanoke River to be designated as park land.

The Vice-Mayor advised that the consensus of Council is that the Riparian Corridor Overlay District concept should continue to be explored by City staff and that staff provide additional information with regard to what needs to be done based on the City's land, while taking into consideration the Comprehensive Plan and issues regarding zoning, etc.

Mr. Buschor advised that City staff will present a Council briefing with regard to those parcels of land that are currently owned by the City and those that should be pursued in connection with establishment of a Riparian Corridor Overlay District.

So that all processes will be together, the City Manager suggested that information also be included in connection with the proposed River and Creek Overlay District in the new zoning ordinance, in order for Council to see how the 50 foot requirement would affect City owned property, irrespective of easements, etc.

At 1:55 p.m., the Vice-Mayor declared the Council meeting in recess until 2:00 p.m., in the Council Chamber, 215 Church Avenue, S. W., City of Roanoke, Virginia.

The regular meeting of Roanoke City Council reconvened at 2:00 p.m., on Monday, February 7, 2005, in the Roanoke City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with the following Council Members in attendance, with Mayor C. Nelson Harris presiding.

PRESENT: Council Members M. Rupert Cutler, Beverly T. Fitzpatrick, Jr., Sherman P. Lea, Brenda L. McDaniel, Brian J. Wishneff, and Mayor C. Nelson Harris ----------6.

ABSENT: Council Member Alfred T. Dowe, Jr. ----------1.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The invocation was delivered by Mayor Harris.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Harris.

PRESENTATIONS AND ACKNOWLEDGEMENTS:

SISTER CITIES-ACTS OF ACKNOWLEDGMENT-SCHOOLS: The Mayor welcomed and introduced middle school students from Wonju, Korea, Roanoke's Sister City. He advised that students were participating in a student exchange program through William Ruffner Middle School and students from Roanoke's middle schools will visit Wonju this summer as a part of the exchange program. He presented the following students with an Honorary Citizen Certificate:

Nam Yun Kyung
Im Jin Sol
Kim Dan Bi
Lee Je Hun
Park Ji Yoon
Jeon Sun Min
Kang Na Ye
Kim Hyung Min
Kim Sung Wook
Kim Jong Ul Rim
Ha Seung Hoon
Lee Jae Ho
Park Eui Jeong

ACTS OF ACKNOWLEDGMENT-DECEASED PERSONS: Vice-Mayor Fitzpatrick offered the following resolution expressing sympathy upon the passing of Hunter Booker Andrews, former Virginia State Senator, on January 13, 2005:

(#36949-020705) A RESOLUTION memorializing the late Hunter Booker Andrews, who served as a Senator in the Virginia State Senate for 32 years.

(For full text of Resolution, see Resolution Book No. 69, Page 251.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 36949-020705. The motion was seconded by Council Member Lea and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

The Mayor called for a moment of silence in memory of Mr. Andrews.

ACTS OF ACKNOWLEDGMENT-DECEASED PERSONS: Council Member Cutler offered the following resolution expressing sympathy upon the passing of Eunice R. Poindexter on Thursday, January 13, 2005:

(#36950-020705) A RESOLUTION memorializing the late Eunice R. Poindexter, a Roanoke native and former school teacher, church historian, and civil rights activist.

(For full text of Resolution, see Resolution Book No. 69, Page 252.)

Council Member Cutler moved the adoption of Resolution No. 36950-020705. The motion was seconded by Council Member Lea and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

The Mayor called for a moment of silence in memory of Ms. Poindexter.

ACTS OF ACKNOWLEDGMENT-DECEASED PERSONS: Vice-Mayor Fitzpatrick offered the following resolution expressing sympathy upon the passing of William Armand Sowers, on Thursday, January 20, 2005:

(#36951-020705) A RESOLUTION memorializing the late William Armand Sowers, a long-time Roanoke resident, well-known architectural engineer, and member of the Planning Commission for 16 years.

(For full text of Resolution, see Resolution Book No. 69, Page 254.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 36951-020705. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

The Mayor presented a ceremonial copy of the above referenced measure to Mrs. Sowers, and called for a moment of silence in memory of Mr. Sowers.

PROCLAMATION-LIBRARIES: The Mayor presented a proclamation to Michael W. Ramsey, President, Roanoke Public Library Foundation, declaring the month of February 2005, as Love Your Library Month.

Council Member Cutler called attention to correspondence from Assistant City Manager for Community Development, Rolanda B. Russell, advising that the Comprehensive Library Study is experiencing significant progress in identifying community needs and concerns, the focus of the study was modified to include a regional perspective and staff of Roanoke City and Roanoke County is investigating the viability of a regional library system. He advised that he participated in a field trip to Phoenix, Arizona, with the Comprehensive Library Study Committee on February 3 and 4, 2005, nine libraries were visited by the Committee where they observed great architecture, outstanding programming, particularly for younger children and teens, and library rooms that were designed by teens for teens which have proven to be successful. He assured citizens of the Roanoke Valley that the Library Study is well under way and will lead to an outstanding library system in Roanoke.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, the item would be removed from the Consent Agenda and considered separately.

MINUTES: Minutes of the regular meetings of Council held on Monday, December 6, 2004, and Monday, December 20, 2004, were before the body.

(For full text, see Minutes on file in the City Clerk's Office.)

Vice-Mayor Fitzpatrick moved that the reading of the minutes be dispensed with and that the minutes be approved as recorded. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

EASEMENTS-APPALACHIAN POWER COMPANY-ROANOKE CIVIC CENTER: A communication from the City Manager requesting that Council schedule a public hearing for Tuesday, February 22, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, in connection with conveyance of an easement across City-owned property to Appalachian Power Company at the Roanoke Civic Center facilities, was before the body.

Vice-Mayor Fitzpatrick moved that Council concur in the request of the City Manager. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

PARKS AND RECREATION-CITY PROPERTY-LEASES: A communication from the City Manager requesting that Council schedule a public hearing for Tuesday, February 22, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, in connection with lease renewal of the Alexander-Gish House, was before the body.

The City Manager advised that the original lease of the Alexander-Gish House at 641 Walnut Avenue, S. W., by the Old Southwest Neighborhood Alliance, was authorized pursuant to Ordinance No. 24929 adopted on December 10, 1979; on May 11, 1981, a lease assignment transfer to the Old Southwest Neighborhood Foundation, Incorporated, was approved by the City Manager; and Old Southwest, Inc., has resided at the location since December 10, 1979.

It was further advised that the lease expired on December 31, 2004, with no provision for an automatic renewal; Old Southwest, Inc., has requested a new lease agreement with similar terms and conditions; and the previous lease contained a five year term at an annual lease rate of $1.00.

The City Manager recommended that Council authorize the City Clerk to advertise a public hearing on the above referenced lease for Monday, March 21, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard.

Vice-Mayor Fitzpatrick moved that Council concur in the request of the City Manager. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

BUDGET: A communication from the City Manager recommending that Council adopt the following Calendar of Events for Budget Preparation Activities for fiscal year 2005-2006, was before Council.

April 11-15, 2005	City Manager briefs City Council on Recommended budget.
April 14, 2005	Recommended budget document delivered to City Council members.
April 18, 2005	Recommended budget presented to City Council at regularly scheduled meeting; meeting continued to April 28.
April 19, 2005	Advertisements of public hearings on recommended budget and tax rates appear in newspapers.

Note:
State Code requires the advertisement of the real property tax rate for the fiscal year.

April 28, 2005	Public hearings on recommended budget and tax rates at 7:00 p.m.
May 4 and 5, 2005	Budget Study - 8:30 a.m. - 5:00 p.m. (continuation of May 2 meeting).
May 10, 2005	City Council adopts General Fund, School Fund, Proprietary Fund budgets and an Update to the HUD Consolidated Plan and approves an annual appropriation ordinance at 2:00 p.m. (continuation of May 2 meeting).

Vice-Mayor Fitzpatrick moved that Council concur in the recommendation of the City Manager. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

COMMUNITY PLANNING: A communication from the City Planning Commission transmitting the 2004 Annual Report, was before Council.

Vice-Mayor Fitzpatrick moved that the Annual Report be received and filed. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

OATHS OF OFFICE-BUILDINGS/BUILDING DEPARTMENT: A communication from Bobby Lavender tendering his resignation as a member of the Board of Fire Appeals, was before Council.

Vice-Mayor Fitzpatrick moved that Council accept the resignation and receive and file the communication. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

OATHS OF OFFICE-COMMITTEES-COMMUNITY PLANNING-PERSONNEL DEPARTMENT-ROANOKE ARTS COMMISSION-COURT COMMUNITY CORRECTIONS BOARD-ARCHITECTURAL REVIEW BOARD-YOUTH-BLUE RIDGE BEHAVIORAL HEALTHCARE-ARTS COUNCIL OF THE BLUE RIDGE: The following reports of qualification were before Council:

> William H. Cleveland as a member of the Court Community Corrections Program Regional Community Criminal Justice Board, for a term ending June 30, 2007;
>
> Francine L. Craven to fill the unexpired term of F. B. Webster Day, resigned; and Mark H. Hurley to fill the unexpired term of Cheryl D. Evans, resigned, as members of the Youth Services Citizen Board, ending May 31, 2006;

Vincent G. Dabney as a member of the Blue Ridge Behavioral Healthcare Board of Directors, for a term ending December 31, 2007;

Donald C. Harwood as a member of the Architectural Review Board, for a term ending October 1, 2007;

William C. Holland as a member of the Personnel and Employment Practices Commission, for a term ending June 30, 2007;

William B. Hopkins, Jr., as a member of the Roanoke Arts Commission, for a term ending June 30, 2007; and

Robert B. Manetta as a member of the City Planning Commission, for a term ending December 31, 2008.

Vice-Mayor Fitzpatrick moved that the reports of qualification be received and filed. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS:

FIRST CITIES COALITION: Neal Barber, Executive Director, First Cities Coalition, reviewed the 2005 Legislative Agenda for the organization. He advised that overarching policies include:

1. Realign State policies and funding formulas to reduce disproportionate economic, fiscal and demographic stresses and disparities on Virginia's fiscally stressed cities;

2. The State should meet its funding responsibilities for the education of all students, for public safety, human services, transportation, and the personal property tax; and

3. The State should actively promote conditions to encourage the economic health of cities through employment, neighborhood redevelopment and revitalization of commercial areas.

Legislative Priorities:

- Support new State education funding to restore 100% of the 2004 Federal funds deduction (29.1% of funds, $45 million, were not restored, a loss of $10.7 million to Virginia First Cities. Continue progress toward fully implementing and funding the State Board of Education's SOQ update and JLARC recommendations;

- Increase funding to assist those students most likely to fail the SOL's. Funds for at-risk programs should be distributed outside the SOQ Local Composite Index based on a 4-1 matching ratio;

- Eliminate the car-tax funding gap for Spring billing localities; provide adequate funding for previous year delinquencies and required system administrative changes;

- Dedicate $5 million to the DEQ Brownfield Development Assistance Fund;

- Reauthorize the Enterprise Zone program; increase funding and expand flexibility;

- Eliminate the auxiliary grant local match for Medicaid funded elderly and disabled residents in assisted living facilities. Program recipients tend to be concentrated in core cities; and

- Support measures which raise Statewide non-general fund taxes and fees to adequately maintain and expand the transportation network, especially for maintenance and reconstruction of streets, roads and bridges, public transportation and rail improvements.

Legislative positions

Education:

Support new State education funding to:

- Restore 100% of the 2004 Federal funds deduction; 29.1% of funds ($45 million) were not restored during the 2004 session, a loss of $10.7 million to the 15 Virginia First Cities;

- Increase funding to assist those students most likely to fail the SOL's. Funding for at-risk programs should be distributed outside the SOQ Local Composite Index based on a 4-1 matching ratio;

- Continue progress toward fully implementing and funding the State Board of Education's SOQ update recommendations and the JLARC education recommendations which are not reflected in the State Board of Education update; primarily addressing dropped administrative costs, adequate teacher salaries, capital costs, and prevailing instructional positions; and

- Support adding a density factor to the composite index to more accurately reflect local ability to pay for education. With a funding add-on, this inequity could be corrected without other localities losing education funds.

Tax Restructuring:

- Oppose efforts to roll back the tax measures passed in 2004. These measures generate revenue necessary to support State and local core services;

- Eliminate the car-tax funding gap for Spring billing localities; provide adequate funding for previous year delinquencies and required system administrative changes;

- The State should continue to consider ways to restructure service responsibilities to reduce the disproportionate service costs by any locality for education, public safety, human services and infrastructure.

Transportation Priorities:

- Support measures which raise Statewide non-general fund taxes and fees to maintain and expand the transportation network; especially for street, road, bridge maintenance and reconstruction, public transportation and rail improvements;

- Increase the State share of capital and operating funds to preserve and expand public transportation;

- Support State incentives to extend public transportation service to regional employment centers;

- Continue to fund street maintenance at least at the same growth rate as VDOT maintenance, reducing funding disparities between City street maintenance and State maintained roads;

- Increase bridge repair funding; and

- Dedicate funds for intercity passenger rail, if significant new revenues are raised.

Economic Development:

- Dedicate $5 million to the DEQ Brownfield Development Assistance Fund;

- Reauthorize the Enterprise Zone program, increase funding and expand flexibility;

- Dedicate $5 million to the Derelict Structure Fund and Housing Revitalization Zone Program;

- Support legislation to permit localities to provide a partial exemption from real property taxation for real estate and associated new structures and improvements in conservation, redevelopment, or rehabilitation areas;

- When State discretionary economic development funds are used in urbanized areas, require coordination between the Secretary of Commerce and Trade, the Secretary of Transportation and the locality to coordinate workforce access transportation plans; and

- Support State funding for arts and cultural facilities within cities.

Public Safety:

- Full funding for HB 599. According to the Code of Virginia, 599 funds should increase at same rate as State revenue;

- Ensure gang activity reduction funds are directed to core cities;

- Restore Juvenile Justice funds for local detention facilities and halfway houses. Funding was cut by 50% in 2003;

- Increase Jail Per Diems; and

- Support an enhancement category in the Virginia Sentencing Guidelines to increase penalties for offences committed with firearms in the City of Richmond.

Human Services:

- Reduce the local share for localities that have a disproportionate number of children requiring CSA services;

- Increase the State share of administrative costs for the Comprehensive Services program. This helps to defray local costs of new data collection requirements and helps to make local program administration more efficient;

- Eliminate the auxiliary grant local match for Medicaid funded elderly and disabled residents in assisted living facilities. Program recipients tend to be concentrated in core cities; and

- Support increases in Medicaid eligibility levels and reimbursement rates to keep essential Medicaid services available to needy populations.

Urban Policy:

- The Administration should publish and make publicly available a report of the findings and recommendations of the Governor's Urban Policy Task Force prior to December 2004; and

- Establish an Urban Policy Commission to track an urban report card on the health of metropolitan areas and progress toward improving urban conditions as required by Code Section 2.2-206.

Council Member Wishneff advised that cultural non-State agencies were placed back in the State's budget, and inquired if such action indicates the importance of cultural agencies to the development of communities.

Mr. Barber responded that it recognizes that cultural institutions are important to the communities and the agencies have gone for several years without State funding; and secondly, funds represent one time appropriations to be used for improvements to facilities and do not represent a long term obligation by the State.

Council Member Lea referred to legislative priorities regarding Public Safety which address support of and enhancement to the Virginia Sentencing Guidelines to increase penalties for offenses committed with firearms in the City of Richmond. He inquired if other cities may participate in the guidelines because violence involving crimes where fire arms are used in senseless ways is taking place all over the country.

Mr. Barber advised that the First Cities Coalition is willing to be an advocate on behalf of all of its member cities because of the need to have safe streets and safe communities; it is necessary to address existing crime and to deal with the perception of crime; many citizens of the region often see cities as being more crime ridden than they actually are; if one looks at safety over all, rather than just crime, cities are safer than some of the suburbs, therefore, the challenge is to convey the message not only in a public sense, but in a legislative sense.

ECONOMIC DEVELOPMENT: Phillip F. Sparks, Executive Director, Roanoke Valley Economic Development Partnership, advised that:

- The Regional Partnership was founded in August 1983 by Roanoke Valley business and government leaders; and the first fix partners were Botetourt County, Roanoke County, City of Roanoke, City of Salem and the Town of Vinton;

- Craig and Franklin Counties joined the Partnership in 1990; Allegheny County and the City of Covington joined in 2004; and the Partnership is supported by approximately 240 private-sector investors;

- The Mission of the Regional Partnership is to successfully recruit new businesses to the area, while fostering expansion of the existing industrial base;

- Since 1983, there have been $928 million in announced new investment, 12,090 in announced new jobs and 89 different companies;

- Since 2000, there have been $206.7 million in announced new investment, 2,657 in announced new jobs and 22 different companies;

- The average cost per job created since 2000 is $1,580.70 (average salary for the jobs is $27,000.00;

- For every $1.00 given to the Partnership in the past five years, $49.21 in announced new investment has been created;

- For every $1.00 given in the past three years, $16.22 in new payroll has been created; and

- Notable successes include Integrity Windows & Doors, Cardinal Glass, Novozymes Biologicals, Trinity Packaging and expansions at Maple Leaf, MW Windows and Arkay.

- The Regional Partnership engages in an aggressive market program; i.e.:

  Advertising - 205 ads placed, approximately 1,000 inquiries, and reached 6.5 million readers;

  Trade shows - 47 shows, exposure estimated 92,000 companies, eight with New River Valley and Shenandoah Valley Partnership; and

  Marketing Missions include: 16 missions, 160 qualified leads, 15 suspects, three prospects, eight with New River Valley Alliance, Toronto, Philadelphia, Cleveland, Detroit, New York/New Jersey and Northern Florida, Boston, Northern California, and Pittsburgh

- Public Relations - at least 150 placement and reached approximately six million readers;

- Regionalism includes joint marketing with the New River Valley Alliance (brochure, eight marketing missions and eight trade shows) and I-81 Corridor (Shenandoah Valley Partnership); and

- The Regional Brand has taken a leadership role and a billboard is on display at the Roanoke Regional Airport.

Council Member Wishneff inquired as to what action(s) the City could take in order to receive a better share of potential economic development prospects; whereupon, Mr. Sparks advised that a goal of the Regional Partnership is to make frequent appearances before marketing managers of the Virginia Economic Development Partnership (VEDP); and eight prospects from the VEDP visited the Roanoke area in 2004 which is an outstanding record inasmuch as some regions in the State did not have any visits.

Mr. Wishneff raised questions with regard to the affect of air service to Roanoke on economic development. Mr. Sparks responded that he served on a committee that was appointed to look at economic development in depressed areas and air service represents an issue for localities outside of the Tidewater area; there are no discount air carriers in Richmond, Roanoke or Bristol, therefore, it is necessary to either drive to Dulles, Greensboro, Newport News or Norfolk for lower cost air service; and addressing discount rate air service is a State wide issue.

Council Member McDaniel inquired as to what is the one biggest obstacle to economic development for the Roanoke region. Mr. Sparks responded that the biggest obstacle is the 2.6 per cent unemployment rate because when an individual checks the unemployment rate on the web site, there is no opportunity to explain that persons commute from a 60 mile radius to Roanoke.

Vice-Mayor Fitzpatrick advised that when the Regional Partnership learns of a project, information is provided to every government that participates in the Partnership, and the governmental entity decides whether it has a parcel of land, or an existing building, etc., that might be appropriate for the prospect's need; however, in the past, it was not handled in that manner, therefore, he commended current leadership of the Regional Partnership for instituting a more equitable procedure. He stated that the future of western Virginia depends on local government and not on the Virginia Department of Economic Development and the Regional Partnership; therefore, localities must do their homework, determine what is important to make the localities competitive; one of the most difficult issues is that one-third of all persons over 25 years of age in this region do not have a high school education, or a GED diploma, which does not place the localities in the best position if a prospective business is looking to relocate; the State will not address the education problem at the adult level to the extent that it needs to be addressed; and the issue should be addressed at the local level because of the direct benefits to the region. He called attention to the importance of first impressions that will encourage representatives of prospective businesses to visit Roanoke because at that point the Roanoke Valley will sell itself as a great place to live and work.

Mr. Sparks expressed appreciation to the City Manager for her support of the Regional Partnership.

The City Manager advised that the Roanoke area needs to do a better job of marketing itself; as a region and as a City, the Roanoke area is not spending the kind of dollars that are necessary to showcase Roanoke; and at some point, either as a single jurisdiction or as a region, a decision will need to be made, whether it be the Roanoke Valley's own brand or a new Virginia brand, etc.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

TRAFFIC-STATE HIGHWAYS: The City Manager submitted a communication advising that in response to declining transportation funding at the State level, the Virginia Municipal League adopted the following policy Statement at its 2004 annual meeting:

> *"VML calls upon the governor and the General Assembly to make transportation a primary focus of the 2005 General Assembly session. Given the failure of the General Assembly to address this issue during the 2004 session and the consequent decline in transportation funding, the Commonwealth is experiencing disinvestment in its transportation infrastructure. Absent a major infusion of new and sustained investment in transportation, Virginia faces a congestion and mobility crisis that will strangle economic growth and profoundly and negatively affect the quality of life of all residents." (Adopted October 5, 2004).*

It was further advised that recognizing the importance of transportation within the State and in support of the Statement, a number of local governments have adopted resolutions to make known to the Governor and to the General Assembly their opinions on Statewide transportation issues.

The City Manager explained that given the improvements needed along the I-581 and Route 220 corridors within the City limits and with the number of urban projects included in VDOT's recent update of the Six-Year Improvement Plan, receipt of funding allocated in the Plan is critical; projects important for the City of Roanoke include improvements along Wonju Street in the vicinity of Towers Mall, improvements on 10th Street, and construction of a connection between Hollins Road and 13th Street; and with Statewide transportation needs estimated at more than $200 billion over the next 20 years, the City of Roanoke should consider all steps necessary to ensure receipt of funding.

In addition, it was explained that while the direct financial benefits to the City of Roanoke may be unknown, the transportation industry and municipalities alike should strongly support an emphasis on transportation funding and innovative solutions to transportation concerns; and safe, efficient transportation has a far-reaching effect on many areas of the daily lives of citizens ranging from economic development, recreation, and quality of life to construction and all associated support activities.

The City Manager recommended that Council adopt a resolution calling upon the Governor and the General Assembly to make transportation a primary focus of the 2005 Session of the Virginia General Assembly.

Council Member Cutler offered the following resolution:

(#36952-020705) A RESOLUTION urging the Governor and the General Assembly to make transportation a primary focus of the 2005 Session of the General Assembly.

(For full text of Resolution, see Resolution Book No. 69, Page 255.)

Council Member Cutler moved the adoption of Resolution No. 36952-020705. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

CITY CODE-TAXES: The City Manager submitted a communication advising that §58.1-3661, Code of Virginia, 1950, as amended, allows the governing body of any county, city, or town to adopt an ordinance to grant an exemption from taxation on certified solar energy equipment, facilities, or devices to owners of real estate to which said equipment, facilities, or devices is attached; and in light of the C2C housing competition and the potential that a number of houses planned for construction will incorporate renewable energy systems into designs, it is appropriate that the City consider an ordinance that will allow an exemption for persons interested in operating solar energy equipment to heat or cool real property, which will further signal Roanoke's commitment to preserving its environment by encouraging the use of alternative energy sources.

A summary of major components of the program is as follows:

- The amount of exemption will be determined by applying the tax rate to the value of the certified solar equipment, facilities, or devices and subtracting that amount from the total real estate property tax due on the real property to which such equipment, facilities, or devices are attached, or if such equipment, facilities, or devices are taxable as machinery and tools, from the total machinery and tool tax due on such equipment, facilities, or devices, at the election of the taxpayer. (State law requires that localities offer this election to taxpayers.)

- The exemption shall be effective for five years, and can apply to properties installing new solar equipment, facilities, or devices as well as to properties with existing solar equipment, facilities, or devices, and

- The exemption will be administered by the Department of Planning, Building, and Development, the Department of Real Estate Valuation, the Commissioner of the Revenue's Office, and the City Treasurer's Office.

The City Manager recommended that Council adopt an ordinance amending Article II, Real Estate Taxes Generally, Chapter 32, Taxation, Code of the City of Roanoke, (1979), as amended, by the addition of a new Division 8, Tax Exemption for Solar Energy Equipment, Facilities, and Devices, consisting of §§ 32-103.5 - 32-103.17.

Council Member McDaniel offered the following ordinance:

(#36953-020705) AN ORDINANCE amending Article II, Real Estate Taxes Generally, Chapter 32, Taxation, Code of the City of Roanoke (1979), as amended, by the addition of a new Division 8, Tax Exemption for Solar Energy Equipment, Facilities and Devices, consisting of §§32-103.5 - 32-103.17, in order to provide a tax exemption for equipment, facilities and devices designed and used primarily for the collection and use of incident solar energy for water heating, space heating, cooling or other application which would otherwise require a conventional source of energy; and dispensing with the second reading by title paragraph of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 258.)

Council Member McDaniel moved the adoption of Ordinance No. 36953-020705. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

The City Manager called attention to the cooperation of the City Treasurer who has agreed to take on additional responsibility to ensure appropriate billing.

CITY CODE-TAXES: The City Manager submitted a communication advising that in the fall of 2004, Council was briefed on proposed changes for participation in the City's program that allows tax exemptions for rehabilitation of residential, commercial, and industrial real property; on October 18, 2004, Council adopted recommendations on commercial, industrial, and multi-use property; and Council requested that the recommendations regarding rehabilitation of residential property be re-evaluated in coordination with development of the Housing Strategic Plan.

It was further advised that subsequent to the October 18, 2004 Council meeting, City staff met with the Housing Strategic Planning Steering Committee to obtain comments and to receive input from K. W. Poore & Associates, Inc.; and there was further analysis and research of the previous recommendations.

The City Manager explained that as a result, recommended changes to the residential portion of the program now include:

- Eliminating restrictions on increased square footage on residential real property. Currently, total square footage must not be increased by more than 15 per cent.

- For a residential structure with an assessed value below $10,000.00, allowing an exemption if the structure is demolished provided that the replacement structure is a single-family residence with an assessed value of at least 120 per cent of the median value of other dwelling units in the neighborhood. The exemption shall not apply, however, when any structure demolished is a registered Virginia landmark, or is determined by the Department of Historic Resources to contribute to the significance of a registered historic district. Currently, an exemption shall not apply when any existing structure is demolished or razed and a replacement structure is constructed.

- For any residential structure which has an assessed value, prior to rehabilitation, equal to or greater than $300,000.00, the exemption shall begin on July 1st of the tax year following completion of the rehabilitation, renovation, or replacement and shall only run with the real estate for three years. This will apply regardless of its historic designation, its location, or the per cent net reduction in number of dwelling units after rehabilitation.

The City Manager recommended that Council adopt an ordinance amending and reordaining Division 5, Exemption of Certain Rehabilitated Real Property, Section 32-95, Eligibility of residential real property, and Section 32-100, Demolition, Chapter 32, Taxation, Code of the City of Roanoke (1979), as amended, by amending the eligibility requirements for tax exemption as above described.

Vice-Mayor Fitzpatrick offered the following ordinance:

(#36954-020705) AN ORDINANCE amending and reordaining §32-95, Eligibility of residential real property, and §32-100, Demolition, Division 5, Exemption of Certain Rehabilitated Real Property, Chapter 32, Taxation, Code of the City of Roanoke (1979), as amended, by amending the eligibility requirements for tax exemption; establishing a limitation on number of years certain exemptions can exist, and by adding an exception to the applicability of exemptions for real property on which demolition of structures have occurred; and dispensing with the second reading by title paragraph of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 262.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 36954-020705. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

BUDGET-EMERGENCY MEDICAL SERVICES: The City Manager submitted a communication advising that the Virginia Department of Health, Office of Emergency Medical Services, administers a Rescue Squad Assistance Fund (RSAF) grant program which is awarded twice annually; Roanoke Fire-EMS applied in September 2004 for the grant in order to purchase 12 Lead EKG and Mass Casualty Equipment; the 12 Lead EKG equipment will be used to pilot test, in partnership with Carilion Health Systems and Lewis Gale Hospital, the benefits of performing 12 lead EKGs pre-hospital; and Mass Casualty Equipment will be used to update the City's Mass Casualty Incident trailer capability and modernize the equipment in light of today's needs.

It was further advised that in January 2005, the State Office of Emergency Medical Services awarded Roanoke Fire-EMS a grant of $25,000.00 for the project, requiring $13,000.00 in matching funds; matching funds for the grant will be provided from the following outside sources: $4,500.00 from Carilion Health Systems, $4,500.00 from Lewis Gale Hospital and $4,000.00 from the Near Southwest Virginia Prepareness Alliance; and local cash funding from the City of Roanoke is not required.

The City Manager recommended that Council accept the grant and appropriate State grant funds of $25,000.00 and local contributions of $13,000.00, with corresponding revenue estimates in accounts to be established by the Director of Finance in the Grant Fund; and authorize the City Manager to execute any required grant agreements or documents to be approved as to form by the City Attorney.

Council Member McDaniel offered the following budget ordinance:

(#36955-020705) AN ORDINANCE to appropriate funding for the Rescue Squad Assistance Fund Grant, amending and reordaining certain sections of the 2004-2005 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 264.)

Council Member McDaniel moved the adoption of Ordinance No. 36955-020705. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

Vice-Mayor Fitzpatrick offered the following resolution:

(#36956-020705) A RESOLUTION authorizing the acceptance of the Rescue Squad Assistance Fund ("RSAF") Grant made to the City of Roanoke by the Virginia Department of Health, Office of Emergency Medical Services, and authorizing the execution and filing by the City Manager of the conditions of the grant and other grant documents approved as to form by the City Attorney.

(For full text of Resolution, see Resolution Book No. 69, Page 264.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 36956-020705. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

POLICE DEPARTMENT-BUDGET-GRANTS: The City Manager submitted a communication advising that the Virginia Department of Criminal Justice Services (DCJS) provides grant funding for programs and activities which increase the apprehension, prosecution and adjudication of persons committing violent crimes against women; the program, "Virginia Services, Training, Officers, Prosecution Violence Against Women" (V-STOP) has funded the establishment of a Domestic Violence Unit within the Police Department since 1999; the Domestic Violence Unit collects and interprets relevant domestic violence offense data which allows proactive case intervention and cultivation of the cooperative working relationships with clients and service/adjudication agencies; and the program produces more equitable victim-offender criminal justice dispositions related to domestic violence offenses.

It was further advised that on December 16, 2004, DCJS awarded the Police Department $34,703.00 to employ a full-time, non-sworn Domestic Violence Specialist, thereby allowing continuation of the Domestic Violence Unit in calendar year 2005; the required City in-kind match of $11,567.00 will be met through salary paid to current Police Department personnel; there is no required local cash match due to an increase of less than one per cent in the grant award amount over last year; and the Police Department will be required to provide a cash match of $4,712.00 to continue to fully fund the salary portion of the Domestic Violence Specialist, which is available in the Police Department's operating budget.

The City Manager recommended that Council accept the V-STOP grant and authorize execution of the grant agreement and any related documents, in a form to be approved by the City Attorney; appropriate State grant funds of $34,703.00 and local cash funds of $4,712.00, with corresponding revenue estimates in accounts to be established by the Director of Finance in the Grant Fund; and transfer funds in the amount of $4,712.00 from Account No. 035-640-3302-2035 to provide local cash funds.

Vice-Mayor Fitzpatrick offered the following budget ordinance:

(#36957-020705) AN ORDINANCE to appropriate funding for the Police Department Domestic Violence Program Grant, amending and reordaining certain sections of the 2004-2005 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 265.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 36957-020705. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

Vice-Mayor Fitzpatrick offered the following resolution:

(#36958-020705) A RESOLUTION accepting the Virginia Services, Training, Officers, Prosecution (VSTOP) Violence Against Women Grant offer made to the City by the Virginia Department of Criminal Justice Services and authorizing execution of any required documentation on behalf of the City.

(For full text of Resolution, see Resolution Book No. 69, Page 266.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 36958-020705. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

BUDGET-HUMAN DEVELOPMENT-CITY EMPLOYEES: The City Manager submitted a communication advising that the Department of Social Services Employment Services Unit has experienced a 50 per cent increase in its Virginia Initiative for Employment Not Welfare (VIEW) caseloads over the past seven months which is attributed to a regional economy that continues to be difficult for the population that Roanoke serves, that often consists of individuals with a poor work history and limited skills that impede employability; cases also remain open for a longer period of time for similar reasons; it is evident that there are more clients with difficult and sometimes hidden barriers, such as mental health problems and substance abuse issues that require more attention and more intense services; and due to these factors, the department is experiencing an increased need for assessments, treatment and other purchased services that help enable customers to become more viable candidates for employment.

It was further advised that the foster care unit in the Social Services Department (and typically throughout Virginia and the nation) experiences tremendous staff turnover and burnout; demands on foster care social workers are ever increasing; issues facing foster children and their families are much more complex compared to the past, and interventions require substantial staff time in order to be successful; and the Roanoke Interagency Council has identified staffing concerns as a significant problem, and is developing several strategies to address staffing levels and staff competency.

It was explained that State funds for VIEW services pay 100 per cent of all program costs, including direct services for clients, equipment needs and staff salaries and benefits; the State budget for the VIEW program is in excess of the City's adopted budget for Employment Services; there is an additional $126,500.00 in fiscal year 2005 State funding available for use by the VIEW program; funds can be used to hire two additional employment service workers, purchase the necessary equipment and workspace reconfigurations, as well as meet the increasing needs for purchased services such as work assessments and supplies that are necessitated by the larger client caseload; and incremental personnel cost increase for the remainder of fiscal year 2005 is $13,575.00, with the full year's cost being $80,244.00.

It was further explained that the VDSS has allocated City funds this year under the Promoting Safe and Stable Families (PSSF) program that will fund a part-time foster care social worker; and the incremental personnel cost increase for the remainder of fiscal year 2005 is $6,687.00, with the full year's cost being $20,061.00.

The City Manager recommended that Council take the following actions:

Authorize the Department of Social Services to increase staff complement by two full-time employment services workers (grade 11) and one part-time social worker (grade 11) for foster care.

Authorize the Director of Finance to increase the revenue estimate for Employment Services, Account No. 001-110-1234-0681, by the amount of $69,175.00, and appropriate funds to the following accounts:

001-630-5316-1002	(Regular Employee Salaries)	$	10,001.00
001-630-5316-1005	(City Retirement)	$	977.00
001-630-5316-1116	(ICMA Match)	$	225.00
001-630-5316-1120	(FICA)	$	782.00
001-630-5316-1125	(Medical Insurance)	$	1,180.00
001-630-5316-1126	(Dental Insurance)	$	78.00
001-630-5316-1130	(Life Insurance)	$	114.00
001-630-5316-1131	(Disability Insurance)	$	26.00
001-630-5316-2020	(Telephone)	$	120.00
001-630-5316-3160	(Purchased Services)	$	43,222.00
001-630-5316-2035	(Expendable Equipment)	$	12,450.00
TOTAL		$	69,175.00

Authorize the Director of Finance to transfer $6,803.00 from Account No. 001-630-5314-3160 (Purchased Services) to the following accounts:

001-630-5314-1002	(Regular Employee Salaries)	$	5,000.00
001-630-5314-1005	(City Retirement)	$	488.00
001-630-5314-1116	(ICMA Match)	$	225.00
001-630-5314-1120	(FICA)	$	391.00
001-630-5314-1125	(Medical Insurance)	$	590.00
001-630-5314-1126	(Dental Insurance)	$	39.00
001-630-5314-1130	(Life Insurance)	$	57.00
001-630-5314-1131	(Disability Insurance)	$	13.00
TOTAL		$	6,803.00

Council Member Cutler offered the following budget ordinance:

(#36959-020705) AN ORDINANCE to appropriate funding from the Commonwealth for increased staffing in the Department of Social Services, amending and reordaining certain sections of the 2004-2005 General Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 267.)

Council Member Cutler moved the adoption of Ordinance No. 36959-020705. The motion was seconded by Council Member McDaniel.

Council Member Cutler referred to an additional appropriation of $500,000.00 in Social Services expenses, or reimbursement to the City of Roanoke by the Commonwealth of Virginia; whereupon, the City Manager advised than the additional reimbursement from the State was previously considered as a non reimbursable; as of the end of the first six months, the City has significantly decreased the amount of non reimbursables for the current fiscal year and significant progress is being made.

Ordinance No. 36959-020705 was adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

GREENWAY SYSTEM-STATE HIGHWAYS: The City Manager submitted a communication advising that a Memorandum of Understanding (MOU) has been negotiated that would establish a cooperative effort between the Virginia Department of Transportation (VDOT) and the City of Roanoke for the temporary use of non-limited access rights-of-way along I-581 between the Orange Avenue interchange and Walker Avenue on the west side of I-581; the Agreement is for the temporary placement of a portion of the Lick Run Greenway on the VDOT non-limited access rights-of-way, pending future roadway corridor modifications; the Memorandum of Understanding requires Council to request VDOT's permission to temporarily place a portion of the greenway on VDOT's non-limited access I-581 rights-of-way; and Council will be requested to agree to have the City of Roanoke pay all costs associated with removing the greenway at such time as future roadway corridor modifications necessitate removal, if and when removal is requested by VDOT.

The City Manager recommended that she be authorized to execute the Memorandum of Understanding dated January 20, 2005, subject to approval as to form by the City Attorney, between the City of Roanoke and the Virginia Department of Transportation for temporary use of non-limited rights-of-way along I-581 between the Orange Avenue interchange and Walker Avenue on the west side of I-581; and that the City Manager be authorized to take such further action as may be necessary to implement and comply with such Memorandum of Understanding, including removal of the greenway, if such becomes necessary.

Vice-Mayor Fitzpatrick offered the following resolution:

(#36960-020705) A RESOLUTION approving a Memorandum of Understanding (MOU) between the Virginia Department of Transportation (VDOT) and the City of Roanoke for the temporary use of non-limited access rights-of-way along I-581 in connection with the Lick Run Greenway; authorizing the City Manager to execute such MOU; and authorizing the City Manager to take such further action as may be necessary to implement and comply with such MOU.

(For full text of Resolution, see Resolution Book No. 69, Page 268.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 36960-020705. The motion was seconded by Council Member Cutler.

The City Manager was requested to provide further clarification of the recommendation and a time frame for greenway completion; whereupon, she advised that the matter involves the completion of Phase II of the Lick Run Greenway which begins at Valley View Mall and currently ends at Andrews Road and will involve the crossing of 10th Street through two parks to include Washington Park. She stated that with approval by the Virginia Department of Transportation (VDOT), the project will cross Orange Avenue, go behind the Holiday Inn Express and several other businesses, and pick up the greenway on Second Street along the creek bed. Without VDOT's approval, she added that the greenway would have been constructed on concrete or sidewalk for the entire way, therefore, this is a significant enhancement of the greenway itself; and since VDOT has given its approval, the project will be bid as soon as possible with construction and completion of the greenway anticipated to occur during the current calendar year.

Resolution No. 36960-020705 was adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

STATE HIGHWAYS-RAIL SERVICE-INDUSTRIES: The City Manager submitted a communication advising that FreightCar Roanoke, Inc., is locating a facility in the former Norfolk Southern East End Shops in the City of Roanoke to produce aluminum railroad cars; the site needs upgrades to the rail lines costing in excess of $2,000,000.00; FreightCar Roanoke, Inc., has approached the City of Roanoke to support FreightCar's application to the Virginia Department of Rail and Public Transportation (DRPT) Railroad Industrial Access Program for funds to help defray a portion of the cost; the application must be supported by the City and accompanied by a resolution from the local governing authority in support of the application; and the City of Roanoke will not incur any monetary obligation to provide any part of the funds.

It was further advised that the Company will invest $5.545 million and hire 400 employees in the next 30 months; FreightCar Roanoke, Inc., is the same company receiving a $200,000.00 Governor's Opportunity Fund (GOF) Grant, which GOF amount will be matched by the City; as part of the project, the Company is requesting $300,000.00 in Industrial Access Railroad Track Funds from the Department of Rail and Public Transportation (DRPT); and, in addition, if the Company spends an additional $300,000.00 in upgrading the railroad track, the Company is requesting DRPT to grant additional monies equal to $150,000.00.

The City Manager recommended that Council adopt a resolution in support of the application; authorize the City Manager to execute and/or provide appropriate documents for the Virginia Department of Rail and Public Transportation for the Railroad Industrial Access Program, in connection with the application of FreightCar Roanoke, Inc., to assist the Company in obtaining up to $450,000.00 in Program funds and to State the City's support for FreightCar Roanoke, Inc., to receive such Program funds from the Commonwealth of Virginia.

Vice-Mayor Fitzpatrick offered the following resolution:

(#36961-020705) A RESOLUTION supporting the application or other documents to be filed with the Virginia Department of Rail and Public Transportation by FreightCar Roanoke, Inc., for up to $450,000.00 in Industrial Access Railroad Track Funds and to State the City's support for FreightCar Roanoke, Inc., receiving such funds.

(For full text of Resolution, see Resolution Book No. 69, Page 269.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 36961-020705. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

CITY ATTORNEY:

INDUSTRIES-LEASES: The City Attorney submitted a written report advising that the City entered into a Lease and Option to Purchase Agreement on July 7, 1983, with Cooper Industries, Inc., with regard to Parcels 2 and 6 at the Roanoke Centre for Industry and Technology (RCIT); pursuant to the Agreement, Cooper Industries leased Parcel 2 with the right to purchase for 40 years, and was given the right to lease or purchase Parcel 6 for the same time period; and Cooper Industries, Inc., has requested that the City agree to the assignment of the 1983 agreement to a newly-created subsidiary, Cooper Crouse-Hinds, LLC.

The City Attorney further advised that the City Manager concurs in the request.

Vice-Mayor Fitzpatrick offered the following ordinance:

(#36962-020705) AN ORDINANCE authorizing execution of a Consent to Assignment and endorsement of an Assignment and Assumption Agreement whereby the City of Roanoke approves the assignment and assumption by Cooper Industries, Inc., of its right, title and interest in, to and under a certain lease and Option to Purchase to Cooper Crouse-Hinds, LLC; and dispensing with the second reading by title paragraph of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 270.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 36962-020705. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

VALLEY VIEW MALL: The City Attorney submitted a communication advising that the City plans to sponsor Citizen Appreciation Day at Valley View Mall on April 30, 2005; the new owners of Valley View Mall, CBL & Associates Management, Inc., require that the City execute an agreement containing a provision which requires that the City agree to indemnify and hold harmless CBL and to defend CBL in the event that anyone is injured or anything is damaged during the City's use of the premises; and only Council can waive the City's sovereign immunity and agree to such provision, which provision CBL has refused to delete.

Council Member McDaniel offered the following resolution:

(#36963-020705) A RESOLUTION authorizing the waiver of the City's sovereign immunity in connection with the city's use of Valley View Mall for Citizen Appreciation Day, and authorizing execution of an agreement with Valley View Mall, LLC, through its agent, CBL Associates Management, Inc., in connection with such use of Valley View Mall.

(For full text of Resolution, see Resolution Book No. 69, Page 271.)

Council Member McDaniel moved the adoption of Resolution No. 36963-020705. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Cutler, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Dowe was absent.)

DIRECTOR OF FINANCE:

AUDITS/FINANCIAL REPORTS: The Director of Finance submitted the Financial Report for the month of December 2004.

There being no questions or comments, without objection by Council, the Mayor advised that the Financial Report for the month of December would be received and filed.

REPORTS OF COMMITTEES: NONE.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

MOTION AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

LEGISLATION: Vice-Mayor Fitzpatrick, Chair, Legislative Committee, reviewed the status of the following legislative issues:

- The transit company sales tax exemption was approved by the House Finance Committee by a 21 - 1 vote, and the Senate version of the bill has been approved which allows Valley Metro to again be tax exempt.

- For the second year, the Senate has approved funds for relocation of the Health Department; and the House of Representatives did not include funds, but allocated $2.9 million in the General Fund for four additional community crisis stabilization units.

- For cultural agencies, the House approved $4,900,000.00 for the Art Museum and the Senate approved $1 million; Center in the Square received $300,000.00 in the Senate and $100,000.00 in House; Explore Park received $400,000.00 in the Senate and $75,000.00 in the House; Mill Mountain Zoo received $50,000.00 in both the Senate and the House, and the Virginia Museum of Transportation received $400,000.00 in the Senate and $50,000.00 in the House.

CITY TREASURER-TAXES: At the request of the Mayor, the City Treasurer announced that on Monday February 14, 2005, the City of Roanoke and the City Treasurer's Office will go live with the first e-government check on the City's web site at Pay Taxes and Bills; all data included on the e-government check will be encrypted and secure; and the e-government check is a convenient, safe and free-of-charge service that will be provided to Roanoke's taxpayers. She expressed appreciation to the City's Department of Technology for its assistance in establishing the on-line program.

The Mayor and Vice-Mayor commended the City Treasurer on the quality of service that her office provides to the citizens of Roanoke

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard and matters requiring referral to the City Manager will be referred immediately for response, recommendation or report to Council.

COMPLAINTS-LANDMARKS/HIST. PRESERVATION-GRANTS: Ms. Helen E. Davis, 35 Patton Avenue, N, E., advised that history reveals that African-American citizens experienced a major portion of northeast Roanoke having been taken for urban renewal; the same lust for land extended into northwest Roanoke when an

entire neighborhood was demolished for the Coca-Cola Bottling Plant, where numerous homes were torn down and two intrusive roads were built for the quick movement of traffic to and from downtown. She stated that struggles continue in the predominantly black neighborhoods and policies of the City of Roanoke have not been responsive or fair to the concerns and needs of African-American communities. She advised that sizeable amounts of taxpayers' money were spent or are under consideration to be spent for the Grandin Theatre, the O. Winston Link Museum, upscale housing at 8 North Jefferson Place, and trolleys for the Jefferson Street corridor only, etc. She stated that no effort was made to work with representatives of Carilion Health Systems to seek historic designation for the preservation of Burrell Nursing Center, nor was help offered to save the Harrison Museum of African-American Culture; and the Gainsboro Steering Committee previously requested funds to assist the Oliver White Hill Foundation toward preservation of the former home of Oliver Hill on Gilmer Avenue, but the request was denied. She stated that there appears to be a lack of concern for black history and the accomplishments of African-Americans, such as Oliver White Hill, who grew up in Roanoke on Gilmer Avenue and became one of America's premier civil rights lawyers.

CITY MANAGER COMMENTS:

TAXES-REAL ESTATE VALUATION: The City Manager recognized and commended the assistance of the Director of Real Estate Valuation in connection with amendments to the Tax Exemption Program for rehabilitated real property which was approved by Council earlier in the meeting.

ACTS OF ACKNOWLEDGMENT-CITY EMPLOYEES-SNOW REMOVAL: The City Manager commended the work of City employees in connection with the clearing of City streets following recent snow and ice events.

ACTS OF ACKNOWLEDGMENT-RECYCLING: The City Manager commended the citizens of Roanoke for their efforts in connection with recycling, and reported that for another month, the City will pay no disposal fee for recyclable materials.

VIRGINIA MUNICIPAL LEAGUE: The City Manager advised that a dinner was held on Thursday, February 3, 2005, in Richmond, Virginia, as a part of Virginia Municipal League Legislative Day activities, which was attended by representatives of not only the City of Roanoke and Roanoke County, but representatives of the New River Valley. She reported that regionalism continues to grow in the Roanoke Valley.

LANDMARKS/HIST. PRESERVATION: In response to the remarks previously made by Ms. Helen E. Davis, the City Manager advised that on numerous occasions the City administration has indicated a willingness to submit a recommendation to Council that the City will participate in the purchase of the Oliver White Hill house on Gilmer Avenue at such time as matching funds and a plan for maintenance of the structure are submitted by the Oliver White Hill Foundation.

At 4:00 p.m., the Mayor declared the Council meeting in recess for four Closed Sessions.

At 5:05 p.m., the Council meeting reconvened in the City Council Chamber, with all Members of the Council in attendance, with exception of Mayor Harris and Council Member Dowe, Vice-Mayor Fitzpatrick presiding.

(Mayor Harris left the meeting during the Closed Session.)

COUNCIL: With respect to the Closed Meeting just concluded, Council Member Cutler moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Council Member Lea and adopted by the following vote:

AYES: Council Members Cutler, Lea, McDaniel, Wishneff, and Vice-Mayor Fitzpatrick----------5.

NAYS: None----------0.

(Council Member Dowe and Mayor Harris were absent.)

At 5:03 p.m., the Vice-Mayor Fitzpatrick declared the Council meeting in recess until Friday, February 18, 2005, at 9:30 a.m., in Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., for the Council's Annual Financial Planning Session.

The Monday, February 7, 2005, meeting of Roanoke City Council reconvened on Friday, February 18, 2005, at 9:30 a.m., in Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., for the Council's Annual Financial Planning Session.

PRESENT: Council Members M. Rupert Cutler, Beverly T. Fitzpatrick, Jr., Sherman P. Lea, Brenda L. McDaniel, Brian J. Wishneff and Mayor C. Nelson Harris----------6.

ABSENT: Council Member Alfred T. Dowe, Jr. ----------1.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

OTHERS PRESENT: Troy A. Harmon, Municipal Auditor; George C. Snead, Jr., Assistant City Manager for Operations; Ann H. Shawver, Deputy Director of Finance; and Sherman L. Stovall, Director of Management and Budget.

The City Manager advised that the Financial Planning Session is held on an annual basis in order for staff to provide information to the Council on the budget outlook for the upcoming budget cycle. She stated that input by Council is needed as early as possible in the process once staff has an idea of what State revenue looks like. She added that there does not appear to be as many road blocks to local funding at the General Assembly level this year, compared to last year, particularly since it is known that the car tax issue has failed for this year. Unlike previous years, she stated that this year, outside organizations have been requested to present budgets and justification for funds that have been requested from the City.

The City Manager explained that because a certain amount of funds is dedicated to the payment of debt service in the operating budget, staff would also address the Capital Improvement Program, as well as operating budget issues.

Mr. Stovall advised that the agenda for the day would focus on five elements of budget development for fiscal year 2005-2006, specifically revenue and expenditures assumptions and relevant issues, capital projects, looking back historically, current projects, and looking to the future. He stated that staff would also review the debt for capital projects, including current and future debt service, as well as review debt capacity, the status of balancing the fiscal year 2006 budget and issues regarding the dedicated use of capital fund interest earnings and a budget stabilization policy.

The Director of Finance reviewed projected revenue growth for fiscal year 2005-2006:

Real Estate Tax	$5,280,000.00
Personal Property Tax	(1,346,000.00)
Sales Tax	246,000.00
Business License Tax	17,000.00
Prepared Food Tax	498,000.00
Other Local Taxes	326,000.00
Intergovernmental	1,877,000.00
Charges for Services	15,000.00
Other Revenues	(84,000.00)
Total	$6,829,000.00

Mr. Stovall advised that the budget outlook for fiscal year 2005-2006 is generally positive, when compared to this time last year, with a number of challenges to overcome; challenges include maintaining and enhancing service levels, capital funding and employee compensation, and City departments were not asked to submit budgets with expenditure reductions.

A chart was reviewed indicating no changes in the following local tax rates:

Local Tax	Tax Rate
Real EState Tax	$ 1.21 per $100.00
Personal Property Tax	$ 3.45 per $100.00
Cigarette Tax (20 per pack)	$ 0.27
Transient Room Tax	7%
Admissions Tax	9%/5.5%
E-911 Tax	$ 2.00
Motor Vehicle License	$20.00
Prepared Food & Beverage Tax	4%
Short Term Rental Tax	1%

Question was raised with regard to the no car tax legislation that capped the reimbursement to localities which will impact the City of Roanoke in fiscal year 2007. The Director of Finance advised that the State's budget that goes to fiscal year 2006 includes enough money to fully reimburse localities in that particular fiscal year and primarily affects the "spring filers" or those localities that have their tax due date set in the spring. He stated that the City can accrue funds owed into fiscal year 2006, so the primary impact is that the City of Roanoke will not receive about $7 million of cash that would normally be received in the May - June timeframe, but will be moved forward to July or August 2007; therefore, the biggest impact on the City of Roanoke will be the loss of cash flow for about two months at three per cent interest, or approximately $15,000.00 - $20,000.00.

Question was raised as to how many years are left on the Hotel Roanoke Conference Center bonds; whereupon, the Director of Finance advised that he would research the question and respond at a later time.

Mr. Stovall reviewed priority funding items for fiscal year 2006.

- Continue sharing of local tax revenues with Roanoke City Public Schools based on the current formula of 36.42 per cent of local taxes - $1.8 million.

He advised that the funding formula has served the City well over the years and has also served as a mechanism to keep the governing body and the school division from debating about the level of local support for the school division; and the formula has failed in that it does not take into consideration the level of funding that is provided to the schools in support of capital projects.

The Mayor advised that in conjunction with the City Manager and the Director of Finance, he would like to initiate a discussion with the Chair of the School Board, the School's Chief Financial Officer, and the new Superintendent of Schools with regard to how to accommodate the amount contributed by the City toward capital projects and debt service, etc., as a part of the funding formula equation.

- Increase in contribution rate for Employee Retirement System (9.56% to 12.61%) - $1.6 million

- Increase in cost of Employee Health insurance - $.4 million

There was discussion with regard to the City and the Schools participating in an employee health insurance program and other consolidation of services and programs; whereupon, the City Manager advised that a study would be initiated if the Council and the School Board would instruct their respective administrations to engage in an evaluation and investigation of certain services.

During the monthly breakfast meetings, the Mayor advised that a number of issues have been discussed; i.e.: health insurance, human resources, finances, general services, building maintenance, fleet maintenance, etc., however, there is some hesitation in moving forward until the new Superintendent of Schools can be involved in the discussions.

- Continue progress in providing competitive Employee Compensation; pay raise of 4% required to remain competitive - $3.1 million

- Continue building debt capacity for planned capital projects - $.6 million.

- Increase in funding for community agencies based on growth in discretionary revenue.

- Maintaining and enhancing service levels

- Other priority funding needs for fiscal year 2006 to fiscal year 2007 include:

  Continue City Council's priority to budget recurring funding in the operating budget for equipment replacement, building maintenance, paving and technology needs

  Equipment Replacement

  Current Funding Goal - $2.5 million by fiscal year 2007

  $185,000.00 increase in fiscal year 2006 to $1,760,000.00

  Reallocation of funding currently dedicated to vehicle lease will facilitate reaching the target by fiscal year 2008
  Target may need to be revised to $3 million

- Capital Maintenance of Buildings

  Funding goal - $750,000.00 by fiscal year 2007

  $130,000.00 increase in fiscal year 2006 to $620,000.00

- Key Financial Assumptions Expenditures:

  Other priority funding needs for fiscal year 2005 to fiscal year 2007

Paving Program:

Funding goal - $2.5 million by fiscal year 2007

$135,000.00 increase in fiscal year 2006 to $2,364,952.00

Technology - Financial Systems Replacement Project

Current funding goal - $1.0 million by fiscal year 2007
$165,000.00 increase in fiscal year 2006 to $841,247.00

Funding dedicated to financial application integration project through fiscal year 2008

Based on current staging of financial application integration project, there is a funding gap of $2.6 million

Based on revised assessment of technology needs, target needs to be revised to $2 million

Increased funding over the next four to five years to meet the revised target.

Looking back, Mr. Stovall reviewed the 1999 bond issue totaling $36.1 million:

- Elementary/Middle School improvements - $5 million
- Buildings - $7.8 million

  Jefferson Center - Phase II Performance Hall - $1.6 million

  Police Building Phase I - $3.5 million

  Roanoke Higher Education Center - $2.5 million

  Miscellaneous Improvements - $.2 million

- Economic Development - $10.3 million

  Roanoke Centre for Industry and Technology - $2.5 million

  Johnson and Johnson - $7.6 million

  Signalization Airport Road/Towne Square Blvd. - $.2 million

- Park Improvements - $4.7 million

- Storm Drains - $2.3 million

- Bridge Projects - $2.3 million

- Streets and Sidewalks - $3.7 million

  Curb, Gutter and Sidewalk Program - $1.7 million

  Street Improvements - $2.0 million

It was noted that at the March 2000 Financial Planning Session, Council began planning for future capital projects, including discussion of the renovation of the first of two high schools; Council concurred in a recommendation to add $570,000.00 in debt service funding on an annual basis to build debt capacity for future projects, including the first high school; and Council agreed with a recommendation to include additional debt service funding in fiscal year 2001, above the $570,000.00 for Victory Stadium and the Riverside Centre.

It was further noted that at the March 2001 Financial Planning Session, Council continued to plan for capital projects and the next bond issue, and discussed the following projects:

Police Building - Phase II
Riverside Centre
Art Museum
Park Master Plan/Multi-purpose Recreation Center
Rail Passenger Station
Human Services Building

Civic Center Improvements - Phase I
Roanoke River Flood Reduction
Greenways
YMCA Aquatic Center
Patrick Henry High School
William Fleming High School
Roanoke Academy for Mathematics and Science
Crystal Spring Filter Plant
Water Pollution Control Plant

Mr. Stovall advised that Patrick Henry High School improvements increased from $35 million to $38 million and the cost of the William Fleming High School project was established at $40 million; the consensus of Council at that time was that there was a need to identify a funding source for the City's share of the debt service that would be required for William Fleming; and at that time the meals tax was identified as the possible source to fund debt service for William Fleming. He stated that these planning efforts resulted in the 2002 bond issue which totals approximately $56.2 million and included funding for:

Schools - $4.6 million

Roanoke Academy for Mathematics and Science

Roanoke River Flood Reduction - $7.5 million

Economic Development - $14.5 million

Gainsboro Parking Garage - $2.5 million
Riverside Centre for Research and Technology - $12 million

Curb, Gutter and Sidewalk - $5 million

Civic Facilities - $19.2 million

Stadium/Amphitheater - $17 million
Roanoke Civic Center Phase I - $2.2 million

Crystal Spring Filtration Plant - $5.4 million

Mr. Stovall advised that during the March 2002 and March 2003 Financial Planning Sessions, Council discussed new capital projects under consideration and the planned issuance of debt and use of cash funding; and projects discussed included:

Civic Center Phase II
Fire-EMS Facilities
Public Works Service Center
Municipal North Renovation
Storm Water Management
Elementary School Renovations
Council subsequently authorized debt issuance for Civic Center Phase II and Patrick Henry High School.

Mr. Stovall advised that Council also discussed the increase in cost of the Patrick Henry High School project from $38 million to $46.7 million and the William Fleming High School Project from $40 million to $44.7 million, and Council subsequently authorized the debt issuance for the Civic Center Phase II project and the Patrick Henry High School project.

In March 2004, he stated that Council finalized projects to be included in the next bond issue, as well as projects to be cash funded; agreed to delay and move to out years the planned issuance of debt based on project status and focus on minimizing the increase in required debt service for the Art Museum, Multi Purpose Recreation Center and Roanoke River Flood Reduction; reviewed a potential increase in the cost of high school projects and subsequently agreed to an increase in the cost of the two high school projects - $13.5 million.

Also at the March 2004 Financial Planning Session, he Stated that Council agreed to move forward with Phase II of the Civic Facilities project, with the assumption that the General Fund would absorb a portion of the cost of debt service given the pending status of the Victory Stadium/Amphitheater project, and subsequently Council authorized the issuance of debt for the Riverside Center for Research and Technology - $5.5 million, Patrick Henry High School - $8.7 million (additional funding required), Police Building Phase II - $6.7 million and Fire-EMS Facilities - $4.4 million.

For fiscal year 2004-2005, Mr. Stovall advised that an issuance of $79.7 million was planned. Patrick Henry High School - $46.8 million, Riverside Center - $5.5 million, Police Building Phase II - $6.7 million, Fire-EMS Facility - $4.4 million, Downtown West Parking Garage - $2 million, and Civic Center Phase II - $14.3 million; and issued $46 million of the planned $79.7 million based on cash flow needs, with the remaining $33.7 million to be issued during fiscal year 2005-2006, which reduced the amount of debt service that would be needed in the upcoming fiscal year.

Current CIP for fiscal year 2005-2009 reflects the following investment by the City:

Buildings and Facilities:

Fire/EMS Facilities - $9.9 million
Municipal North Renovation - $2.0 million (cash funded)
Police Building - Phase II - $7.1 million
Public Works Service Center - $2.0 million (cash funded)
Civic Facilities Phase II - $15.7 million
Victory Stadium - $18.2 million
Market Building - $2.1 million (cash funded)

Economic Development:

Art Museum - $4.0 million
Church Avenue West Parking Garage - $7.2 million
Riverside Center for Research and Technology - $21.6 million
Roanoke Centre for Industry and Technology - $4.9 million

Flood Reduction:

Roanoke River Flood Reduction -$64.3 million

Parks:

Greenways - $3.4 million
Neighborhood Park Improvements - $2.8 million
Multi-Purpose Recreation Center - $7 million

Schools:

Elementary School Improvements - $10.6 million
High School Facility Improvements - $91.5 million

Storm Drains:

Neighborhood Storm Drains - $4.0 million

Streets, Sidewalks and Bridges:

Bridge Renovation Program - $2.1 million
Curb, Gutter and Sidewalk Program - $6.6 million
Martin Luther King Bridge - $2.3 million (Primarily cash provided)

When looking to the future, Mr. Stovall advised that Council was previously briefed on the status of existing projects that require additional funds:

Fire/EMS Facilities - Phase I

Borrow funding from Roanoke River Reduction Project and repay over three years from additional Fire/EMS revenues

Public Works Service Center - Phase III - $3 million with the intent that the project will consist of 5 - 6 phases

Municipal North - budgeted at $2 million and may need additional funding; i.e.:

Funding currently budgeted will accommodate the planned relocation of City offices to Municipal North, but will not accommodate the total renovation of Municipal North.

Potential new capital projects include:

Streetscapes and Traffic Calming - $250,000.00 (per year) beginning in fiscal year 2006 - 2011

Library Facility - planning study results to be presented on April 12, 2005

Jail HVAC and Security - $2.5 million

Courthouse Renovation/Expansion
Housing Strategies

Upgrade of Radio system - $10 million

The City Manager advised that the Roanoke Redevelopment and Housing Authority has been encouraged to consider moving its administrative offices into Municipal North and a floor plan was provided that would enable the Housing Authority to have first choice of available space; and over the past six to eight months the Housing Authority has indicated less of an interest in locating in the downtown area and has expressed an interest in establishing a satellite or outreach office which would be staffed on a part time basis. She further advised that some individuals have suggested that there could be a significant advantage to the Housing Authority, the School administration and the City administration offices being housed together, or in close proximity to each other, and depending upon the wishes of the Council, space requirements could be accommodated; however, it would not be possible to include all of the activities that were initially planned for Municipal North if the School administration and the Housing Authority administration were to be accommodated. She stated that the plans for Municipal North have not been presented to Council in the hopes of receiving a decision from the Housing Authority.

An observation was made by a Member of Council that the School Board is paying a significant amount of rent for space occupied by the Noel C. Taylor Alternative Education program at 3601 Thirlane Road, N. W. It was noted that those funds could be used toward renovation of the current School administration facility on Douglass Avenue, in order to house the Noel C. Taylor Alternative Education program, and the School administration office could be moved to a downtown site.

The Mayor advised that the matter could be added to the list of items to be discussed with the new School Superintendent.

The City Manager advised that if Council would like to pursue the matter, she would delay any further addition of tenants to the Municipal North site.

There was discussion with regard to courthouse expansion and renovation; whereupon, the City Manager advised that a master space needs study was completed approximately seven years ago that identified and prioritized space needs of the City; first on the list was the need for new and expanded space for the police department, the second priority was space for Social Services which was leased on Williamson Road, and the third priority was the courthouse. She called attention to recent correspondence from the Judges of the Circuit Court indicating that now that the Police building is under construction, they would like to see initial planning for courthouse renovation and expansion, therefore, funds will be included in the fiscal year 2006 budget to address the issue of space planning.

Question was raised as to whether the City of Roanoke was approached by Roanoke County with regard to participating in the regional jail project and whether the Roanoke City Jail could be expanded.

The City Manager stated that the Sheriff has advised that the regional jail concept was not mentioned in conjunction with the Roanoke City Jail. She advised that to her knowledge, the City of Roanoke was not contacted; if the City has future needs, it could approach the regional entity and ask for participation in the same way that the Western Virginia Water Authority was established; and a method to buy in at some point in the future would have to be determined.

The Mayor advised that at a monthly breakfast meeting with Roanoke County officials, it was stated by the City that no inquiries had been made to the City by any of the participants of the regional jail with regard to whether the City had an interest in participating in a regional jail, of indicating that the City would be open to considering any inquiries.

Mr. Stovall reviewed planned future City (paid for by the City) bond issues to be approved:

	FY 06	FY 07	FY 08
Art Museum	$3.7M	----	
Downtown West Garage	$2.6M	----	$2.6M

(First downtown garage in 2006 will be located around the Campbell Avenue and Salem Avenue area and the second downtown garage is planned for the area around The Jefferson Center in 2008)

Multipurpose Rec. Cntr.		----	$6.7M
Fire/EMS Facilities		----	$3.8M
Roanoke River Flood Red.		----	4.5M
William Fleming		----	$20.0M
Total	$6.3M		$37.6M

Planned future School (paid for by the schools) Bond Issues to be approved include:

	FY06	FY 07	FY 08	FY 09
Fallon Park Improvements (Literary Loan	$1.2M			
Monterey/Raleigh Ct. Improvements (VPSA)		$2.0M		
William Fleming (VPSA/GO/Literary Loan			$17.3M	$6.8M
Total	$1.2M	$2.0M	$17.3M	$6.8M

Outstanding debt as of February 1, 2005:

• City General Obligation Bonds	$115,535,483.00
• Enterprise Fund Debt:	
- General Obligation Bonds:	
• Civic Center Fund	9,870,000.00
• Parking Fund	8,006,556.00
Total Enterprise Fund Debt	7,876,556.00
• Capital Leases	930,673.00
• School General Obligation Bonds	48,332,891.00
• Qualified Zone Academy Bonds (QZAB)	1,800,683.00
• Virginia Public Schools Authority (VPSA) Bonds	32,965,344.00
• Literary Fund Loans	5,438,000.000.00
Total Schools	88,536,918.00
• Section 108 Loan	3,530,000.00
• General Obligation Debt Issued for Utilities	33,435,000.00
Total Debt as of February 1, 2005	$256,314,630.00
• Less: Parking Fund Debt Considered Self Supporting	(8,006,556.00)
• Less: Section 108 Loan	(3,530,000.00)
• Less: General Obligation Debt to be Paid by WVWA	(33,435,000.00)
Outstanding Tax Support Debt	$211,343,074.00

Assumptions on Debt and Funding of Debt Service:

The City has traditionally funded debt service on General Obligation bonds, whether for City or School projects.

The Schools have traditionally funded debt service on VPSA Bonds and Literary Fund Loans.

Capital Leases are considered tax supported debt of the City and are typically funded by the General Fund. (The Social Services Building lease is not considered tax supported debt since funded by the Commonwealth)

In analyzing tax burden, all such debt (including that of the schools) is considered tax supported debt of Roanoke due to vesting of taxing authority in the City.

Debt of Enterprise Funds (Civic Facilities and Parking) is considered self supporting and excluded from debt burden calculations to the extent such debt is supported by revenues generated by the Enterprise Funds.

General Obligation and Virginia Public School Authority bonds amortized using level principal and an interest rate of six per cent.

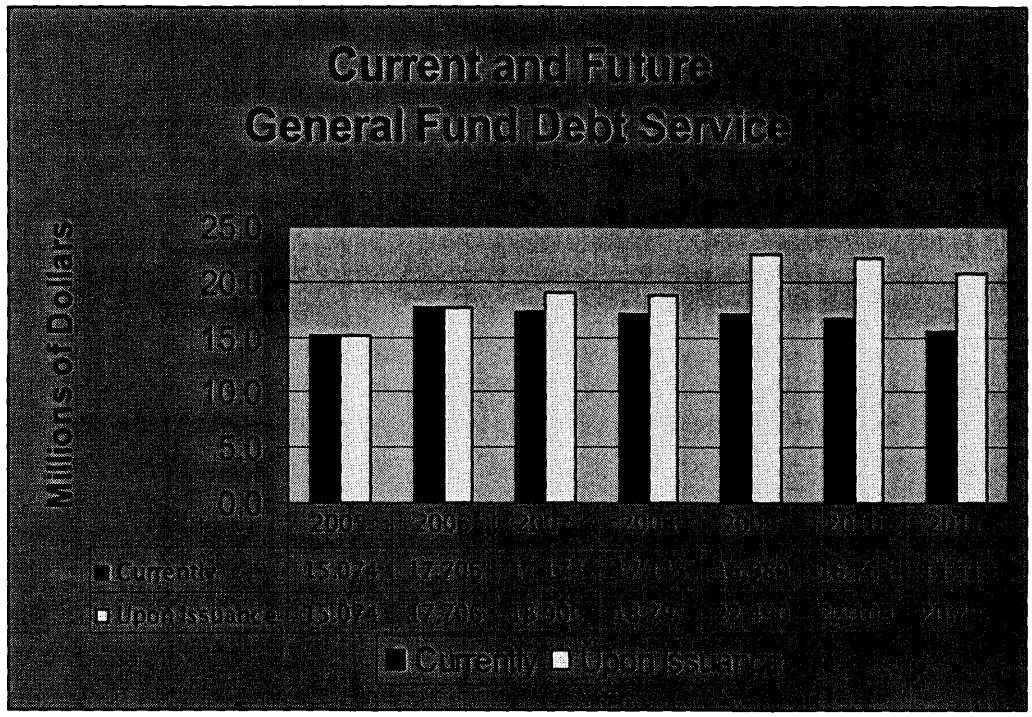
Literary Loans amortized at an interest rate of three per cent.

All debt amortized over 20 years.

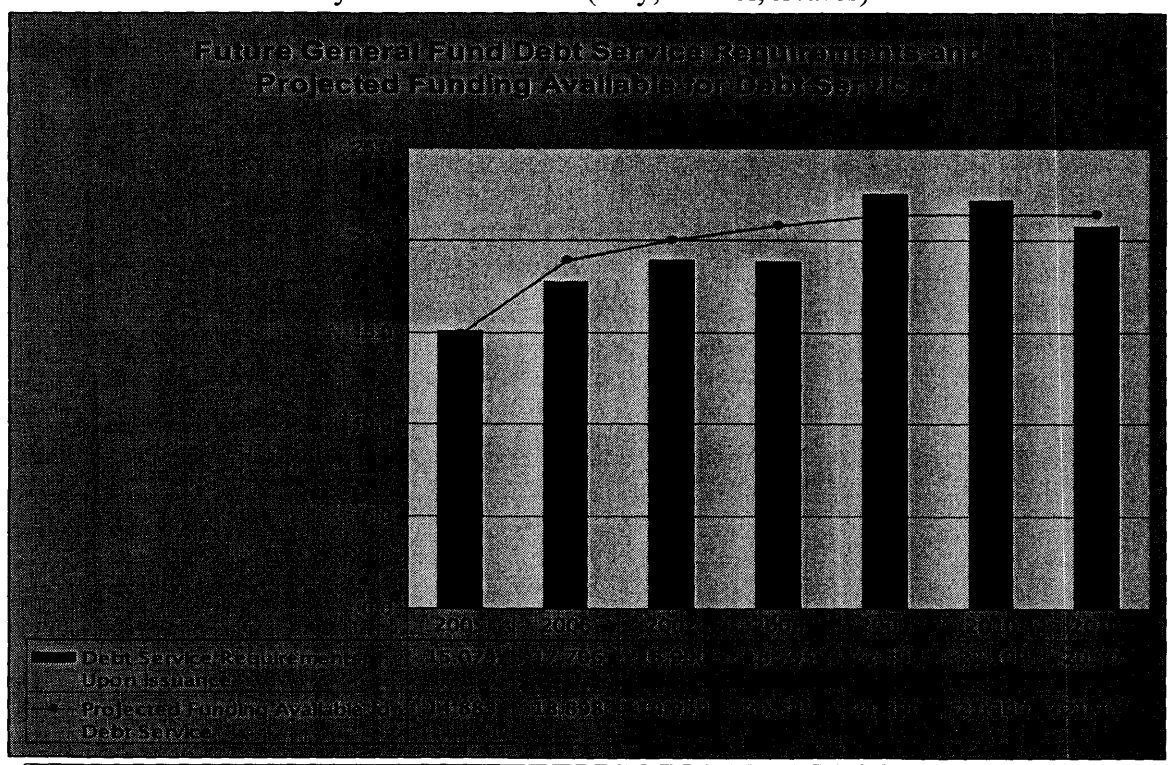
Funding for debt service increases based on the following assumptions:

> Increased funding of debt service of an additional $570,000.00 per year through fiscal year 2009; and
>
> Dedication to debt service funding of incremental increases in EMS fees through fiscal year 2007.

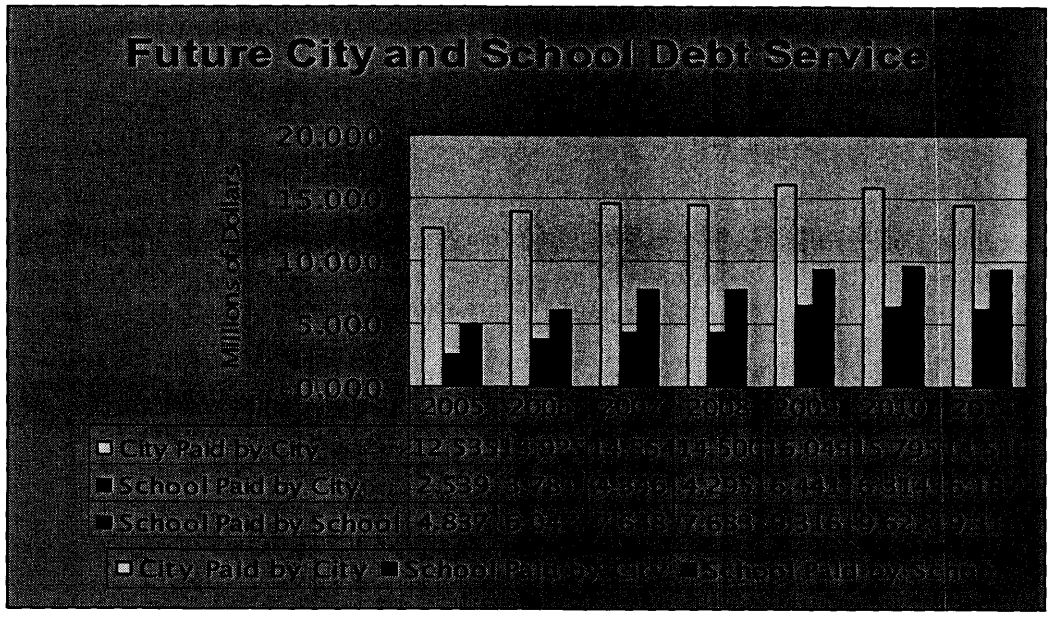
The following graphs were reviewed on Current and Future General Fund Debt Service, Future General Fund Debt Service Requirements and Projected Funding Available for Debt Service and Future City and School Debt Service.



Includes all debt funded by the General Fund (City, School, Leases)



Excess Capacity (Shortage)	0.191	1.192	1.059	2.034	-1.091	-0.710	0.696



The Mayor advised that what the City does on its side of the budget to service the school debt should be captured as a part of the funding formula.

The following debt policies were reviewed:

Non-proprietary general obligation debt service will not exceed ten per cent of General Fund expenditures.

Net bonded debt will not exceed five per cent of the assessed value of real estate.

Net Bonded Debt is general obligation debt for the City and School Board, exclusive of self-supporting Enterprise Fund debt and the amount available in the Debt Service Fund.

Tax-supported debt will be structured such that not less than 50 per cent of aggregate outstanding debt will be retired within ten years.

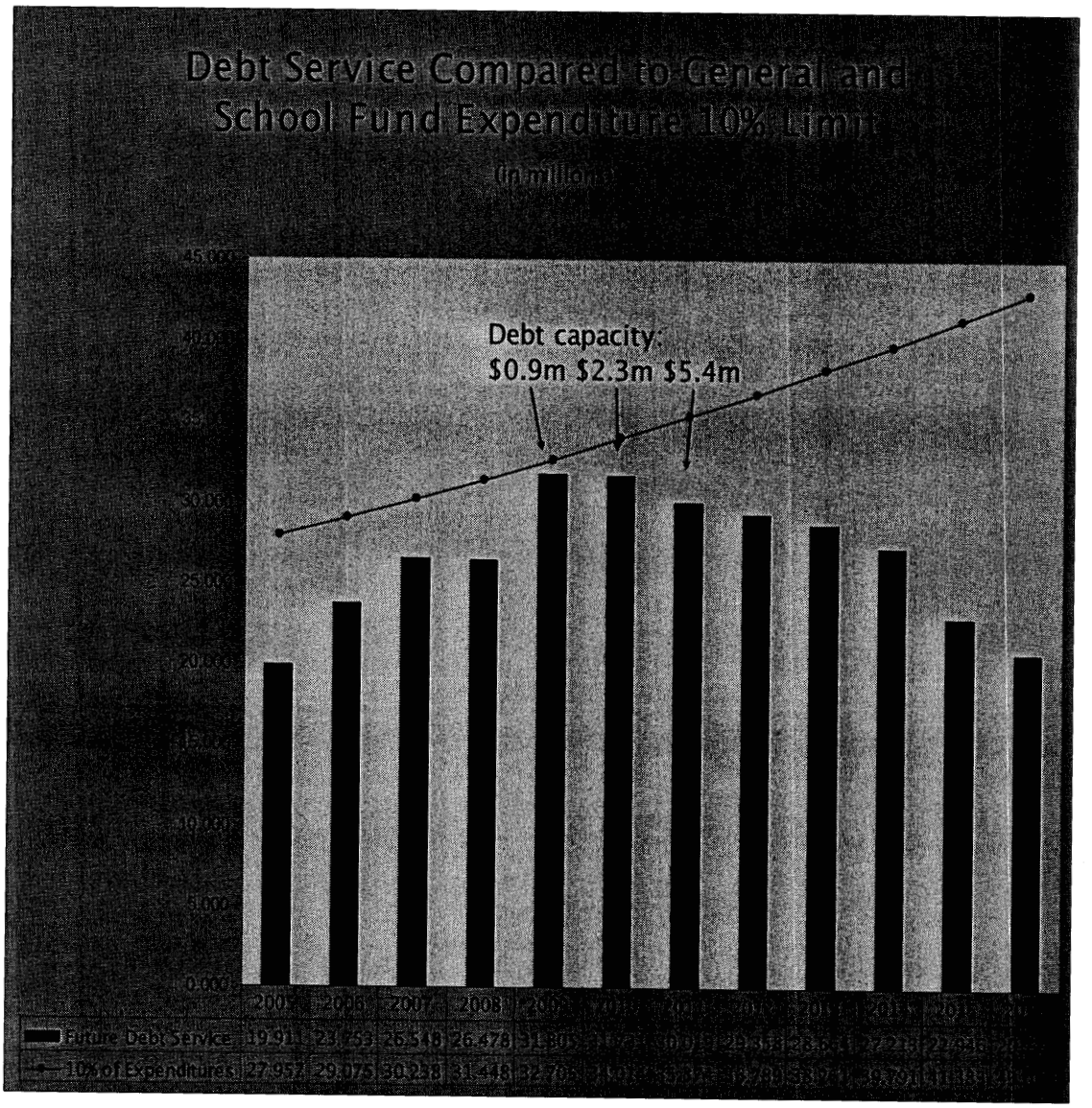
Vice-Mayor Fitzpatrick entered the meeting.

Ms. Shawver reviewed the following graphs: Ratio of Debt Service to General and School Fund Expenditures (10 per cent), Debt Service Compared to General and School Fund Expenditure Ten Per Cent Limit, Ratio of Net Bonded Debt to Assessed Value of Real Estate (five per cent), Reduction of Aggregate Debt Within Ten Years (50 per cent) which reflects issuance of planned future debt, and Debt Statistics of Urban Cities.

Ratio of Debt Service to General And School Fund Expenditures (10%)

	City Projects	School Projects	Overall
• FY 2002	4.2%	2.4%	6.6%
• FY 2003	6.0%	2.9%	8.9%
• FY 2004	4.6%	2.5%	7.1%
• FY 2005	4.5%	2.6%	7.1%
• FY 2006	4.8%	3.4%	8.2%
• FY 2007	4.8%	4.0%	8.8%
• FY 2008	4.6%	3.8%	8.4%
• FY 2009	4.9%	4.8%	9.7%
• FY 2010	4.6%	4.7%	9.3%
• FY 2011	4.1%	4.4%	8.5%

Note: Assumes annual expenditure growth of 4%


Debt Service Compared to General and
School Fund Expenditure 10% Limit
(in millions)
Debt capacity:
$0.9m $2.3m $5.4m
2005
2006
2007
2008
Future Debt Service
10% of Expenditures

Ratio of Net Bonded Debt to Assessed Value of Real Estate (5%)

	City Projects	School Projects	Overall
• FY 2002	2.8%	1.7%	4.5%
• FY 2003	2.5%	1.5%	4.0%
• FY 2004	2.1%	1.5%	3.6%
• FY 2005	2.3%	1.9%	4.2%
• FY 2006	2.2%	2.2%	4.4%
• FY 2007	1.9%	2.0%	4.0%
• FY 2008	2.0%	2.5%	4.5%
• FY 2009	1.7%	2.4%	4.1%
• FY 2010	1.4%	2.1%	3.6%
• FY 2011	1.2%	1.9%	3.1%

Note: Assumes growth of 4% in assessed value of real estate.

Reduction of Aggregate Debt Within Ten Years (50%)

(Reflects Issuance of Planned Future Debt)

	City	Schools	Overall
FY 2005	72%	66%	69%
FY 2006	72%	65%	69%
FY 2007	75%	68%	71%
FY 2008	74%	65%	70%
FY 2009	77%	68%	72%
FY 2010	81%	71%	75%

Debt Statistics of Urban Cities
Source: 6/30/04 CAFRs

Locality	General Obligation Bond Rating	Debt Service to General Fund Expenditures	Net Bonded Debt to Assessed Value Real Estate	Net Bonded Debt Per Capita
Roanoke	AA	7.13%	3.60%	$1,754.00
Richmond	AA/A1	7.11%	3.34%	$2,274.00
Hampton	AA	4.44%	2.36%	$1,035.00
Lynchburg	AA	7.12%	3.27%	$1,616.00
Newport News	AA	7.26%	5.37%	$2,408.00
Norfolk	AA/A1	11.20%	3.97%	$1,647.00
Portsmouth	AA/A1	6.67%	5.25%	$2,218.00
Roanoke Co.	AA	5.63%	2.32%	$1,480.00

The Mayor declared the meeting in recess at 12:15 p.m.

Council Member Lea left the meeting.

The Council's Financial Planning Session reconvened at 1:00 p.m., in Room 159, Noel C. Taylor Municipal Building, with all Members of the Council in attendance except Council Members Dowe and Lea, Mayor Harris presiding.

Mr. Stovall advised that building debt capacity in advance of meeting a certain level of funding for debt service creates excess debt funding that may be used for one time capital items; and for fiscal year 2006, the following projects are candidates for the use of debt excess funding:

Jail HVAC and Security

Streetscapes and Traffic Calming

Architectural Planning - Courthouse

Housing Strategies

Technology Enhancements

The following is the current status of attempts by staff to balance the fiscal year 2006 budget:

Preliminary Projection Revenue Growth	$6,829,000.00
Priority Expenditures	10,040,000.00
Balance	($3,211,000.00)

Mr. Stovall advised that in connection with closing the budgetary gap, staff will look at potential revenue enhancements and explore potential cost savings; City departments were not asked to submit budgets with expenditure reductions as has been done in prior years, but departments were requested to provide a list of potential cost saving ideas.

Prior Year Revenue Enhancements:

Fiscal year 2005

Miscellaneous Fee Adjustments

Fiscal year 2004

Admissions tax:

Increased from 6.5 per cent to 9 per cent for events held at City-owned Civic Center and Stadium to support Civic Facilities Phase II

Reduced from 6.5 per cent to 5.5 per cent for events held at facilities not owned by the City.

Implemented Short-Term Rental Tax

Increased E-911 Surcharge from $1.45 to $2.00

Miscellaneous Fee Adjustments

Fiscal year 2003

Miscellaneous Fee Adjustments

Admissions Tax (increased from 5 per cent to 6.5 per cent)

Fiscal Year 2002

Cigarette Tax - increased $.10 to fund curb, gutter and sidewalk projects

Transient Lodging Tax - Increased 1 per cent to provide additional funding to Convention and Visitors Bureau to market Roanoke as a tourist destination

Revenue options with regard to the current rate of various taxes, and the impact of a change in tax rates, are as follows:

	Current	Maximum Rate	Rate Change Impact	
Real Estate	$1.21	None	$0.01=$	518,000.00
Personal Property	3.45	None	$0.01=$	62,000.00
Utility Consumer	12%	20%	1%= $	1,116,000.00
Cigarette (20 per pack)	$0.27	None	$0.01=$	67,000.00
Transient Occupancy	7%	None	1%= $	21,000.00
Admissions	5.5%	None	1%= $	85,000.00
Prepared Food & Bev.	4%	None	1%= $	2,060,000.00
E-911	$2.00	$3.00	$0.01= $	8,000.00
Motor Vehicle License	$20.00	$28.50	$1= $	87,000.00
Cable TV Utility		7%	1%= $	207,000.00
Storm Water Mgt. Fee		None	$1/month=$500,000.00+	

A one per cent increase in the prepared food tax would result in additional revenue of approximately $2.1 million.

With respect to closing the gap for fiscal year 2009 to provide funding for the City's share of debt service for bonds to be issued for William Fleming High School, Mr. Stovall advised that staff previously recommended the meals tax as the funding mechanism; revenue derived from the meals tax comes from the fact that

restaurants that are located within the City of Roanoke serve as a regional attraction and the City captures approximately 49 per cent of the prepared food sales within the local area, including the City of Salem and Roanoke County; it is suggested that Council give consideration to increasing the meals tax three years early which would provide approximately $1 million that could be dedicated to one time capital projects until the time that debt funding is needed for the bonds that were issued for William Fleming High School and the remaining portion could be used to address recurring operating expenditures and close the current budgetary gap.

Question was raised as to whether the City Manager plans to submit a recommendation on a source of funding for cultural agencies; whereupon, the City Manager called attention to an arts summit which is intended to bring certain options to the community for review, given what appears to be a movement by the General Assembly this year to look at funding some of the arts, as well as a proposed bond issue; therefore, this might not be the year to ask the General Assembly for legislative changes. She stated that at the art summit, Dr. Edward Murphy, President/CEO, Carilion Health Systems, has been requested to make a presentation on a survey that was conducted by Carilion in the Roanoke Valley and the New River Valley to determine the interest of the private sector in the arts as a component of economic development, and whether businesses in the two communities saw themselves as being more closely aligned with the arts. She advised that local arts organizations have indicated an interest in going through the activity and have requested the City's involvement and participation.

Vice-Mayor Fitzpatrick expressed concern that the City of Roanoke does not have a formal policy on allocation of funds to the various organizations, and it is the City's responsibility to determine local funding to the extent that Council believes that the funding is an appropriate use of taxpayers dollars. He encouraged that Council review the issue of funding and develop a policy that is in the best interest of Roanoke's taxpayers.

It was noted that there should be a way to show a connection between cultural arts funding and hotel room nights and/or restaurant sales.

The City Manager advised that if Council supports an increase in the transient room tax, staff can address some of the pending issues and prepare information focusing on a strategy to provide funding to arts/cultural organizations, the hotel/motel industry, a reduction in the real estate tax rate, and housing/housing initiatives in an effort to weave all of the issues together, with the understanding that they are directed toward expanding the City's tax base.

The Mayor advised that Council should keep in mind that during each budget cycle, the City has adjusted certain tax rates and imposed various fees, etc.; therefore, certain City fees and taxes are significantly higher than surrounding jurisdictions.

There was discussion with regard to reducing the City's real estate tax rate, and that any increase in the meals tax would also be paid for by persons who reside outside of the City of Roanoke.

The City Manager advised that Council could give consideration to reducing the real estate tax rate by a certain per cent in year one followed by further reductions, assuming that revenues stay at a certain percentage of growth over the next five years. She stated that this would set forth a plan of action that would ask the citizens of Roanoke to bear with the City while the City gradually starts to reduce the real estate tax rate by x number of cents over a period of two to five years.

The City Manager requested that staff be permitted to propose various options for consideration by the Council.

Council was asked to engage in a discussion with regard to other suggestions in connection with budget development as staff moves forward with the budget development process.

Question was raised with regard to future meetings to address budget issues; whereupon, it was the consensus of Council that the subject of budget balancing and other budget issues will be discussed at the March 7 and April 4, 2005, 9:00 a.m. Council work sessions.

Dr. Cutler expressed an interest in the completion of Master Plans and/or Management Plans for Mill Mountain Park and the Carvins Cove Natural Reserve, the Roanoke River potential park, and coordination by the City's Engineering and Parks and Recreation Departments.

The Mayor suggested that Dr. Cutler request a one on one briefing through the City Manager's Office with regard to the function(s) of certain City departments.

Vice-Mayor Fitzpatrick referred to Main Street through the Wasena area and the adjoining commercial district; and street lighting and sidewalks on Crystal Spring Avenue that would be designed along the same theme as Grandin Road to create more of a village center concept.

Dr. Cutler addressed the importance of coordination among various initiatives that are currently underway, such as the Public Arts Plan, the Library Plan, the Parks and Recreation planning process, the new zoning ordinance, the Cradle to Cradle housing project, the downtown master plan, and the housing study. He stated that there should be a vision for the City as a whole that makes the entire City a landscape for good art and good architecture, etc.; and the various plans should fit together and not be done prepared piecemeal.

Vice-Mayor Fitzpatrick encouraged the City to follow up on the second phase of the street car issue and identify economic benefits, etc.

Mr. Stovall addressed funding for economic development and community development funding initiatives. He advised that much discussion has centered around positioning the City for capital projects, completion of the housing strategic plan, and looking to the future, there is no dedicated funding source for economic development or community development initiatives. Therefore, he Stated that it is recommended that Council consider designating capital fund interest earnings and proceeds from the sale of property for economic development/community development initiatives; current capital funding balance interest earnings is approximately $1.5 million; the City accrues interest at a rate of between $50,000.00 - $65,000.00 per month, depending upon the balance in the capital fund; therefore, it makes sense at this time to designate capital funds interest earnings as a funding source for such projects.

The City Manager advised that if Council is receptive to the proposal, staff will proceed accordingly as the budget is prepared for fiscal year 2005-2006.

Council Members spoke in support of the proposed funding initiatve.

The Director of Finance presented information with regard to a Budget Stabilization Reserve Policy. He advised that current fund balance policies are encompassed within the City Code and the Council-adopted debt policy which includes a reserve for self-insured liabilities, capital maintenance and equipment replacement program (CMERP), and a reserve for debt service; fund balance policies do not include a budget stabilization reserve and finance best practices and bond rating agencies strongly encourage a Budget Stabilization Reserve Policy.

The Director of Finance presented the following summary of a recommended Budget Stabilization Reserve Policy:

- Establishes a reserve floor for the City's Budget Stabilization Reserve of five per cent of the adopted General Fund budget

- Establishes a reserve target of eight per cent of the budget

- Stipulates that the reserve may be used only upon authorization of Council or unforeseen emergencies or significant declines in revenues

- Stipulates that growth in the reserve would come from interest earned on the balance in reserve, as needed; other funding would be added from current year revenues in excess of expenditures

- Provides guidance in replenishing the reserve should it be utilized for an emergency or revenue shortfall; restoration to the floor would be made within three fiscal years; continued emphasis would be made on increasing the reserve to the eight per cent target

Additionally, he advised that:

- The reserve will be funded from debt service fund balance with no new funds required

- Applying the new policy, the June 30, 2004 reserve would be $15.1 million or 7.1 per cent of the fiscal year 2005 adopted budget.

- The CMERP ordinance would be repealed.

- What was previously referred to as "CMERP" would become undesignated reserve; this balance could continue to be used on one-time purchases such as capital equipment.

- The self-insured reserve would continue to be maintained.

- Working capital in Proprietary Funds could continue to be used for asset/equipment replacement.

The City Manager advised that if Council concurs in the recommendation, a measure approving a Budget Stabilization Reserve Policy would be submitted to the Council for consideration at the Special Meeting of Council to be held on May 10, 2005, at which time Council will be requested to adopt various measures approving the City's fiscal year 2005 - 2006 budget, effective July 1, 2005.

The Mayor inquired if there were objections, questions or comments with regard to the proposed Budget Stabilization Reserve Policy. No questions or comments were raised.

The Mayor expressed appreciation to staff for their presentations which provided a good overview of the City's financial status.

There being no further business, the Mayor declared the meeting adjourned at 2:00 p.m.

APPROVED

ATTEST:

Mary F. Parker
City Clerk

C. Nelson Harris
Mayor

REGULAR WEEKLY SESSION----ROANOKE CITY COUNCIL

February 22, 2005

2:00 p.m.

The Council of the City of Roanoke met in regular session on Tuesday, February 22, 2005, at 2:00 p.m., the regular meeting hour, in the Roanoke City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor C. Nelson Harris presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 36762-070604 adopted by the Council on Tuesday, July 6, 2004.

PRESENT: Council Members M. Rupert Cutler, Alfred T. Dowe, Jr., Beverly T. Fitzpatrick, Jr., Sherman P. Lea, Brenda L. McDaniel, Brian J. Wishneff and Mayor C. Nelson Harris----------7.

ABSENT: None----------0.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The invocation was delivered by Vice-Mayor Beverly T. Fitzpatrick, Jr.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Harris.

PRESENTATIONS AND ACKNOWLEDGEMENTS:

ACTS OF ACKNOWLEDGEMENT-DECEASED PERSONS: Mr. Fitzpatrick offered the following resolution memorializing the late Irvin (Earl) Cannaday, Jr.:

(#36964-022205) A RESOLUTION memorializing the late Irvin (Earl) Cannaday, Jr., a Roanoke native and former Assistant Principal at Woodrow Wilson Middle School.

(For full text of resolution, see Resolution Book No. 69, Page 272.)

Mr. Fitzpatrick moved the adoption of Resolution No. 36964-022205. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

The Mayor called for a moment of silence in memory of Mr. Cannaday.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately. He called specific attention to two requests for Closed Session.

MINUTES: Minutes of the regular meeting of Council held on Monday, January 3, 2005, and recessed until January 13, 2005, were before the body.

Council Member Dowe moved that the reading of the minutes be dispensed with and that the minutes be approved as recorded. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

BUSES-AUDIT COMMITTEE: Minutes of meetings of the Audit Committee which were held on Thursday, October 7, 2004, and Monday, December 20, 2004; and the Greater Roanoke Transit Company Audit Committee on Monday, December 20, 2004, were before the body.

Council Member Dowe moved that the minutes be received and filed. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

COMMITTEES-CITY COUNCIL: A communication from Mayor C. Nelson Harris 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, was before the body.

Council Member Dowe moved that Council concur in the request of the Mayor to convene in a Closed Meeting as above described. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

ACTS OF ACKNOWLEDGEMENT-CITY COUNCIL: A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss a special award, being the Shining Star Award, pursuant to Section 2.2-3711 (A)(10), Code of Virginia (1950), as amended, was before the body.

Council Member Dowe moved that Council concur in the request of the Mayor to convene in a Closed Meeting as above described. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

ELECTIONS: A communication from the General Registrar advising that in order to better comply with changes implemented by HAVA and ADA requirements, the Electoral Board requests a change in the type of voting equipment used for In-Person Voting in the Absentee Precinct to DRE (Direct Recording Electronic) device, effective with the Primary Election to be held in June 2005; currently paper ballots are used for both In-Person and Mail Absentee voting; on Election Day, ballots are fed into a reader that records the votes by mark sense; and currently ES&S (Election Systems & Software) and DRE devices are used in regular precincts on Election Day, was before Council.

It was further advised that the change would allow all In-Person Absentee votes to be cast on the same equipment and allow individuals with disabilities to vote in private with ADA units, if desired; and the requested change complies with Section 24.2-626 of the Virginia Election Laws and has been forwarded to the City Attorney for submission to the Department of Justice.

Council Member Dowe moved that Council concur in the request and receive and file the communication. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

OATHS OF OFFICE-ROANOKE NEIGHBORHOOD PARTNERSHIP: A communication from Althea L. Pilkington tendering her resignation as a member of the Roanoke Neighborhood Advocates, was before Council.

Council Member Dowe moved that the resignation be accepted and that the communication be received and filed. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

OATHS OF OFFICE-ARCHITECTURAL REVIEW BOARD: A communication from Robert B. Manetta tendering his resignation as a member of the Architectural Review Board, was before Council.

Council Member Dowe moved that the resignation be accepted and that the communication be received and filed. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

OATHS OF OFFICE-COMMITTEES-HOUSING/AUTHORITY-COMMUNITY PLANNING-NEIGHBORHOOD PARTNERSHIP-VIRGINIA'S FIRST REGIONAL INDUSTRIAL FACILITY AUTHORITY: The following reports of qualification were before Council.

Maureen P. Castern as a member of the Roanoke Neighborhood Advocates to fill the unexpired term of Richard Nichols, resigned, ending June 30, 2007;

Bryan Grimes Creasy as a member of the Fair Housing Board, for a term ending March 31, 2007;

Fredrick M. Williams as a member of the City Planning Commission, for a term ending December 31, 2008; and

Brian J. Wishneff as a City representative to Virginia's First Regional Industrial Facility Authority, and as a member of the New River Valley Commerce Park Participation Committee.

Council Member Dowe moved that the reports of qualification be received and filed. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS: NONE.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

BUDGET-FIRE DEPARTMENT: The City Manager submitted a communication advising that Roanoke Fire-EMS was interviewed in January 2005 by representatives of the Virginia Department of Fire Programs for consideration in becoming the Division VI State Heavy and Tactical Rescue Team; partnering with Roanoke County Fire and Rescue to form a regional team, Roanoke Fire-EMS was selected; seven teams in Virginia will play a vital role in statewide response to technical rescue incidents; and in an effort to further enhance each selected team's capability, a one time grant in the amount of $42,857.00 will be awarded to purchase specific equipment, with no local match funds required.

The City Manager recommended that Council appropriate State grant funds, in the amount of $42,857.00, with corresponding revenue estimates in accounts to be established by the Director of Finance in the Grant Fund; and that the City Manager be authorized to execute the required grant agreements, to be approved as to form by the City Attorney.

Vice-Mayor Fitzpatrick offered the following budget ordinance:

(#36965-022205) AN ORDINANCE to appropriate funding for the Fire Programs Heavy and Tactical Rescue Team Grant, amending and reordaining certain sections of the 2004-2005 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 274.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 36965-022205. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

Vice-Mayor Fitzpatrick offered the following resolution:

(#36966-022205) A RESOLUTION authorizing the acceptance of the Heavy and Tactical Rescue Team Grant made to the City of Roanoke by the Virginia Department of Fire Programs and authorizing the execution and filing by the City Manager of the conditions of the grant.

(For full text of resolution, see Resolution Book No. 69, Page 275.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 36966-022205. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

MINORITY/WOMEN OWNED BUSINESSES: The City Manager submitted a communication advising that solicitation and award of City contracts must comply with the City Charter and the City's Procurement Policy, as well as the Virginia Public Procurement Act; in general, public procurement requires the City to obtain bids and award contracts on City projects to the "lowest responsive and responsible bidder"; and determination of whether the bidder is "responsible" must be made upon considerations solely related to job performance.

It was further advised that a proposed plan provides that when bids or proposals are solicited directly from potential contractors, solicitations include, whenever possible, appropriate businesses from lists maintained and/or available in the Purchasing Division, including but not limited to a list from the Virginia Department of Minority Business Enterprise; the City of Roanoke currently maintains a separate database of small, minority and women-owned businesses, from which all City departments are encouraged to solicit a MBE/WBE/SB vendor in all procurement transactions; meet and greet events are held for large construction projects to provide small business contractors with an opportunity to meet large business owners in an effort to become subcontractors on City projects; the City continues to reduce the scope of projects, if possible, to reduce the need for bonding and large insurance requirements; and the annual Regional Building New Partnership Conference which is hosted by the City is intended to educate MBE/WBE/SB vendors to improve bidding and responsiveness to request for proposals and invitations to bid.

It was stated that Council and the City Administration recognize the need for improving opportunities for small, minority and women-owned business enterprises to participate in City contracts; and with adoption of the plan, improved business opportunities should result as the City makes clear to the community its policy to encourage opportunities for small, minority and women-owned business enterprises to participate in City contracts.

The City Manager recommended that Council repeal Resolution No. 31012-051892, Minority and Women-Owned Business Enterprise Plan, and adopt a Plan for Participation in Procurement Transactions of Small Businesses and Businesses Owned by Women and Minorities; and that the City Manager be authorized to take appropriate measures to implement the above referenced Plan, effective immediately.

Council Member Dowe offered the following resolution:

(#36967-022205) A RESOLUTION repealing Resolution No. 31012-051892, which adopted a Minority and Women-Owned Business Enterprise Plan; and adopting and endorsing a Plan for Participation in Procurement Transactions of Small Businesses and Businesses Owned by Women and Minorities.

(For full text of resolution, see Resolution Book No. 69, Page 275.)

Council Member Dowe moved the adoption of Resolution No. 36967-022205. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

STATE HIGHWAYS-BRIDGES: The City Manager submitted a communication advising that the Virginia Department of Transportation (VDOT) requires resolutions adopted by Council documenting the City's support of a project before funding can be made available; therefore, Council must adopt a resolution for the recent Federal award of $497,050.00 (VDOT UPC #72794) to be made available for improvement of the Dr. Martin Luther King, Jr. Memorial Bridge (formerly First Street Bridge); approval of the resolution must include the City's agreement to pay a 20 per cent match ($124,262.00) to Federal funds and to reimburse VDOT for the total amount of costs expended by VDOT, if the City subsequently elects to cancel the project; and local match funding is available in Account No. 008-052-9754-9003 from funds previously appropriated to the project.

The City Manager recommended that Council adopt a resolution endorsing improvement of the Martin Luther King Jr. Memorial Bridge (formerly First Street Bridge), agreeing to pay the 20 per cent match ($124,262.00) to Federal funds, and agreeing to reimburse VDOT for the total amount of costs expended by VDOT

if the City subsequently elects to cancel the project; and that the City Manager be authorized to enter into any and all necessary agreements with applicable Federal and State agencies or other affected parties to complete the project, such agreements to be approved as to form by the City Attorney.

Council Member Cutler offered the following resolution:

(#36968-022205) A RESOLUTION expressing the support of the Council of the City of Roanoke to the Virginia Department of Transportation for the improvement of the First Street Bridge.

(For full text of resolution, see Resolution Book 69, Page 276.)

Council Member Cutler moved the adoption of Resolution No. 36968-022205. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

COMMITTEES-TRAFFIC: The City Manager submitted a communication advising that the Commonwealth of Virginia once required local jurisdictions to appoint an active Transportation Safety Commission in order to be eligible for certain Federal highway safety funds; the requirement was eliminated many years ago and most localities abolished their local Commissions; in the summer of 2004, while reviewing issues with regard to the City's boards and commissions, Council indicated that the current Transportation Safety Commission could be abolished and the functions could be appropriately managed by City staff; and City staff could utilize a less formal working committee when needed to ensure thorough consideration and evaluation of transportation safety issues which would be similar to the current process used to manage transportation planning activities, such as development of the City's Long Range Transportation Improvement Plan.

It was further advised that the Transportation Safety Commission has not been active since Council provided the above referenced direction, although official action to abolish the Commission has not been taken and the members of the Commission have not been notified that their services are no longer necessary.

The City Manager recommended that Council adopt a resolution abolishing the City of Roanoke Transportation Safety Commission and expressing appreciation to members of the Commission for their service.

Vice-Mayor Fitzpatrick offered the following resolution:

(#36969-022205) A RESOLUTION abolishing the City of Roanoke Transportation Safety Commission.

(For full text of resolution, see Resolution Book 69, Page 277.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 36969-022205. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

ROANOKE VISION, COMPREHENSIVE DEVELOPMENT PLAN-COMMUNITY PLANNING: The City Manager submitted a communication advising that in order to receive Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME) and Emergency Shelter Grant (ESC) funding, the City of Roanoke must submit a five-year Consolidated Plan and Annual Updates to the U. S. Department of Housing and Urban Development (HUD); and substantial amendments to the Plan must undergo a 30-day public review and comment period, followed by approval of Council.

It was further advised that the City has unexpended funds in several previously planned activities; several activities of importance to the community have been identified for use of the funds, which are summarized in an attachment to the communication; in order to implement proposed uses, each activity and associated funding must be added to the current plan; and individually and collectively, the activities constitute a substantial amendment to the Plan that must be approved by Council prior to implementation.

It was noted that the 30-day public review and comment period was conducted from January 21 to February 21, 2005; no comments objecting to the intended amendments were received; implementing use of the funds during the current year will have the added benefit of assisting the City to maintain compliance with HUD's requirements concerning timely expenditures; and several fund transfers will be needed and can be accomplished administratively through City Manager budget transfers.

The City Manager recommended that Council approve amendments to the 2004/2005 and 2002/2003 Annual Updates to the Consolidated Plan; and authorize the City Manager to execute documents required by HUD to accept funds, subject to approval as to form by the City Attorney.

Vice-Mayor Fitzpatrick offered the following resolution:

(#36970-022205) A RESOLUTION approving certain amendments to the 2004/2005 and 2002/2003 Annual Updates to the City of Roanoke Five-Year Consolidated Plan.

(For full text of resolution, see Resolution Book No. 69, Page 278.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 36970-022205. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

BUDGET-STATE HIGHWAYS-TRANSPORTATION FUND: The City Manager submitted a communication advising that the Virginia Department of Transportation's (VDOT) Six-Year Improvement Program (SYIP) includes funding for the following projects that are to be locally administered:

- Riverland Road, Bennington Street, & Mt. Pleasant Boulevard Intersection Improvement (UPC No. 71740) - Total project funding of $1,080,000.00 which includes a FYO5 allocation of $220,000.00;

- 10th Street Pedestrian & Bicycle Crossing Improvements (UPC No. 71725) - Total project funding of $75,000.00, all of which is allocated in FY05; and

- City-wide Signal & ITS Improvements (UPC No. 71741) - Total project funding of $1,100,000.00 which includes a FYO5 allocation of $543,000.00.

It was further advised that because the projects are to be locally administered, Council is requested to appropriate funds to project accounts for disbursement against project development and implementation expenses; VDOT projects require a local match of two per cent and funding for the local match is available in VDOT Highway projects, Account No. 008-530-9803.

The City Manager recommended that Council take the following actions:

Appropriate $220,000.00 of VDOT project funding to an existing project Account No. 008-530-9512 entitled, "Riverland Road/Mt. Pleasant/Bennington Street", and establish a revenue estimate of the same for State reimbursement through VDOT's Six-Year Improvement Program;

Appropriate $75,000.00 of VDOT project funding to a new project account to be entitled, "10th Street Crossing Improvements", and establish a revenue estimate of the same for State reimbursement through VDOT's Six-Year Improvement Program;

Appropriate $543,000.00 of VDOT project funding to a new project account to be entitled, "Signal & ITS Improvements", and establish a revenue estimate of the same for State reimbursement through VDOT's Six-Year Improvement Program; and

Authorize the City Manager to enter into any and all necessary agreements with applicable Federal and State agencies or other affected parties to complete the projects.

Vice-Mayor Fitzpatrick offered the following budget ordinance:

(#36971-022205) AN ORDINANCE to appropriate funding to be provided by the VDOT Six-Year Improvement Program for the Riverland Road, Mt. Pleasant Boulevard Intersection, Bennington Street, 10th Street Crossing Improvements and Signal & ITS Improvements Projects, amending and reordaining certain sections of the 2004-2005 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 279.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 36971-022205. The motion was seconded by Council Member Dowe.

Mr. Chris Craft, 1501 East Gate Avenue, N. E., inquired if funds were being appropriated for a new bridge over the Hollins Road Railroad track and the timeframe for completion of the project; whereupon, the City Manager advised that she was not aware of any funds being appropriated for a bridge in the Hollins Road area, however, she would ask staff to investigate the inquiry and communicate their findings to Mr. Craft.

Mr. Craft also inquired if the Virginia Department of Transportation Six-Year Improvement Program included project funds for the Hollins Road bridge; whereupon, the City Manager advised that none of the appropriated funds listed in the Program would be used to construct a bridge in the Hollins Road area.

Ordinance No. 36971-022205 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

Vice-Mayor Fitzpatrick offered the following resolution:

(#36972-022205) A RESOLUTION authorizing the City Manager to enter into any and all necessary and appropriate agreements to complete certain projects in the City of Roanoke which are in the Virginia Department of Transportation's Six-Year Improvement Projects.

(For full text of resolution, see Resolution Book No. 69, Page 280.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 36972-022205. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

HOUSING/AUTHORITY: The City Manager submitted a communication advising that World Changers, a volunteer ministry of the North American Mission Board, Southern Baptist Convention (World Changers), brings together youth and adults from across the nation to participate in housing and related community service projects; last year, under a subgrant agreement with Blue Ridge Housing Development Corporation, Inc. (BRHDC), which provided Community Development Block Grant (CDBC) funding for materials and other support, approximately 400 World Changers volunteers assisted in repairing approximately 40 homes in the City; and during the project, housing for workers was provided by the Roanoke City School Board.

It was further advised that given the success of the project in 2004 and in the prior year and the productive working relationships that have been established, the City, BRHDC and World Changers are looking to conduct another project during the summer of 2005; a total of $80,000.00 in CDBG funds is to be committed to the 2005 project, as set forth in a subgrant agreement attached to the communication; use of funds is requested for authorization by Council through a separate report, which amends the City's Consolidated Plan to add the 2005 World Changers and other projects; and the appropriate City Manager budget transfers may be made administratively following approval to include funds in designated accounts.

It was pointed out that a proposed subgrant agreement will outline activities to be undertaken by BRHDC and World Changers; housing for World Changers volunteers will again be provided by the Roanoke City School Board, and arrangements will be finalized by BRHDC and City staff directly with school officials.

The City Manager recommended that she be authorized to execute a CDBG Subgrant Agreement with Blue Ridge Housing Development Corporation, Inc., subject to approval as to form by the City Attorney.

Council Member Cutler offered the following resolution:

(#36973-022205) A RESOLUTION authorizing the City Manager to enter into a 2005 Community Development Block Grant (CDBG) Subgrant Agreement with the Blue Ridge Housing Development Corporation, Inc., regarding the World Changers project, upon certain terms and conditions.

(For full text of resolution, see Resolution Book No. 69, Page 281.)

Council Member Cutler moved the adoption of Resolution No. 36973-022205. The motion was seconded by Vice-Mayor Fitzpatrick and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

BUDGET-SNOW REMOVAL: The City Manager submitted a communication advising that due to limited resources within the City's snow removal operating budget, the three storms experienced earlier in the winter depleted the City's stockpile of salt for snow removal operations; in an effort to remain adequately stocked and prepared for winter weather, additional salt was obtained; a budget transfer of $130,000.00 is needed to cover the additional expense; and because the transfer is more than $75,000.00, action by Council is required.

The City Manager recommended that Council authorize transfer of funds, in the amount of $130,000.00 from City Manager Contingency, Account No. 001-300-9410-2199, to Snow Removal Chemicals, Account No. 001-530-4140-2045.

Vice-Mayor Fitzpatrick offered the following budget ordinance:

(#36974-022205) AN ORDINANCE to transfer funds for snow removal, amending and reordaining certain sections of the 2004-2005 General Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 281.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 36974-022205. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

CITY ATTORNEY: NONE.

DIRECTOR OF FINANCE: NONE.

REPORTS OF COMMITTEES:

BUDGET-SCHOOLS: A communication from the Roanoke City School Board requesting that Council approve the following appropriations, was before the body.

- $15,000.00 for the GED Testing Fast Track program to provide advertising and instructors to increase participation in the GED examination, said program to be 100 per cent reimbursed by State funds; and

- $8,000.00 for the GED Expanded Testing program to provide additional instructors and supplies for GED preparation classes and for administration of the GED examinations, said program to be 100 per cent reimbursed by State funds.

A report of the Director of Finance recommending that Council concur in the request of the School Board, was also before the body.

Council Member Dowe offered the following budget ordinance:

(#36975-022205) AN ORDINANCE to appropriate funding for the GED Fast Track Program and GED Preparation Classes, amending and reordaining certain sections of the 2004-2005 School Funds Appropriations and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 282.)

Council Member Dowe moved the adoption of Ordinance No. 36975-022205. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

ACTS OF ACKNOWLEDGEMENT-CITY COUNCIL: Council Member Wishneff commended Council Member Lea, who represented the City of Roanoke on Monday, February 21, 2005, by hosting members of the Tuskegee Airmen, an all-black aviation unit whose pilots never lost a bomber to enemy fire in more than 1,500 missions during World War II.

ACTS OF ACKNOWLEDGEMENT-CITY EMPLOYEES: Council Member Lea commended the City Manager and City employees in connection with the City's first talent show which was held on Friday, February 18, 2005, at the Roanoke Civic Center.

POLICE DEPARTMENT: Vice-Mayor Fitzpatrick expressed appreciation to the City Manager for completion of the installation of lighting around the memorial to Roanoke's fallen police officers on Campbell Avenue, S. W.

FIRE DEPARTMENT-REGIONAL COOPERATION: Council Member Cutler called attention to a press conference which was held earlier in the day announcing that the Roanoke County Fire and Rescue Department and the City of Roanoke Fire/EMS Department will expand regional cooperation to include the Mount Pleasant and north Williamson Road areas. He stated that this represents another example of cooperation by Roanoke City and Roanoke County.

HOUSING/AUTHORITY-ECONOMIC DEVELOPMENT: Council Member Cutler called attention to continuing progress on the Colonial Green development, and expressed appreciation to the developer for working with residents of the area to protect and increase the width of the buffer between existing housing and the new development, while retaining the mixed use character of the project.

CITY SHERIFF: The Honorable George M. McMillan, Sheriff, presented a communication advising of two new programs that have been implemented in the Roanoke City Jail to enhance and improve the community; i.e.: the Offender Reentry Program, which is a cooperative effort between the Roanoke Sheriff's Office and the Virginia Department of Corrections, to provide life skills training to soon-to-be released prison inmates from the Roanoke Valley; instead of being traditionally released from prison to the local streets, inmates will be placed in the program while they are still incarcerated in the Roanoke City Jail for approximately 45 to 90 days prior to release, and each inmate will be trained in cognitive thinking, employability skills, substance abuse resistance, anger management, money management, domestic violence avoidance, and other general life skills; the cooperative effort would provide offenders with the opportunity to reintegrate into the community with a foundation upon which to build productive lives; and the program will provide another measure of income to the Sheriff's Office, which is estimated to generate approximately $154,000.00 during fiscal year 2006.

He further advised that a contract was executed with the Virginia Department of Corrections to house up to 25 inmates as part of the Jail Contract Bed Program, which would also generate approximately $204,000.00 of additional revenue in fiscal year 2006; the Department of Finance and the Sheriff's Office project that the Offender Reentry and Jail Contract Bed Programs and other

programs in operation at the Roanoke City Jail would generate approximately $4 million in revenue to offset the Sheriff's Office budget request for fiscal year 2006; and with an increase in State funds and revenues generated by the Sheriff's Office, the City's cost will be reduced to approximately $3 million for fiscal year 2006.

Without objection by the Council, the Mayor advised that the communication would be received and filed.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard and matters requiring referral to the City Manager will be referred immediately for response, recommendation or report to Council.

REFUSE COLLECTION: Ms. Rhonda Conner, 1509 Patterson Avenue, S. W., advised that real estate taxes on several of her rental properties have increased annually. She stated that bulk trash collection is provided at all of her properties, with the exception of her largest investment property; therefore, she questioned why she is not afforded the same bulk trash collection at all of her properties. She advised that real estate investors and property owners pay more in real estate taxes per year to the City than single-family homeowners, yet they do not receive the same City services; and if she must pay additional taxes each year, the City of Roanoke should provide solid waste collection at all her properties.

In order to respond to her concerns, Mayor Harris requested that Ms. Conner provide specific information to the City Manager.

REFUSE COLLECTION: Mr. Chris Craft, 1501 East Gate Avenue, N. E., extended an invitation to the Members of Council to attend the annual Easter Egg Hunt sponsored by First Baptist Church on March 26, 2005, at Victory Stadium.

He called attention to the need to remove debris from an area along Tinker Creek and 13th Street, N. E.

CITY MANAGER COMMENTS:

FIRE DEPARTMENT- CITY MANAGER-CITY EMPLOYEES-MINORITY/WOMEN OWNED BUSINESSES-REGIONAL COOPERATION-PROCUREMENT CODE: The City Manager commended City employees who participated in the City's first annual talent show on Friday, February 18, 2005, which provided an opportunity to showcase the many talents of Roanoke's employees. She advised that it is anticipated that a second talent show will be held in 2006.

The City Manager advised that the City of Roanoke has been invited to make a presentation at the next meeting of the Minority Supplier Development Council in March 2005 in recognition of Roanoke's efforts to promote small business application of the procurement policy.

The City Manager pointed out that expansion of Fire/EMS services to the Mount Pleasant and north Williamson Road areas is another example of regional cooperation by the City of Roanoke and Roanoke County that will improve the level of service for both City and County residents. She commended the Chiefs of Fire/EMS in Roanoke City and Roanoke County for their efforts to promote further regional cooperation.

At 2:50 p.m., the Mayor declared the Council meeting in recess for two Closed Sessions in the Council's Conference Room.

At 4:10 p.m., the Council meeting reconvened in the City Council Chamber, with all Members of the Council in attendance, Mayor Harris presiding.

COUNCIL: With respect to the Closed Meeting just concluded, Council Member McDaniel moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

OATHS OF OFFICE-COMMITTEES-ROANOKE ARTS COMMISSION: The Mayor advised that there is a vacancy on the Roanoke Arts Commission created by the resignation of Courtney A. Penn; whereupon, he opened the floor for nominations to fill the vacancy.

Council Member Wishneff placed in nomination the name of Cathy C. Greenberg.

There being no further nominations, Ms. Greenberg was appointed as a member of the Roanoke Arts Commission, to fill the unexpired term of Courtney A. Penn, resigned, ending June 30, 2007, by the following vote:

FOR MS. GREENBERG: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff, and Mayor Harris----------7.

OATHS OF OFFICE-COMMITTEES-INDUSTRIES: The Mayor advised that there is a vacancy on the Industrial Development Authority created by the resignation of William L. Bova; whereupon, he opened the floor for nominations to fill the vacancy.

Council Member Wishneff placed in nomination the name of Stuart H. Revercomb.

There being no further nominations, Mr. Revercomb was appointed as a member of the Industrial Development Authority, to fill the unexpired term of William L. Bova, resigned, ending October 20, 2005, by the following vote:

FOR MR. REVERCOMB: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

OATHS OF OFFICE-COMMITTEES-PERSONNEL DEPARTMENT: The Mayor advised that there is a vacancy on the Personnel and Employment Practices Commission created by expiration of the term of office of Stephen L. Jamison on June 30, 2004; whereupon, he opened the floor for nominations to fill the vacancy.

Council Member Wishneff placed in nomination the name of Stephen S. Willis.

There being no further nominations, Mr. Willis was appointed as a member of the Personnel and Employment Practices Commission, for a term ending June 30, 2007, by the following vote:

FOR MR. WILLIS: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

OATHS OF OFFICE-COMMITTEES-LEAGUE OF OLDER AMERICANS: The Mayor advised that the one year term of office of Vickie F. Briggs as the City's representative to the League of Older Americans Advisory Committee will expire on February 28, 2005; whereupon, he opened the floor for nominations to fill the vacancy.

Council Member Wishneff placed in nomination the name of Vickie F. Briggs.

There being no further nominations, Ms. Briggs was reappointed as the City's representative to the League of Older Americans Advisory Committee, for a term ending February 28, 2006, by the following vote:

FOR MS. BRIGGS: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

OATHS OF OFFICE-PARKS AND RECREATION-COMMITTEES: The Mayor advised that the three year terms of office of Robert C. Jones, Thomas Pettigrew, Christene A. Montgomery, Sharon L. Stinnette, and Sherley E. Stuart as members of the Parks and Recreation Advisory Board will expire on March 31, 2005; whereupon, he opened the floor for nominations to fill the vacancies.

Council Member Wishneff placed the following names in nomination: Robert C. Jones, Thomas Pettigrew, Christene A. Montgomery, Sharon L. Stinnette, and Sherley E. Stuart.

There being no further nominations, Mr. Jones, Mr. Pettigrew, Ms. Montgomery, Ms. Stinnette, and Mr. Stuart were reappointed as members of the Parks and Recreation Advisory Board, for a terms ending March 31, 2008, by the following vote:

FOR MR. JONES, MR. PETTIGREW, MS. MONTGOMERY, MS. STINNETTE AND MR. STUART: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

OATHS OF OFFICE-COMMITTEES-ARCHITECTURAL REVIEW BOARD: The Mayor advised that there is a vacancy on the Architectural Review Board created by the resignation of Robert B. Manetta; whereupon, he opened the floor for nominations to fill the vacancy.

Council Member Wishneff placed in nomination the name of Lora Katz.

There being no further nominations, Ms. Katz was appointed as a member of the Architectural Review Board, to fill the unexpired term of Robert B. Manetta, resigned, ending October 1, 2006, by the following vote:

FOR MS. KATZ: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

At 4:15 p.m., the Mayor declared the Council meeting in recess until 7:00 p.m., in the City Council Chamber.

At 7:00 p.m., on Tuesday, February 22, 2005, the Council meeting reconvened in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor C. Nelson Harris presiding.

PRESENT: Council Members M. Rupert Cutler, Alfred T. Dowe, Jr., Beverly T. Fitzpatrick, Jr., Sherman P. Lea, Brenda L. McDaniel, Brian J. Wishneff and Mayor C. Nelson Harris----------7.

ABSENT: None----------0.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney, Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The invocation was delivered by Vice-Mayor Beverly T. Fitzpatrick, Jr.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Harris.

PRESENTATIONS AND ACKNOWLEDGEMENTS:

PROCLAMATIONS: The Mayor presented a proclamation to Seth Sprinkle, Senior Counselor, Roanoke Valley DeMolay Chapter, declaring the month of March 2005 as DeMolay Month.

PARKS AND RECREATION-BLUE RIDGE PARKWAY: The City Manager submitted a communication advising that over the past year, the Blue Ridge Parkway has been working in concert with the Virginia Department of Transportation (VDOT), the Department of Conservation and Recreation, Scenic Virginia, three other National Park Service sites in Virginia (George Washington Memorial Parkway, Colonial National Historic Park, and Shenandoah National Park), and other related organizations to prepare four nominations for the National Scenic Byway/All-American Road Program; and currently, Virginia has no National Scenic Byways featured on certain maps and websites used by potential tourists from all over the world.

It was further advised that the Blue Ridge Parkway would be one of the four byways nominated; the National Park Service is seeking support for the nomination from localities through which the Parkway is located; while the designation is one of recognition only, it is sought in order to raise awareness of the significance of the Parkway and to potentially leverage other resources to aid in the protection of the Parkway as a scenic, cultural, and historic resource; and the designation could aid in obtaining National Park Service funding for continued regional planning efforts and could also leverage various grant applications made by local public and private stakeholder groups.

The City Manager recommended that Council adopt a resolution expressing the City of Roanoke's support for the nomination of the Blue Ridge Parkway for the National Scenic Byway/All American Road program.

Council Member Cutler offered the following resolution:

(#36976-022205) A RESOLUTION supporting the designation of the Blue Ridge Parkway for the Scenic Byway/All American Road Program.

(For full text of resolution, see Resolution Book No. 69, Page 283.)

Council Member Cutler moved the adoption of Resolution No. 36976-022205. The motion was seconded by Vice-Mayor Fitzpatrick.

Gary Johnson, Superintendent, Blue Ridge Parkway, expressed appreciation to Council, the City Manager and the Director of Planning, Building and Development for the City's support of the nomination of the Blue Ridge Parkway for the National Scenic Byway All American Road Program.

There being no questions or comments by Council Members, Resolution No. 36976-022205 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

PUBLIC HEARINGS:

STREETS AND ALLEYS: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Tuesday, February 22, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of The Scott Robertson Memorial Fund that the easternmost 250 feet of Densmore Road, N. W., be closed and discontinued by barricade, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday February 4, 2005 and Friday, February 11, 2005.

The City Planning Commission submitted a written report advising that the portion of Densmore Road in question is adjoined by parcels zoned Residential Single - family, High Density District; the grounds of the Roanoke County Club surround the subject potion of right-of-way along the parcel owned by the Scott Robertson Memorial Fund; and Westside Elementary School for the Performing and Visual Arts is located to the west.

It was further advised that the petitioner proposes to install a locked gate over the right-of-way and provide access to the Roanoke Country Club, the City, and all utility providers, as necessary since the subject portion of right-of-way does not serve any other property owner; the location of the barricade will be approximately at the westernmost boundary of Official Tax No. 2670906; and the petitioner advises that the gate will allow security of the site and prevent the right-of-way from being used by motorists late at night.

The City Planning Commission recommended that Council deny the request to close the subject portion of Densmore Road, N. W. It was noted that the Planning Commission was of the opinion that the applicant had other options for addressing security of the site that should be pursued, including fencing of the site parallel to the existing right-of-way or by seeking vacation of the portion of the right-of-way in its entirety.

Vice-Mayor Fitzpatrick offered the following ordinance:

(#36977-022205) AN ORDINANCE authorizing the alteration and closing by barricade of certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 284.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 36977-022205. The motion was seconded by Council Member McDaniel.

Richard B. Burrow, Volunteer Spokesperson, representing the petitioner, appeared before Council in support of the request.

The Mayor inquired if there were persons present who would like to be heard in connection with the public hearing; whereupon, the following persons addressed the Council.

Jennifer Blackwood, Executive Director, advised that First Tee of Roanoke Valley is one of seven chapters in the Commonwealth of Virginia, and one of 200 nationally that utilizes golf to teach life skills, character education, etc. She further advised that approximately two years ago, The Scott Robertson Memorial Fund, which is the parent organization that is creating the First Tee Chapter in Roanoke, purchased land on Densmore Road and spent approximately $500,000.00 to convert an abandoned house and three acres of land into a golf learning academy consisting of a large teaching putting green, a driving range using a restricted flight ball, and a short game area with sand hazards and tees; and the program is available to children who would not otherwise have access to golf.

Ms. Blackwood stated that the First Tee Program recently conducted a nation wide study of parents, teachers and children using a life skills curriculum and over 76% of parents surveyed reported an increase in their child's confidence level, grades in school, social ability and display of respect as a result of participation in the program.

With regard to the request for the barricade closure, Mr. Burrow advised that The Scott Robertson Fund has spent a considerable amount of money on landscaping, installation of special turf and the driving area; and because of concerns regarding vandalism at the dead-end of Densmore Road, the Foundation would prefer to control access to the property for security purposes.

Council Member McDaniel inquired about the City's position concerning the barricade closure; whereupon, R. Brian Townsend, Director of Planning, Building and Development advised that Planning staff recommended approval of the request to close a portion of Densmore Road, by barricade, with the petitioner to be responsible for erecting a gate with a lock system that would allow access to the right-of-way by Roanoke Country Club, the City of Roanoke, or any party representing or acting on behalf of the City of Roanoke, and all public utility companies; however, the City Planning Commission disagreed with Planning staff and the petitioner in terms of how to address the situation. Mr. Townsend explained that the Planning Commission believed the better alternative was either to vacate the right-of-way by street closure process, which would remove the City's rights to the public right-of-way, or request First Tee to fence the perimeter of its

property as opposed to barricading the right-of-way; and the Planning Commission's rationale for not recommending approval of the application was due to the fact that there were two other viable options that would accommodate the needs of First Tee.

Council Member McDaniel asked if the right-of-way could be permanently vacated and closed; whereupon, Mr. Townsend stated that since First Tee is not the owner of the entire property on either side of the right-of-way, it would involve coordination of the closure with other adjoining properties.

Council Member McDaniel inquired about the liability issue of barricading the right-of-way; whereupon, the City Attorney expressed concern with regard to the erection of the barricade across the public right-of-way and the assurance of public safety access to the area.

The City Manager commended the Board of Directors and Tom Robertson for constructing the facility in the City of Roanoke. She called attention to the significant contribution that the program will offer to underserved young people in the Roanoke area.

There being no further speakers, the Mayor declared the public hearing closed.

There being no further discussion by Council, Ordinance No. 36977-022205 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

STREETS AND ALLEYS-WATER/RESOURCES: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Tuesday, February 22, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the Western Virginia Water Authority that portions of Bennington Street, Brownlee Avenue, Kindred Street, and Underhill Avenue, S. E., and associated alleys south of the Roanoke Regional Wastewater Treatment Plant be permanently vacated, discontinued and closed, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday February 4, 2005, and Friday, February 11, 2005.

The City Planning Commission submitted a written report advising that the petitioner requests vacation of portions of Bennington Street, Brownlee Avenue, Kindred Street, and Underhill Avenue, S. E., and associated alleys to allow for expansion of the Roanoke Regional Wastewater Treatment Plant (RRWTP); and the City of Roanoke and the Western Virginia Water Authority own the adjoining parcels of land.

The City Planning Commission recommended that Council approve the request to vacate, discontinue and close the subject portions of streets and alleys, subject to certain conditions.

Council Member Cutler offered the following ordinance:

(#36978-022205) AN ORDINANCE permanently vacating, discontinuing and closing certain public rights-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 285.)

Council Member Cutler moved the adoption of Ordinance No. 36978-022205. The motion was seconded by Council Member McDaniel.

Michael T. McEvoy, Executive Director, Western Virginia Water Authority, appeared before Council in support of the request.

The Mayor inquired if there were persons present who would like to be heard in connection with the public hearing. There being none, he declared the public hearing closed.

There being no discussion or comments by Council Members, Ordinance No. 36978-022205 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

NEIGHBORHOOD ORGANIZATIONS-ZONING-STREETS AND ALLEYS: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk advertised public hearings for Tuesday, February 22, 2005, at 7:00 p.m., or as soon thereafter as the matters may be heard, in the City Council Chamber, on the following:

- Request of Rockydale Quarries Corporation that the Southern Hills Neighborhood Plan, a component of Vision 2001 - 2020, the City's Comprehensive Plan, be amended to accommodate a recent boundary line adjustment and other changes in the text of the Plan.

- Request of Rockydale Quarries Corporation that properties located on Franklin Road, Old Rocky Mount Road, Welcome Valley Road and Van Winkle Road, S. W., bearing Official Tax Nos. 5380106, 5380107, 5380108, 5380123, and 5380110, zoned C-1, Office District; Official Tax No. 5380125, zoned RS-1, Residential Single Family District; Official Tax Nos. 5390110, 5390117, 5390109,

5390108, 5390106, and 5390105, zoned RS-3, Residential Single Family District, be rezoned to HM, Heavy Manufacturing District; and Official Tax Nos. 4530202, 4530203, and 4530205, zoned HM, Heavy Manufacturing District, be rezoned to RA, Residential Agricultural District, subject to certain conditions proffered by the petitioner.

- Request of Rockydale Quarries Corporation that the following streets be permanently vacated, discontinued and closed: (1) Draper Road from its intersection with U. S. 220 North (Franklin Road) to its terminus at Old Rocky Mount Road; (2) Old Rocky Mount Road from its terminus on the westerly side of Official Tax No. 5370109, north approximately 1032.66 feet to Official Tax No. 5370106; and (3) Welcome Valley Road, from its intersection with Old Rocky Mount Road east for an approximate distance of 130 feet along Official Tax No. 5390110.

Legal advertisements of the above referenced public hearings were published in *The Roanoke Times* on Friday, February 4, 2005 and Friday, February 11, 2005.

The City Planning Commission submitted a written report advising that the petitioner proposes the following changes to the *Southern Hills Neighborhood Plan*:

In the Community Design section, under Land Use Patterns (p.3), strike the reference to the Rockydale property west of Old Mountain Road.

On the Future Land Use Map (p.4), change the designation of Tax Map No. 5380106 from a Mixed Density Residential use to an Industrial use.

On the Future Land Use Map (p.4), change the designation of Tax Map Nos. 5380107, 5380108, 5380110, 5380123, 5390105, 5390106, 5390108, 5390109, 5390110, and 5390117 from Single Family Residential uses to Industrial uses.

On the Future Land Use Map (p.4), designate the property recently brought into the City of Roanoke's jurisdictional boundaries, known as Tax Map No. 5380125, as an Industrial use.
In the Residential Development section under Trends and Opportunities (p.6), strike the subsection reading: "Rockydale has a 30+ acre property to the west of Old Mountain Road. A portion of the property is very steep, but a large portion may be appropriate for residential development."

On the Residential Development Opportunities map (p.7), remove the Mixed Density Residential designation on Tax Map No. 5380106 and the New Single-Family designation on Tax Map Nos. 5380107, 5380108, 5380110, 5380123, 5390106, and 5390108.

On the Economic Development Opportunities Map (p.9), designate Tax Map Nos. 5380106, 5380107, 5380108,5380110, 5380123, 5390105, 5390106, 5390108, and 5390109 as Industrial.

It was further advised that Planning staff believes that the request to revise the recommended land use to industrial is reasonable, given the fact that the companion rezoning petition limits the potential uses and many aspects of the quarry operation on the parcels; proposed changes support an expansion of the existing use and do not attempt to increase production on the overall site, but extends the life of the quarry; and, in addition, there are no other industrially designated properties within the neighborhood, and possibly throughout the City, that would be a feasible and appropriate site for a unique use such as a quarry.

It was noted that Section 15.2-2224, Code of Virginia (1950), as amended, requires localities to consider mineral resources in the comprehensive planning process that are identified and surveyed by the Virginia Department of Mines, Minerals and Energy (DMME); and the existing quarry and proposed expansion area contain mineral resources identified by DMME.

The City Planning Commission recommended Council approve amendment of the *Southern Hills Neighborhood Plan* as a component of *Vision 2001-2020*, the City's Comprehensive Plan.

With regard to the above referenced rezoning of properties located on Franklin Road, Old Rocky Mount Road, Welcome Valley Road and Van Winkle Road, S. W., the City Planning Commission submitted a written report advising that the proposed rezoning of the subject parcels is consistent with the following actions of Vision 2001-2020, the City's Comprehensive Plan:

Roanoke will protect the steep slopes, ridge tops and view sheds within the City as important environmental and scenic resources and will cooperate regionally to protect such resources located outside of the City.

Protect Blue Ridge Parkway corridors adjacent to the City limits through coordination with adjacent localities and careful planning.

It was noted that Planning staff believes that potential visual and acoustical impact of the quarry expansion has been adequately studied and addressed by the petitioner.

The City Planning Commission recommended approval of the request for rezoning; and advised that with its associated proffers, the petition is a reasonable request to rezone the subject parcels of land for a long term expansion of the quarry facility and the protection of views and land uses immediately adjacent to the Mill Mountain Spur of the Blue Ridge Parkway.

With regard to vacating, discontinuing and closing Draper Road from its intersection with U. S. 220 North to its terminus at Old Rocky Mount Road and Old Rocky Mount Road from its terminus on the westerly side of Official Tax No. 5370109 north to a distance of 1032.66 feet to Official Tax No. 5370106, and Welcome Valley Road from its intersection with Old Rocky Mount Road east for approximately 130 feet along Official Tax No. 5390110 as above described, the City Planning Commission advised that the petitioner is requesting the street vacations to allow for expansion of its facilities; the petition is concurrent with a rezoning petition and an amendment to the Southern Hills Neighborhood Plan; and the petitioner has proposed the following uses of the vacated rights-of-way:

Draper Road: Draper Road will become a private means of ingress/egress for the petitioner.

Old Rocky Mount Road: The vacated portion of Old Rocky Mount Road will be used as part of the petitioner's expansion.

Welcome Valley Road: The petitioner agrees to realign Welcome Valley Road and dedicate it to the City, after which the subject portion of right-of-way will be vacated.

The City Planning Commission recommended approval of the request to vacate, discontinue and close the subject portions of rights-of-way, subject to certain conditions as more fully set forth in the report, and further recommended that the petitioner not be charged for the vacated rights-of-way due to improvements that the petitioner will be required to make and then dedicate to the City and the Virginia Department of Transportation.

Vice-Mayor Fitzpatrick offered the following ordinance:

(#36979-022205) AN ORDINANCE approving the amendment of the Southern Hills Neighborhood Plan, and amending Vision 2001- 2020, the City's Comprehensive Plan, to reflect the amendment of the Southern Hills Neighborhood Plan; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 69, Page 288.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 36979-022205. The motion was seconded by Council Member Dowe.

Maryellen F. Goodlatte, Attorney, appeared before Council in support of the requests of the client.

The Mayor inquired if there were persons present who would like to speak in connection with amendment of the Southern Hills Neighborhood Plan, the request for rezoning, and the request for closure of streets; whereupon, the following persons addressed Council.

The Reverend David Derrow, 4117 Welcome Valley Road, N. E., Senior Pastor, New Hope Christian Church, advised that the Church held meetings with representatives of Rockydale Quarries Corporation to address concerns with regard to traffic issues from Mount Pleasant to Route 220 (Franklin Road). He stated that the petitioner was responsive to their concerns, therefore, the Church does not oppose the rezoning.

Charles Reed, 4150 Welcome Valley Road, N. E., advised that since the rezoning will benefit the entire neighborhood, he supports the petitioner's request for rezoning and expansion.

Michael A. Loveman, representing Lanford Brothers Company, spoke in support of the petitioner's proposal. He advised that Lanford Brothers is proud of the work of the highway industry to better the community and Rockydale Quarries has served as an ally for highway construction; Lanford Brothers Company is proud of the highway industry's Partners in Education Program, the objectives of which are to make students aware of the importance of maximizing the opportunity to obtain an education in Roanoke Valley high schools, to make students aware of career opportunities that exist in the highway industry, and to make students aware of the importance of businesses being good corporate citizens. He commended Rockydale Quarries Corporation for being leader in all three of the objectives; and through the Partners in Education Program, Lanford Brothers Company has constructed three sections of the Murray Run Greenway. He pointed out that Rockydale Quarries Corporation donated thousands of dollars worth of stone to various projects, and shared driving safety tips in work zones and career opportunities in the highway industry with high school students from the Roanoke Valley.

Lucy Lowe, 5043 Franklin Road, S. W., advised that she has lived near the Rockydale Quarries site for over 50 years. She encouraged Council to approve the proposal.

Carl Cooper, 3160 Round Hill Avenue, N. W., Chair, Roanoke Neighborhood Advocates, (RNA), advised that the RNA has not taken a position on the merits of the petitions submitted by Rockydale Quarries Corporation; however, the organization objects to the process due to the lack of communication with the neighborhood relating to proposed changes to the Southern Hills Neighborhood Plan. He stated than any changes should be a collaborative effort between the City and residents of the area.

(See communication on file in the City Clerk's Office.)

Edward Kennedy, 4097 Welcome Valley Road, N. E., spoke in support of the petition for rezoning and urged Council to approve the recommendation of the City Planning Commission. He stated that the proposed rezoning would protect the character of the neighborhood and the view from the Blue Ridge Parkway.

Sandra Carroll, Executive Director, Greenvale Nursery School, spoke in support of the request for rezoning. She advised that the primary and targeted population at Greenvale Nursery School consists of at-risk, disadvantaged children and their families, and without the support of civic-minded businesses like Rockydale Quarries Corporation, vital community programs would no longer be available; therefore, it is important that local civic and community-minded leaders be encouraged to continue to operate in the Roanoke Valley. She stated that the proposal of Rockydale Quarries is a balanced plan that will allow the company to double its remaining life in the Roanoke Valley; and it was a refreshing experience to see business and residents working together in partnership for the common good.

Gary Wright, President, Adams Construction Company, advised that during the past three years, Adams Construction Company produced an average of 81,000 tons of hot mixed asphalt, and approximately 30,000 tons went to the City of Roanoke for maintenance overlay, with the remaining tons going to various commercial projects in Roanoke City and Roanoke County. He stated that Rockydale Quarries has operated for approximately 77 years and Adams Construction Company, has operated for about 60 years; and Rockydale Quarries provides a competitive source of aggregate necessary for economical growth and development for the community and approval of the rezoning will ensure a tax base to Roanoke City and a source of materials to Adams Construction Company for an additional 20 years. He pointed out that the petition for rezoning does not increase the intensity of the Rockydale Quarries operation.

Willia M. Daley, Senior Vice-President, J. W. Burress Inc., spoke in support of the expansion of Rockydale Quarries. He advised that J. W. Burress Inc., has operated since 1934 and Rockydale Quarries shares a similar history; and the Roanoke Valley has benefited from grass root job opportunities provided by both companies. He stated that Rockydale Quarries Corporation provides economic opportunities to the Roanoke Valley, not only as a good corporate citizen, but as a provider and buyer of services; and its business relationship as a member of the City relies on strong community roots. He indicated that expansion of Rockydale Quarries will benefit the community by providing additional jobs, other opportunities, and continued prosperity for citizens.

Roger B. Holnback, Executive Director, Western Virginia Land Trust, spoke in support of the petitions of Rockydale Quarries Corporation. He advised that the Land Trust provides voluntary conservation outreach and education to support the quality of life for all citizens in the Roanoke Valley; Rockydale Quarries owns a very critical piece of viewshed property associated with the Blue Ridge Parkway and the Fishburn Bypass going up to Mill Mountain; and a condition proffered by the petitioner includes a scenic easement on the 10 ½ - 11 acres of land facing the Fishburn Parkway.

Jack Jordan, 4237 Griffin Road, S. W., an employee of Rockydale Quarries Corporation, spoke in support of the petition for rezoning.

Sandra D. Slone, 4219 Yellow Mountain Road, spoke in support of the petition for rezoning and commended Rockydale Quarries on the proposal to install a traffic light at the intersection of Draper Road and U. S. Route 220 (Franklin Road).

Daphne Depuy, 2719 Rosalind Avenue, S. W., spoke in support of the proposed rezoning and proffered conditions to protect the scenic watershed submitted by Rockydale Quarries. She commended the petitioner for preserving the view and advised that the proposed traffic improvements will have a positive impact on the Southern Hills neighborhood.

James M. Turner, Jr., President, advised that J. M. Turner Construction Company has done business with Rockydale Quarries Corporation for over 50 years; they are a model corporate citizen, and the proposal will be a win-win for everybody.

James Dearing, 1502 Westover Avenue, S. W., spoke in support of the request for rezoning.

Margaret Lester, 4013 Welcome Valley Road, N. E., spoke in support of the proffer to install a traffic signal at the intersection of Draper Road and U. S. Route 220 (Franklin Road); and asked that Council support the petition for rezoning.

Ann B. Paris, 3789 Sandlewood Road, Roanoke County, spoke in support of closing the street for expansion of the Rockydale Quarries Corporation. She expressed appreciation for the conservation easement on the watershed property on the Blue Ridge Parkway and the Fishburn Bypass.

Gary Johnson, Superintendent, Blue Ridge Parkway, Asheville, North Carolina, spoke in support of the expansion project and expressed appreciation for the opportunity to be a part of the planning process from the beginning.

Council Member Dowe requested a clarification of Mr. Cooper's concerns with regard to the process of amending neighborhood plans; whereupon, Mr. Cooper advised that there is no formal process that neighborhoods are aware of. He pointed out that a Neighborhood Plan is an agreement between the neighborhoods and the City of Roanoke, and if a Neighborhood Plan is revised, the neighborhoods should be included in the process.

Council Member Lea inquired if the neighborhood received notification and engaged in dialogue with representatives of Rockydale Quarries Corporation; whereupon, Ms. Goodlatte advised that several meetings were held with neighborhood groups in the City of Roanoke and Roanoke County prior to the City Planning Commission's public hearing on January 20, 2005. She further advised that Mr. Cooper shared his concerns during the Planning Commission's public hearing, and the Planning Commission determined that Rockydale Quarries and

staff had followed the proper procedure. Due to concerns expressed by Mr. Cooper at the Planning Commission's meeting, she stated that City staff and representatives of Rockydale Quarries held several meetings with the Southern Hills Neighborhood Association to address other issues and/or concerns, and at the conclusion of the meetings, no objections were raised regarding amendment to the Southern Hills Neighborhood Plan.

There being no further speakers or discussion by Council Members, the Mayor declared the public hearing closed on the Southern Hills Neighborhood Plan.

Ordinance No. 36979-022205 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

Vice-Mayor Fitzpatrick offered the following ordinance:

(#36980-022205) AN ORDINANCE to amend Section 36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet Nos. 538, 539 and 453, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City, subject to certain conditions proffered by the applicant; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 289.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 36980-022205. The motion was seconded by Council Member McDaniel.

The Mayor inquired if there were other persons who wished to be heard in connection with the request for rezoning. There being none, he declared the public hearing closed.

There being no further comments by Council Members, Ordinance No. 36980-022205 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

Council Member McDaniel offered the following ordinance:

(#36981-022205) AN ORDINANCE permanently vacating, discontinuing and closing certain public rights-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, See Ordinance Book 69, Page 291.)

Council Member McDaniel moved the adoption of Ordinance No. 36981-022205. The motion was seconded by Council Member Dowe.

The Mayor inquired if there were other persons who wished to be heard in connection with the request to vacate, discontinue and close the above referenced streets. There being none, he declared the public hearing closed.

There being no further comments by Council Members, Ordinance No. 36981-022205 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

ENTERPRISE ZONE: Pursuant to action taken by the Council, the City Clerk having advertised a public hearing for Tuesday, February 22, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the proposal of the City of Roanoke to amend the boundaries of Enterprise Zone One A, Enterprise Zone One A local incentives, and Enterprise Zone Two and its Subzone local incentives, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday February 7, 2005 and Monday, February 14, 2005, and in *The Roanoke Tribune* Thursday, February 10, 2005.

The City Manager submitted a communication advising that since the approval of Enterprise Zone One A, retroactive to January 1, 2004, certain events have necessitated an amendment to the zone boundary and certain local zone incentives; Zone One A boundary amendment includes addition of the East End Shops, Parkside Plaza in Southeast Roanoke and approximately 100 acres along the east side of Williamson Road south of Elm Avenue; and adding the properties, some of which are in the flood plain, could stimulate additional opportunities for revitalization where buildings are currently vacant or underutilized.

It was further advised that the City of Roanoke also proposes to amend local incentives for both Enterprise Zone One A and Enterprise Zone Two and its Subzone to cap local incentives providing grants through the Industrial Development Authority of the City of Roanoke, Virginia (IDA) for water, sewer and

fire hookup fees; such amendments are needed due to the assumption of all assets associated with water and sewer by the Western Virginia Water Authority (WVWA) on July 1, 2004; and the limit for the maximum amount of such hookup fees is equal to the amounts adopted by the WVWA.

It was stated that as part of the amendment to Enterprise Zone Two and its Subzone, such local incentives will be by grants through the IDA as opposed to the former rebates since the City no longer receives such fees; Ordinance Nos. 35820-041502 and 36782-071904 need to be amended to reflect such changes; Ordinance No. 35820-041502 needs to be amended to extend the period of availability of all local incentives, as amended, for Enterprise Zone Two and its Subzone from June 30, 2007, through December 31, 2015; in accordance with the Department of Housing and Community Development's Virginia Enterprise Zone Program regulations, the local governing body must hold at least one public hearing affording citizens or interested parties an opportunity to be heard on such matters before submitting an amendment application to the department for consideration; and amendments are subject to approval by the Virginia Department of Housing and Community Development (VDHCD).

Lacking comments at the public hearing that would require further consideration, the City Manager recommended that Council adopt the appropriate measures, including amendment of the above referenced ordinances, to extend the boundary of Enterprise Zone One A and to amend certain local incentives for Enterprise Zone One A and Zone Two and its Subzone, subject to approval by the VDHCD, effective April 1, 2005, for the amended local incentives; and that Council authorize the City Manager to apply to the VDHCD for approval of the above referenced amendments and to take such further action and/or to execute such additional documents as may be needed to obtain or confirm such amendments and to establish appropriate rules and regulations as may be needed to implement and administer such local incentives once approved.

Vice-Mayor Fitzpatrick offered the following resolution:

(#36982-022205) A RESOLUTION authorizing the proper City officials to make a boundary amendment to Roanoke's Enterprise Zone One A that will add certain areas not currently in Enterprise Zone One A; and authorizing the City Manager to apply to the Virginia Department of Housing and Community Development for approval of such boundary amendment and to take such further action as may be necessary to obtain and implement such boundary amendment.

(For full text of resolution, see Resolution Book No. 69, Page 294.)

Vice-Mayor Fitzpatrick moved the adoption of Resolution No. 36982-022205. The motion was seconded by Council Member Dowe.

The Mayor inquired if there were persons present who would like to speak in connection with the public hearing. There being none, he declared the public hearing closed.

There being no questions or comments by Council Members, Resolution No. 36982-022205 was adopted by the following vote:

AYES: Council Members Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Cutler was not present when the vote was recorded.)

Vice-Mayor Fitzpatrick offered the following ordinance:

(#36983-022205) AN ORDINANCE amending Ordinance No. 36782-071904, adopted by City Council on July 19, 2004, by modifying certain local incentives contained therein for Enterprise Zone One A; authorizing the City Manager to apply to the Virginia Department of Housing and Community Development (VDHCD) for the approval of the above amendment and/or to take such further action as may be necessary to obtain or confirm such amendment; establishing an effective date; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 296.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 36983-022205. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

Vice-Mayor Fitzpatrick offered the following ordinance:

(#36984-022205) AN ORDINANCE amending Ordinance No. 35820-041502, adopted by City Council on April 15, 2002, by modifying certain local incentives contained therein; by extending the availability of such local incentives for Enterprise Zone Two and its Subzone through December 31, 2015; authorizing the City Manager to apply to the Virginia Department of Housing and Community Development (VDHCD) for the approval of the above amendments and/or to take such further action as may be necessary to obtain or confirm those amendments; establishing an effective date; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 299.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 36984-022205. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

EASEMENTS-ROANOKE CIVIC CENTER-AMERICAN ELECTRIC POWER: Pursuant to action taken by the Council, the City Clerk having advertised a public hearing for Tuesday, February 22, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a proposal of the City of Roanoke to convey an easement across City-owned property to Appalachian Power Company at the Roanoke Civic Center facilities, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, February 11, 2005.

The City Manager submitted a communication advising that Appalachian Power Company has requested a variable width utility easement across City-owned property identified as Official Tax Nos. 3024004 and 3014003 to extend an existing power line on the site to provide electric service to the facility; and the extension will utilize both overhead and underground lines, the location of which shall be approved by the City.

The City Manager recommended that she be authorized to execute the appropriate documents granting an easement as above described to Appalachian Power Company, subject to approval as to form by the City Attorney.

Vice-Mayor Fitzpatrick offered the following ordinance:

(#36985-022205) AN ORDINANCE authorizing the conveyance of a variable width easement on City-owned property known as the Roanoke Civic Center, identified by Official Tax Nos. 3024004 and 3014003, to Appalachian Power Company, to extend an existing power line at the Roanoke Civic Center to provide electric service to that facility, upon certain terms and conditions; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 304.)

Vice-Mayor Fitzpatrick moved the adoption of Ordinance No. 36985-022205. The motion was seconded by Council Member Dowe.

The Mayor inquired if there were persons present who would like to speak in connection with the public hearing. There being none, he declared the public hearing closed.

There being no questions or comments by Council Members, Ordinance No. 36985-022205 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Fitzpatrick, Lea, McDaniel, Wishneff and Mayor Harris----------7.

NAYS: None----------0.

OTHER BUSINESS:

ARCHITECTURAL REVIEW BOARD: A petition filed by Jessie and Margaret Taylor appealing a decision of the Architectural Review Board, which was rendered on December 9, 2004, that no Certificate of Appropriateness be issued with regard to property located at 34 Gilmer Avenue, N. E., for a metal carport, was before Council.

Mrs. Taylor advised that the request to install a carport at 34 Gilmer Avenue, N. E., was denied by the Architectural Review Board; and although her residence is located in a historic neighborhood, she did not understand the rationale of the Board in denying the request to install a carport to protect a new vehicle from the outside elements.

Robert N. Richert, Chair, Architectural Review Board, advised that:

- In July 2004, Mr. Taylor requested a Certificate of Appropriateness for a metal carport at his residence at 34 Gilmer Avenue, N. E., which is within the H-2, Neighborhood Preservation District.

- The Agent to the Architectural Review Board (ARB) met with Mr. Taylor to discuss the project and to arrange for the required design review.

- The two-story, Folk Victorian frame house was built in 1910 and remains in good condition.

- Staff advised Mr. Taylor that the metal carport would not be in keeping with the historic district guidelines and suggested a design that would be more compatible with the design of the house. Mr. Taylor investigated the possibility, but maintained his original request.

- Mr. Taylor filed an application for a Certificate of Appropriateness which was considered by the ARB on August 12, 2004, at which time he stated that he wanted to erect a temporary carport until he had funds to build a garage.

- ARB members expressed concern about the design of the carport and suggested that Mr. Taylor consider a permanent garage or a carport attached to the house; and Mr. Taylor stated that he intended to build a garage later when finances

allowed; he needed the carport to protect his wife's new vehicle. The Board believed that the proposed design would not be compatible with the character of the historic district and requested that he work with staff for a better design. At the request of the applicant, the application was tabled until the September Board meeting.

- Mr. Taylor requested that the application be tabled again until the October Board meeting; and at the October Board meeting, Mr. Taylor failed to appear. The Board decided to table the application until the November Board meeting; however, just prior to the November meeting, Mr. Taylor again requested that the matter be tabled until the December Board meeting for personal reasons. Mr. Taylor appeared before the Board at the December 9, 2004 meeting with the same request. The staff report recommended denial because the application was not consistent with the H-2 guidelines or the intent of the historic district. The Board expressed concern again that the metal carport was not in keeping with the historic district guidelines or the character of the neighborhood because of its shape, material and design.

Mr. Richert further advised that:

- The H-2 Architectural Design Guidelines adopted by the ARB and endorsed by Council state that the design and placement of accessory structures can have an important influence on a building's overall appearance.

- The guidelines further recommend that the following be considered for accessory structures:

  - Adopt a compatible style or use design motifs of the original building.

  - Locate as inconspicuously as possible on the side or rear of building.

  - Choose materials that are compatible with the existing structure and are appropriate to the residential character of the historic district.

  - Use roofing forms and material that are compatible with those of the main building.

- Staff did not identify any other similar appeals to City Council, or any recent applications for carports, or any other accessory structures that are analogous to these circumstances.

On behalf of the Architectural Review Board, Mr. Richert recommended that Council affirm the decision to deny issuance of a Certificate of Appropriateness.

Council Member Wishneff inquired if anyone from the Gainsboro neighborhood had objected or expressed an opinion with regard to the request; whereupon, the Director of Planning, Building and Development responded that no testimony or comments other than the applicants, was received at the meeting of the Architectural Review Board on December 6, 2004.

Council Member Wishneff questioned the appearance of the carport; whereupon, Mr. Townsend advised that the Building Code requires that a structure be permanently attached to the ground.

Council Member Dowe inquired as to how long the proposed carport will be in place; whereupon, Mr. Taylor indicated that due to financial reasons, he could not provide a definitive answer.

Council Member Lea inquired if Mr. and Mrs. Taylor were aware of the requirements of living in a historic district; whereupon, Mr. Taylor advised that although he has resided at the location for 18 years, he was not aware of the historic district requirements.

Council Member Lea inquired if there are any available grant programs for historic neighborhoods; whereupon, Mr. Townsend advised that he was not familiar with any State or Federal grants; and upon adoption of the historic neighborhood designation on the State and Federal registers, some opportunities may be available to property owners in the Gainsboro neighborhood through historic tax credits for rehabilitation of properties that are owner occupied.

Based upon the evidence presented to the Council, Council Member Cutler moved that the decision of the City of Roanoke Architectural Review Board on December 9, 2004, as set forth in a letter dated December 14, 2004, be affirmed, and that no Certificate of Appropriateness be issued to allow a metal carport at 34 Gilmer Avenue, N. E., to be constructed as requested in the petition for appeal on the grounds that the proposed shape, material and design of the carport would not be in keeping with the historic guidelines or character of the neighborhood. The motion was seconded by Council Member McDaniel.

Council Member Wishneff advised that since the standard procedure followed by the Architectural Review Board is subjective, and since no neighbors appeared before the Board or the Council to oppose the request, he would vote against the motion to deny a Certificate of Appropriateness to be issued to Mr. and Mrs. Taylor to allow construction of a metal carport at 34 Gilmer Avenue, N. E.

There being no further discussion or comments by Council Members, the motion offered by Council Member Cutler, seconded by Council Member McDaniel was adopted by the following vote:

AYES: Council Members Dowe, Fitzpatrick, McDaniel, Cutler and Mayor Harris----------5.

NAYS: Council Members Lea and Wishneff----------2.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard and matters requiring referral to the City Manager will be referred immediately for response, recommendation or report to Council.

COMPLAINTS-POLICE DEPARTMENT-CITY CODE-TOWING CONTRACT: Mr. Thomas Ruff, 731 Wildhurst Avenue, N. E., expressed concern with regard a tow truck that is parked in the neighborhood and noise at all hours of the day and night which has disrupted the quality of life in the neighborhood. He requested that the City Code be amended to prohibit the parking of tow trucks in residential neighborhoods.

Vice-Mayor Fitzpatrick requested that the City Manager determine if other complaints have been filed with regard to the parking of tow trucks in residential neighborhoods.

Mayor Harris suggested that Mr. Ruff provide information to the City Manager with regard to the number of times that the tow truck exits and enters the neighborhood and that City staff meet with the owner of the vehicle to discuss the matter.

CITY MARKET-TAXES-REAL ESTATE VALUATION-OUTDOOR DINING: Mr. Robert Craig, 701 12th Street, S. W., commented about the previous discussion regarding the decision of the Architectural Review Board to deny a Certificate of Appropriateness for installation of a carport in a historic neighborhood, yet a double wide tin building valued at $225,000.00, was constructed in another historic neighborhood.

He extended an apology to Vice-Mayor Fitzpatrick for his remarks which were published in *The Roanoke Times* regarding the return of trolley cars to Roanoke City, and acknowledged with appreciation the polite response by Vice-Mayor Fitzpatrick.

Mr. Craig stated that businesses in the City Market Building Food Court were not aware of the recent decision by Council to not allow franchise vendors to operate in the City Market Building.

Mr. Craig questioned real estate assessments for residential property in the City of Roanoke, and noted that no action was taken by the Council with regard to his previous suggestion that the City engage an outside assessor to assess all City property at 100% of the current market value. He called attention to language on the Real Estate Assessor's website indicating that all residential property is assessed at 100 per cent, which he believes to be false information.

Mr. Craig inquired if there is a conflict of interest with the Director of Real Estate Valuation reporting to the Director of Finance, since one position involves the raising of revenue and the other position deals with the expenditure of the City's revenue. He stated that the City's budget planners previously advised of a revenue shortfall in the near future; and tax revenue for the City is declining in every category except real property, yet real estate assessments continue to increase.

There being no further business, the Mayor declared the meeting adjourned at 9:50 p.m.

APPROVED

ATTEST:

Mary F. Parker
City Clerk

C. Nelson Harris
Mayor

- - - - - - - - - - -

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

April 4, 2005

Honorable C. Nelson Harris, Mayor
Honorable, Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable, Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Dear Mayor Harris and Members of City Council:

Subject: Tax Exemption Request from the Scott Robertson Memorial Fund

Pursuant to the requirements of the Virginia Code, the City of Roanoke is required to hold a public hearing on a request from the Scott Robertson Memorial Fund, a non-profit organization, for tax exemption of certain property in the City. This is to request that a public hearing be advertised on the above matter for Council's regular meeting to be held on Monday, April 18, 2005. A full report will be included in the April 18, 2005, agenda material for your consideration.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/vst

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Sherman M. Stovall, Director of Management and Budget

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

April 4, 2005

The Honorable Mayor
and Members of City Council
Roanoke, Virginia

Dear Mayor and Members of Council:

I would like to sponsor a request from Jacqueline Shuck, Executive Director of Roanoke Regional Airport Commission, for submission of the Roanoke Regional Airport Commission Fiscal Year 2005 - 2006 Operating Budget.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:sm

c: City Attorney
Director of Finance
City Clerk

ROANOKE REGIONAL AIRPORT COMMISSION

5202 Aviation Drive
Roanoke, VA 24012-1148
(540) 362-1999
FAX (540) 563-4838
www.roanokeairport.com

March 16, 2005

Honorable Mayor and Members
Roanoke City Council
215 Church Avenue, SW
Roanoke, Virginia 24011

Re: Roanoke Regional Airport Commission Fiscal Year 2005-2006 Budget and Proposed Capital Expenditures

Dear Mayor Harris and Members of Council:

In accordance with the requirements of the Roanoke Regional Airport Commission Contract dated January 28, 1987, as amended, the Roanoke Regional Airport Commission is hereby submitting its Fiscal Year 2005-2006 Operating Budget (Attachment I) for approval. This Budget was adopted by the Commission at its meeting on March 16, 2005. We are also providing a separate listing of Capital Expenditures which are expected to exceed $100,000 in cost and are intended to benefit five or more future accounting periods (Attachment II).

You will note that no deficit is anticipated in either the Operating Budget or for the listed Capital Expenditures; therefore, no additional appropriations are being requested or anticipated from the City or the County of Roanoke. Formal approval of the Operating Budget and the Capital Expenditure List by resolution of each of the participating political subdivisions would be appreciated.

I would be pleased to respond to any questions or comments that you may have with regard to this matter. On behalf of the Commission, thank you very much for your assistance and cooperation.

Very truly yours,

Jacqueline L. Shuck
Executive Director

Enclosures

cc: Chairman and Members, Roanoke Regional Airport Commission
Mark Allan Williams, General Counsel, Roanoke Regional Airport Commission
William Hackworth, Roanoke City Attorney
Mary F. Parker, Clerk, Roanoke City Council

csp030905
Comm\2005citycountybudget.ltr

ROANOKE REGIONAL AIRPORT COMMISSION

FOR YEAR 2005-2006 BUDGET

EXPENSE BUDGET	2004-2005 Budget Expenditures	2005-2006 Budget Expenditures
1. Operations and Maintenance Expenses		
A. Salaries, Wages and Benefits	$3,145,544	$3,328,925
B. Operating Expenditures	2,536,660	2,682,410
C. Other Maintenance Projects	47,500	30,000
Total Operations and Maintenance	5,729,704	6,041,335
2. Non-Operating Expenses		
A. Interest	234,830	294,947
B. Debt Service	365,000	448,021
Total Non-Operating	599,830	742,968
3. Capital Expenses		
A. Capital Projects and Purchases	164,300	153,300
B. Multi -Year Projects	101,880	66,380
Total Capital Expenses	266,180	219,680
Total Budgeted Expenditures	$6,595,714	$7,003,983

REVENUE PROJECTIONS	2004-2005 Projected Revenues	2005-2006 Projected Revenues
1. Operating Revenues		
A. Airfield	$1,613,205	$1,471,092
B. General Aviation	220,429	302,055
C. Terminal Related	4,099,793	4,306,334
D. Other Revenues	231,876	399,401
Total Projected Operating Revenues	6,165,303	6,478,882
2. Non-Operating Revenues		
A. Interest from Debt Service	25,000	25,000
B. Interest on Investments	460,650	480,600
C. Non Capital Grants	105,000	197,100
Total Projected Non-Operating Revenues	590,650	702,700
Total Projected Revenue	$6,755,953	$7,181,582

ATTACHMENT II

Proposed Capital Expenditures
(For projects expected to exceed $100,000 in cost and intended to benefit five or more accounting periods)

I. **Projects**

A. Purchase ARFF Truck:

1. Description: Purchase one Aircraft Rescue and Fire Fighting (ARFF) Truck.

2. Justification: The two ARFF trucks owned by the Commission are reaching the end of their useful lives. In order to avoid increasing down time, the oldest truck needs to be replaced.

Estimated Cost: $ 900,000

B. Replace Terminal Roofs:

1. Description: Remove and replace existing terminal roof.

2. Justification: The sixteen year old roof and roof drainage system is beginning to fail. Rather than wait until leakage becomes more prevalent and damage occurs to the building contents, it is important to undertake this rehabilitation project. This project would involve the removal and replacement of the roof material, as well as some of the internal down spouts that are blocked with pitch.

Estimated Cost: $ 600,000

C. Remove Obstructions in Runway 15 Approach:

1. Description: Remove trees, grub, grade and seed runway 15 approach area.

2. Justification: Trees growing in the approach to Runway 15, located on a hillside on the north side of Peters Creek Road, have created safety problems for many years. Last year the runway threshold had to be displaced for nearly a year while specific trees were located and removed. This project will increase safety while providing an area that is significantly easier to maintain.

Estimated Cost: $360,000

D. Fund Construction of Aircraft Storage Hangar:

1. Description: Provide funding to Piedmont Hawthorne Aviation to construct an 18,000 square foot aircraft storage hangar.

2. Justification: There is a need at the airport for a hangar capable of storing larger corporate aircraft and there is space available in Piedmont Hawthorne's leased premises to build the hangar. The Commission has agreed to fund the construction, to be undertaken by Piedmont Hawthorne, with title to the hangar vesting in the Commission. Piedmont Hawthorne will lease the new hangar until its lease with the Commission expires in 2011. The annual rental will be sufficient to make the payments on bonds issued through the Virginia Resource Authority in February of 2005.

Estimated Cost: $1,400,000

II. Anticipated Funding Sources:

Federal AIP Grant Funds	$1,197,000
State Aviation Grant Funds	543,000
Commission Capital Funds	120,000
Commission Bond Proceeds	1,400,000
City and County Funds	-0-
Estimated Total Projects Funding	$3,260,000

jls/06Cap.Proj.City/County

RESOLUTION OF THE ROANOKE REGIONAL AIRPORT COMMISSION

Adopted this 16th day of March 2005

No. 08-031605

A RESOLUTION approving and adopting the Commission's Operating and Capital Purchase Budget for fiscal year 2005-2006.

BE IT RESOLVED by the Roanoke Regional Airport Commission that the fiscal year 2005-2006 Operating and Capital Purchase Budget for the Commission as set forth in the report and accompanying attachment by the Executive Director dated March 16, 2005, is hereby approved;

BE IT FINALLY RESOLVED that the Executive Director is authorized on behalf of the Commission to submit the fiscal year 2005-2006 Operating and Capital Purchase Budget, as well as a list of Proposed Capital Expenditures, to the Roanoke City Council and the Roanoke County Board of Supervisors for approval pursuant to the contract between the Commission, Roanoke City and Roanoke County dated January 28, 1987, as amended.

ATTEST:

Secretary

VOTE:	AYES:	Macfarlane, Milliron, Smith, Whittaker, Turner
	NAYS:	None
	ABSENT:	None

WMH

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION approving the Roanoke Regional Airport Commission's 2005-2006 proposed operating and capital budget upon certain terms and conditions.

BE IT RESOLVED by the Council of the City of Roanoke that in accordance with the requirements of the Roanoke Regional Airport Commission Act, as amended by the General Assembly of Virginia, Chapter 385, 1996 Acts of Assembly, and the Roanoke Regional Airport Commission Contract dated January 28, 1987, as amended by First Amendment, dated December 6, 1996, the City of Roanoke hereby approves the Airport Commission's 2005-2006 proposed operating and capital budget, as well as a separate listing of certain proposed capital expenditures, as more particularly set forth in a report from the Commission to this Council, dated March 16, 2005.

ATTEST:

City Clerk.

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

April 4, 2005

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Dear Mayor Harris and Members of City Council:

Subject: Status Report: Affirmative Action And Diversity Initiatives for Calendar Year 2004

Background:

Realities of the 21st century require organizations to take full advantage of all their resources in order to be successful. Embracing improved technology, partnering with other organizations and investing in new infrastructure are but a few of the areas that successful organizations are concentrating on. Related to the "people" side of the equation, successful organizations are embracing workplace diversity as an improvement area where a competitive advantage can be achieved. In Roanoke, diversity efforts are focused in two areas: increasing the diversity of our workforce and developing the skills needed to work in a diverse environment.

Efforts at increasing workforce diversity are based on a broad and focused recruitment program. We continue to develop our relationships and partnerships between City staff, EEO/civil rights organizations, colleges/universities, sororities, fraternities and other groups interested in diversity. I am pleased to report that progress has been made in this area.

During 2004, minorities were hired in two key positions, the Director of Management and Budget and Manager of Purchasing. We were also successful in recruiting and employing a person of color as a Civil Engineer I. For total employment by department and EEO Categories as of December 31, 2004 see Attachments 1 and 1.a.

In the area of developing "diversity capacity", the firm of J.O. Rogers & Associates (JOR) was hired to conduct an assessment of the City's current diversity efforts with the intent of recommending "next steps" for consideration. While the study is not yet complete, some initial observations were made by the consultant: first, the City of Roanoke has already shown commitment to diversity. Visible signs of diversity exist at senior levels within the organization and ongoing training exists for all employees that introduces the core diversity concepts and opens the door for conversations about diversity. Secondly, JOR has also observed that while diversity training and employing a more diverse workforce are important, City staff needs to increase its focus more on modeling appropriate diversity behavior. By improving the ability of employees to recognize and model diversity sensitive behavior in every situation, whether it is with a citizen or a fellow employee, the result will be improved service. We look forward to the completion of JOR's report and their subsequent recommendations.

The Employee Development Program (EDP), which was implemented during 2001, continues to offer the most promise to help existing employees improve their skills and to advance within the organization. This program incorporates skill assessment, education planning and career counseling. Supporting events included informational presentations made by Averett University and Ferrum College to increase awareness of accelerated adult degree programs for nontraditional students. Individualized support continues to be offered to EDP participants and candidates. During 2004, the EDP increased participation from 93 to 109. Of the 109 participants, 55 percent are female and 41 percent are people of color compared to 58 percent and 42 percent, respectively, last year. Currently, 18 participants are in formal education programs, 2 participants have received undergraduate degrees, and 11 participants have obtained new positions within the organization.

Workforce Demographics

Employment data for 2004 shows that 37 of the 172 new hires (21.5 percent) and 24 of the 121 promoted (19.9 percent) were people of color. These statistics reflect a slight improvement from last year, 19.7 percent and 19.6 percent respectively. It is important to note that the number of new hires who

are persons of color and female in the protective service category increased slightly. Clearly, this is still not where we want to be but we continue in the right direction. Police, Sheriff and Fire/EMS employees represent 31.5 percent of our workforce and each of these departments has promotional systems that are substantially closed to outside candidates (as is the case with most comprehensive public safety departments nationally); therefore, if we are to substantially increase the number of women and people of color in these departments, it must be done at the entry level. We are committed to this effort and will continue to refine our recruiting methods to accomplish our objective. New hires and promotions are detailed by category and department in Attachments 2 and 2.a.

Outreach Recruitment

In May 2004 the Department of Human Resources, in partnership with the Roanoke Branch of the NAACP, sponsored the fourth Recruitment Day. Seventy-eight people attended the event. Efforts continue in developing additional avenues to seek out minority applicants. Established relationships include over ten colleges and universities. A highlight is our participation in a Technology Job Fair in Richmond that was part of the Mid-Eastern Athletic Conference (MEAC) basketball tournament. (The MEAC represents a cross section of historically black colleges and universities).

The City continues its recruitment efforts at military installations and historically black colleges and universities. However, military base recruitment has slowed down due to the current conflict in the Middle East. We continue to co-sponsor This Valley Works Job Fair, which attracts more than 2,100 job applicants and 60 employers each year. Our internship program continues to attract high-caliber rising college seniors. Nine interns were hired last year. Of that number, four were persons of color. Two interns were hired into full time permanent positions with one hired in the Police Department. As part of the internship program we have developed relationships with the civil engineering programs at the University of Virginia, Virginia Tech and North Carolina A&T State University in an effort to place women or persons of color in either a cooperative education arrangement or internship. We also participated in the Minority Job Expo sponsored by the Roanoke Times. Recruitment initiatives will continue to emphasize building relationships with local groups interested in workforce diversity.

Of particular note are three awards given by the Roanoke Branch of the NAACP to the departments of Fire/EMS, Police and the Sheriff's Office for their commitment to recruiting a more diverse workforce and for safety

enhancements provided to the community since September 11. We appreciate the recognition provided by the NAACP.

Next Steps

In order to improve the City's ability to recruit more women and people of color, particularly in public safety positions, we must continue to refine our efforts through innovative recruitment as well as tapping different venues.

In conclusion, I believe that our diversity strategy is sound and we are headed in the right direction toward increasing diversity capacity. Our efforts in hiring more people of color has not been as successful as I had hoped, yet I understand that this is a long term commitment that requires constant attention. We will continue to provide the necessary attention required to make Roanoke a truly high quality diverse employer.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:kc

Attachments

c: William Hackworth, City Attorney
Jesse Hall, Finance Director
Mary Parker, City Clerk
Rolanda Russell, Assistant City Manager
George Snead, Assistant City Manager
Kenneth Cronin, Director of Human Resources

CM04-00030

Attachment 1

CITY OF ROANOKE
EMPLOYMENT ANALYSIS
by Number of Employees

December 31, 2004

OCCUPATIONAL CATEGORY	TOTAL	WHITE MALES	BLACK MALES	OTHER MALES	WHITE FEMALES	BLACK FEMALES	OTHER FEMALES
OFFICIALS/MANAGERS	29	15	3	0	8	3	0
PROFESSIONALS	335	115	14	3	149	51	3
TECHNICIANS	307	179	21	2	76	28	1
PROTECTIVE SERVICE	538	422	47	5	46	18	0
PARA-PROFESSIONAL	63	17	7	0	20	19	0
CLERICAL	176	6	2	0	127	41	0
SKILLED CRAFT	123	81	37	0	5	0	0
SERVICE/MAINTENANCE	133	52	60	2	8	11	0
TOTAL	1704	887	191	12	439	171	4
TOTAL PERCENTAGES	100.0%	53.2%	12.0%	0.8%	24.7%	9.0%	0.3%

CITY OF ROANOKE
EMPLOYMENT ANALYSIS
by Number of Employees

December 31, 2003

OCCUPATIONAL CATEGORY	TOTAL	WHITE MALES	BLACK MALES	OTHER MALES	WHITE FEMALES	BLACK FEMALES	OTHER FEMALES
OFFICIALS/MANAGERS	28	16	3	0	6	3	0
PROFESSIONALS	350	115	11	4	162	55	3
TECHNICIANS	300	177	21	2	72	28	0
PROTECTIVE SERVICE	542	425	52	4	43	16	2
PARA-PROFESSIONAL	66	18	6	0	22	20	0
CLERICAL	174	6	4	0	126	38	0
SKILLED CRAFT	126	85	37	0	4	0	0
SERVICE/MAINTENANCE	136	54	62	2	8	10	0
TOTAL	1722	896	196	12	443	170	5
TOTAL PERCENTAGES	100.0%	52.2%	13.0%	0.7%	24.4%	9.4%	0.3%

CITY OF ROANOKE
EMPLOYMENT ANALYSIS
by Category and Percent

December 31, 2004

OCCUPATIONAL CATEGORY	TOTAL	WHITE MALES	BLACK MALES	OTHER MALES	WHITE FEMALES	BLACK FEMALES	OTHER FEMALES
OFFICIALS/MANAGERS	100.0%	51.7%	10.3%	0.0%	27.6%	10.3%	0.0%
PROFESSIONALS	100.0%	34.3%	4.2%	0.9%	44.5%	15.2%	0.9%
TECHNICIANS	100.0%	58.3%	6.8%	0.7%	24.8%	9.1%	0.3%
PROTECTIVE SERVICE	100.0%	78.4%	8.7%	0.9%	8.6%	3.3%	0.0%
PARA-PROFESSIONAL	100.0%	27.0%	11.1%	0.0%	31.7%	30.2%	0.0%
CLERICAL	100.0%	3.4%	1.1%	0.0%	72.2%	23.3%	0.0%
SKILLED CRAFT	100.0%	65.9%	30.1%	0.0%	4.1%	0.0%	0.0%
SERVICE/MAINTENANCE	100.0%	39.1%	45.1%	1.5%	6.0%	8.3%	0.0%
TOTAL NUMBER	1704	887	191	12	439	171	4
TOTAL PERCENTAGES	100.0%	53.2%	12.0%	0.8%	24.7%	9.0%	0.3%

CITY OF ROANOKE
EMPLOYMENT ANALYSIS
by Category and Percent

December 31, 2003

OCCUPATIONAL CATEGORY	TOTAL	WHITE MALES	BLACK MALES	OTHER MALES	WHITE FEMALES	BLACK FEMALES	OTHER FEMALES
OFFICIALS/MANAGERS	100.0%	57.1%	10.7%	0.0%	21.4%	10.7%	0.0%
PROFESSIONALS	100.0%	32.9%	3.1%	1.1%	46.3%	15.7%	0.9%
TECHNICIANS	100.0%	59.0%	7.0%	0.7%	24.0%	9.3%	0.0%
PROTECTIVE SERVICE	100.0%	78.4%	9.6%	0.7%	7.9%	3.0%	0.4%
PARA-PROFESSIONAL	100.0%	27.3%	9.1%	0.0%	33.3%	30.3%	0.0%
CLERICAL	100.0%	3.4%	2.3%	0.0%	72.4%	21.8%	0.0%
SKILLED CRAFT	100.0%	67.5%	29.4%	0.0%	3.2%	0.0%	0.0%
SERVICE/MAINTENANCE	100.0%	39.7%	45.6%	1.5%	5.9%	7.4%	0.0%
TOTAL NUMBER	1722	896	196	12	443	170	5
TOTAL PERCENTAGES	100.0%	52.2%	13.0%	0.7%	24.4%	9.4%	0.3%

EMPLOYMENT by Department and EEO Category - 2004

Attachment 1.a.

DEPARTMENT	CATEGORY	TOTAL	WM	BM	OM	WF	BF	OF
BILLINGS AND COLLECTIONS		9	2	0	0	5	2	0
	CLERICAL	3	0	0	0	1	2	0
	OFFICIALS/MANAGERS	1	0	0	0	1	0	0
	PROFESSIONALS	2	1	0	0	1	0	0
	TECHNICIANS	3	1	0	0	2	0	0
BUILDING SERVICES		11	5	2	0	3	1	0
	CLERICAL	1	0	0	0	1	0	0
	PROFESSIONALS	1	1	0	0	0	0	0
	TECHNICIANS	9	4	2	0	2	1	0
CIRCUIT COURT		6	0	0	0	6	0	0
	CLERICAL	6	0	0	0	6	0	0
CITY ATTORNEY		9	4	1	0	4	0	0
	CLERICAL	3	0	0	0	3	0	0
	OFFICIALS/MANAGERS	1	1	0	0	0	0	0
	PROFESSIONALS	5	3	1	0	1	0	0
CITY CLERK		7	0	0	0	5	2	0
	CLERICAL	4	0	0	0	3	1	0
	OFFICIALS/MANAGERS	1	0	0	0	1	0	0
	PROFESSIONALS	2	0	0	0	1	1	0
CITY MANAGER		11	2	1	0	5	3	0
	CLERICAL	3	0	0	0	2	1	0
	OFFICIALS/MANAGERS	3	1	0	0	1	1	0
	PROFESSIONALS	5	1	1	0	2	1	0
CIVIC FACILITIES		37	17	3	0	15	2	0
	CLERICAL	7	0	0	0	6	1	0
	OFFICIALS/MANAGERS	1	0	0	0	0	1	0
	PARA-PROFESSIONAL	1	0	0	0	1	0	0
	PROFESSIONALS	4	2	0	0	2	0	0
	SERVICE/MAINTENANCE	8	6	1	0	1	0	0
	SKILLED CRAFTSMEN	4	3	1	0	0	0	0
	TECHNICIANS	12	6	1	0	5	0	0
CLERK OF CIRCUIT COURT		22	2	0	0	16	4	0
	CLERICAL	22	2	0	0	16	4	0
COMMISSIONER OF THE REVENUE		14	2	1	0	7	4	0
	CLERICAL	8	0	1	0	4	3	0
	PROFESSIONALS	6	2	0	0	3	1	0
COMMONWEALTH'S ATTORNEY		16	4	0	0	11	0	1
	CLERICAL	3	0	0	0	3	0	0
	PARA-PROFESSIONAL	3	0	0	0	3	0	0
	PROFESSIONALS	8	4	0	0	3	0	1
	TECHNICIANS	2	0	0	0	2	0	0

EMPLOYMENT by Department and EEO Category - 2004

DEPARTMENT	CATEGORY	TOTAL	WM	BM	OM	WF	BF	OF
CRISIS INTERVENTION		13	2	0	0	4	7	0
	CLERICAL	2	0	0	0	2	0	0
	PARA-PROFESSIONAL	9	1	0	0	2	6	0
	PROFESSIONALS	1	1	0	0	0	0	0
	SERVICE/MAINTENANCE	1	0	0	0	0	1	0
DIRECTOR OF FINANCE		22	4	0	0	16	1	1
	CLERICAL	7	0	0	0	7	0	0
	OFFICIALS/MANAGERS	3	1	0	0	2	0	0
	PROFESSIONALS	7	2	0	0	4	0	1
	TECHNICIANS	5	1	0	0	3	1	0
DIRECTOR OF GENERAL SERVICES		3	1	2	0	0	0	0
	OFFICIALS/MANAGERS	1	0	1	0	0	0	0
	SERVICE/MAINTENANCE	1	0	1	0	0	0	0
	TECHNICIANS	1	1	0	0	0	0	0
DIRECTOR OF PUBLIC WORKS		2	2	0	0	0	0	0
	OFFICIALS/MANAGERS	1	1	0	0	0	0	0
	PROFESSIONALS	1	1	0	0	0	0	0
ECONOMIC DEVELOPMENT		3	0	0	0	3	0	0
	CLERICAL	1	0	0	0	1	0	0
	PROFESSIONALS	2	0	0	0	2	0	0
EMERGENCY 911		38	10	1	0	23	4	0
	TECHNICIANS	38	10	1	0	23	4	0
ENGINEERING		21	15	0	0	4	2	0
	CLERICAL	2	0	0	0	1	1	0
	OFFICIALS/MANAGERS	1	1	0	0	0	0	0
	PROFESSIONALS	9	6	0	0	2	1	0
	TECHNICIANS	9	8	0	0	1	0	0
ENVIRONMENTAL & EMERG MGT		3	2	0	0	1	0	0
	PROFESSIONALS	2	2	0	0	0	0	0
	TECHNICIANS	1	0	0	0	1	0	0
FACILITIES MANAGEMENT		59	29	19	0	3	8	0
	CLERICAL	1	0	0	0	1	0	0
	OFFICIALS/MANAGERS	1	1	0	0	0	0	0
	PROTECTIVE SERVICE	2	2	0	0	0	0	0
	SERVICE/MAINTENANCE	27	8	11	0	1	7	0
	SKILLED CRAFTSMEN	22	16	6	0	0	0	0
	TECHNICIANS	6	2	2	0	1	1	0
FIRE-EMS		266	229	21	2	10	3	1
	CLERICAL	2	0	0	0	1	1	0
	OFFICIALS/MANAGERS	1	1	0	0	0	0	0

EMPLOYMENT by Department and EEO Category - 2004

DEPARTMENT	CATEGORY	TOTAL	WM	BM	OM	WF	BF	OF
	PARA-PROFESSIONAL	10	8	0	0	2	0	0
	PROFESSIONALS	13	11	1	0	1	0	0
	PROTECTIVE SERVICE	179	155	16	1	5	2	0
	TECHNICIANS	61	54	4	1	1	0	1
FLEET		32	21	8	0	1	2	0
	CLERICAL	3	0	0	0	1	2	0
	PARA-PROFESSIONAL	1	0	1	0	0	0	0
	PROFESSIONALS	1	1	0	0	0	0	0
	SERVICE/MAINTENANCE	5	2	3	0	0	0	0
	SKILLED CRAFTSMEN	20	16	4	0	0	0	0
	TECHNICIANS	2	2	0	0	0	0	0
HOUSING & NEIGHBORHOOD SVCS		16	10	0	0	3	3	0
	CLERICAL	4	0	0	0	2	2	0
	PROFESSIONALS	2	2	0	0	0	0	0
	SERVICE/MAINTENANCE	1	1	0	0	0	0	0
	TECHNICIANS	9	7	0	0	1	1	0
HRCC		1	0	0	0	1	0	0
	OFFICIALS/MANAGERS	1	0	0	0	1	0	0
HUMAN RESOURCES		16	3	1	0	5	7	0
	CLERICAL	3	0	0	0	1	2	0
	OFFICIALS/MANAGERS	1	1	0	0	0	0	0
	PROFESSIONALS	10	2	1	0	4	3	0
	TECHNICIANS	2	0	0	0	0	2	0
HUMAN SERVICES		8	1	0	0	1	6	0
	PARA-PROFESSIONAL	1	0	0	0	0	1	0
	PROFESSIONALS	7	1	0	0	1	5	0
LIBRARY		32	6	2	0	15	9	0
	PARA-PROFESSIONAL	20	3	2	0	8	7	0
	PROFESSIONALS	10	1	0	0	7	2	0
	PROTECTIVE SERVICE	1	1	0	0	0	0	0
	TECHNICIANS	1	1	0	0	0	0	0
MANAGEMENT & BUDGET		9	2	2	0	3	2	0
	CLERICAL	1	0	0	0	1	0	0
	OFFICIALS/MANAGERS	1	0	1	0	0	0	0
	PROFESSIONALS	7	2	1	0	2	2	0
MUNICIPAL AUDITING		6	3	0	0	2	1	0
	CLERICAL	1	0	0	0	0	1	0
	OFFICIALS/MANAGERS	1	1	0	0	0	0	0
	PROFESSIONALS	3	2	0	0	1	0	0
	TECHNICIANS	1	0	0	0	1	0	0

EMPLOYMENT by Department and EEO Category - 2004

DEPARTMENT	CATEGORY	TOTAL	WM	BM	OM	WF	BF	OF
OUTREACH DETENTION		4	1	1	0	0	2	0
	PARA-PROFESSIONAL	3	1	1	0	0	1	0
	PROFESSIONALS	1	0	0	0	0	1	0
PARKS AND RECREATION		70	46	9	0	12	3	0
	CLERICAL	5	0	0	0	4	1	0
	OFFICIALS/MANAGERS	1	1	0	0	0	0	0
	PARA-PROFESSIONAL	2	2	0	0	0	0	0
	PROFESSIONALS	14	10	0	0	2	2	0
	SERVICE/MAINTENANCE	26	15	7	0	4	0	0
	SKILLED CRAFTSMEN	19	15	2	0	2	0	0
	TECHNICIANS	3	3	0	0	0	0	0
PLANNING, BLDG & DEVELOPMENT		16	7	1	0	6	2	0
	CLERICAL	1	0	0	0	1	0	0
	OFFICIALS/MANAGERS	1	1	0	0	0	0	0
	PROFESSIONALS	10	5	1	0	4	0	0
	TECHNICIANS	4	1	0	0	1	2	0
POLICE		283	195	21	4	45	18	0
	CLERICAL	16	0	0	0	14	2	0
	OFFICIALS/MANAGERS	1	0	1	0	0	0	0
	PROFESSIONALS	17	12	1	0	2	2	0
	PROTECTIVE SERVICE	196	157	17	3	16	3	0
	TECHNICIANS	53	26	2	1	13	11	0
PURCHASING		4	0	0	0	2	2	0
	CLERICAL	2	0	0	0	1	1	0
	OFFICIALS/MANAGERS	1	0	0	0	0	1	0
	TECHNICIANS	1	0	0	0	1	0	0
REAL ESTATE VALUATION		12	3	1	0	5	3	0
	CLERICAL	2	0	0	0	1	1	0
	OFFICIALS/MANAGERS	1	0	0	0	1	0	0
	TECHNICIANS	9	3	1	0	3	2	0
REGISTRAR		2	0	0	0	1	1	0
	CLERICAL	2	0	0	0	1	1	0
SHERIFF		203	134	17	1	36	15	0
	CLERICAL	4	0	0	0	3	1	0
	PROFESSIONALS	15	7	3	0	4	1	0
	PROTECTIVE SERVICE	160	107	14	1	25	13	0
	TECHNICIANS	24	20	0	0	4	0	0
SOCIAL SERVICES		200	23	4	2	126	44	1
	CLERICAL	39	2	0	0	25	12	0
	OFFICIALS/MANAGERS	1	0	0	0	1	0	0
	PARA-PROFESSIONAL	7	0	0	0	3	4	0
	PROFESSIONALS	148	19	4	2	95	27	1

EMPLOYMENT by Department and EEO Category - 2004

DEPARTMENT	CATEGORY	TOTAL	WM	BM	OM	WF	BF	OF
	TECHNICIANS	5	2	0	0	2	1	0
SOLID WASTE MANAGEMENT		61	12	41	1	4	3	0
	CLERICAL	4	1	1	0	2	0	0
	OFFICIALS/MANAGERS	1	1	0	0	0	0	0
	SERVICE/MAINTENANCE	34	6	25	1	0	2	0
	SKILLED CRAFTSMEN	18	4	12	0	2	0	0
	TECHNICIANS	4	0	3	0	0	1	0
TECHNOLOGY		42	27	1	1	11	2	0
	OFFICIALS/MANAGERS	1	1	0	0	0	0	0
	PROFESSIONALS	17	11	0	1	4	1	0
	TECHNICIANS	24	15	1	0	7	1	0
TRANSPORTATION		91	55	28	1	6	1	0
	CLERICAL	3	0	0	0	2	1	0
	OFFICIALS/MANAGERS	1	1	0	0	0	0	0
	PROFESSIONALS	1	1	0	0	0	0	0
	SERVICE/MAINTENANCE	29	14	12	1	2	0	0
	SKILLED CRAFTSMEN	40	27	12	0	1	0	0
	TECHNICIANS	17	12	4	0	1	0	0
TREASURER		14	2	0	0	11	1	0
	CLERICAL	10	1	0	0	9	0	0
	PROFESSIONALS	3	1	0	0	1	1	0
	TECHNICIANS	1	0	0	0	1	0	0
YOUTH HAVEN		10	4	3	0	2	1	0
	CLERICAL	1	0	0	0	1	0	0
	OFFICIALS/MANAGERS	1	1	0	0	0	0	0
	PARA-PROFESSIONAL	6	2	3	0	1	0	0
	PROFESSIONALS	1	1	0	0	0	0	0
	SERVICE/MAINTENANCE	1	0	0	0	0	1	0
TOTALS		1704	887	191	12	439	171	4

Attachment 2

CITY OF ROANOKE
NEW HIRE ANALYSIS
by Number of Employees

December 31, 2004

OCCUPATIONAL CATEGORY	TOTAL	WHITE MALES	BLACK MALES	OTHER MALES	WHITE FEMALES	BLACK FEMALES	OTHER FEMALES
OFFICIALS/MANAGERS	1	0	0	0	1	0	0
PROFESSIONALS	35	12	3	1	16	3	0
TECHNICIANS	22	7	2	0	10	3	0
PROTECTIVE SERVICE	62	46	2	1	9	4	0
PARA-PROFESSIONAL	5	2	0	0	2	1	0
CLERICAL	20	0	0	0	16	4	0
SKILLED CRAFT	7	6	1	0	0	0	0
SERVICE/MAINTENANCE	20	6	11	0	2	1	0
TOTAL NUMBER	172	79	19	2	56	16	0
TOTAL PERCENTAGES	100.0%	45.9%	11.0%	1.2%	32.6%	9.3%	0.0%

CITY OF ROANOKE
NEW HIRE ANALYSIS
by Number of Employees

December 31, 2003

OCCUPATIONAL CATEGORY	TOTAL	WHITE MALES	BLACK MALES	OTHER MALES	WHITE FEMALES	BLACK FEMALES	OTHER FEMALES
OFFICIALS/MANAGERS	3	2	0	0	0	1	0
PROFESSIONALS	40	13	1	1	23	1	1
TECHNICIANS	18	5	0	0	8	5	0
PROTECTIVE SERVICE	65	49	5	0	9	2	0
PARA-PROFESSIONAL	7	0	0	0	3	4	0
CLERICAL	19	1	0	0	16	2	0
SKILLED CRAFT	10	9	1	0	0	0	0
SERVICE/MAINTENANCE	24	9	6	1	2	6	0
TOTAL NUMBER	186	88	13	2	61	21	1
TOTAL PERCENTAGES	100.0%	47.3%	7.0%	1.1%	32.8%	11.3%	0.5%

CITY OF ROANOKE
NEW HIRE ANALYSIS
by Category and Percent

December 31, 2004

OCCUPATIONAL CATEGORY	TOTAL	WHITE MALES	BLACK MALES	OTHER MALES	WHITE FEMALES	BLACK FEMALES	OTHER FEMALES
OFFICIALS/MANAGERS	100.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%
PROFESSIONALS	100.0%	34.3%	8.6%	2.9%	45.7%	8.6%	0.0%
TECHNICIANS	100.0%	31.8%	9.1%	0.0%	45.5%	13.6%	0.0%
PROTECTIVE SERVICE	100.0%	74.2%	3.2%	1.6%	14.5%	6.5%	0.0%
PARA-PROFESSIONAL	100.0%	40.0%	0.0%	0.0%	40.0%	20.0%	0.0%
CLERICAL	100.0%	0.0%	0.0%	0.0%	80.0%	20.0%	0.0%
SKILLED CRAFT	100.0%	85.7%	14.3%	0.0%	0.0%	0.0%	0.0%
SERVICE/MAINTENANCE	100.0%	30.0%	55.0%	0.0%	10.0%	5.0%	0.0%
TOTAL NUMBER	172	79	19	2	56	16	0
TOTAL PERCENTAGES	100.0%	45.9%	11.0%	1.2%	32.6%	9.3%	0.0%

CITY OF ROANOKE
NEW HIRE ANALYSIS
by Category and Percent

December 31, 2003

OCCUPATIONAL CATEGORY	TOTAL	WHITE MALES	BLACK MALES	OTHER MALES	WHITE FEMALES	BLACK FEMALES	OTHER FEMALES
OFFICIALS/MANAGERS	100.0%	66.7%	0.0%	0.0%	0.0%	33.3%	0.0%
PROFESSIONALS	100.0%	32.5%	2.5%	2.5%	57.5%	2.5%	2.5%
TECHNICIANS	100.0%	27.8%	0.0%	0.0%	44.4%	27.8%	0.0%
PROTECTIVE SERVICE	100.0%	75.4%	7.7%	0.0%	13.8%	3.1%	0.0%
PARA-PROFESSIONAL	100.0%	0.0%	0.0%	0.0%	42.9%	57.1%	0.0%
CLERICAL	100.0%	5.3%	0.0%	0.0%	84.2%	10.5%	0.0%
SKILLED CRAFT	100.0%	90.0%	10.0%	0.0%	0.0%	0.0%	0.0%
SERVICE/MAINTENANCE	100.0%	37.5%	25.0%	4.2%	8.3%	25.0%	0.0%
TOTAL NUMBER	186	88	13	2	61	21	1
TOTAL PERCENTAGES	108.1%	51.2%	7.6%	1.2%	35.5%	12.2%	0.6%

CITY OF ROANOKE
PROMOTION ANALYSIS
by Number of Employees

December 31, 2004

OCCUPATIONAL CATEGORY	TOTAL	WHITE MALES	BLACK MALES	OTHER MALES	WHITE FEMALES	BLACK FEMALES	OTHER FEMALES
OFFICIALS/MANAGERS	4	1	1	0	1	1	0
PROFESSIONALS	28	10	3	1	11	3	0
TECHNICIANS	37	28	1	0	7	0	1
PROTECTIVE SERVICE	17	16	0	0	1	0	0
PARA-PROFESSIONAL	0	0	0	0	0	0	0
CLERICAL	15	1	0	0	9	5	0
SKILLED CRAFT	12	7	4	0	1	0	0
SERVICE/MAINTENANCE	8	4	4	0	0	0	0
TOTAL NUMBER	121	67	13	1	30	9	1
TOTAL PERCENTAGES	100.0%	55.4%	10.7%	0.8%	24.8%	7.4%	0.8%

CITY OF ROANOKE
PROMOTION ANALYSIS
by Number of Employees

December 31, 2003

OCCUPATIONAL CATEGORY	TOTAL	WHITE MALES	BLACK MALES	OTHER MALES	WHITE FEMALES	BLACK FEMALES	OTHER FEMALES
OFFICIALS/MANAGERS	1	0	1	0	0	0	0
PROFESSIONALS	28	12	2	0	10	4	0
TECHNICIANS	33	24	3	0	5	1	0
PROTECTIVE SERVICE	16	11	3	0	1	1	0
PARA-PROFESSIONAL	2	0	0	0	1	1	0
CLERICAL	7	1	0	0	5	1	0
SKILLED CRAFT	7	5	2	0	0	0	0
SERVICE/MAINTENANCE	5	4	1	0	0	0	0
TOTAL NUMBER	99	57	12	0	22	8	0
TOTAL PERCENTAGES	100.0%	57.6%	12.1%	0.0%	22.2%	8.1%	0.0%

CITY OF ROANOKE
PROMOTION ANALYSIS
by Category and Percent

December 31, 2004

OCCUPATIONAL CATEGORY	TOTAL	WHITE MALES	BLACK MALES	OTHER MALES	WHITE FEMALES	BLACK FEMALES	OTHER FEMALES
OFFICIALS/MANAGERS	100.0%	25.0%	25.0%	0.0%	25.0%	25.0%	0.0%
PROFESSIONALS	100.0%	35.7%	10.7%	3.6%	39.3%	10.7%	0.0%
TECHNICIANS	100.0%	75.7%	2.7%	0.0%	18.9%	0.0%	2.7%
PROTECTIVE SERVICE	100.0%	94.1%	0.0%	0.0%	5.9%	0.0%	0.0%
PARA-PROFESSIONAL	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
CLERICAL	100.0%	6.7%	0.0%	0.0%	60.0%	33.3%	0.0%
SKILLED CRAFT	100.0%	58.3%	33.3%	0.0%	8.3%	0.0%	0.0%
SERVICE/MAINTENANCE	100.0%	50.0%	50.0%	0.0%	0.0%	0.0%	0.0%
TOTAL NUMBER	121	67	13	1	30	9	1
TOTAL PERCENTAGES	100.0%	55.4%	10.7%	0.8%	24.8%	7.4%	0.8%

CITY OF ROANOKE
PROMOTION ANALYSIS
by Category and Percent

December 31, 2003

OCCUPATIONAL CATEGORY	TOTAL	WHITE MALES	BLACK MALES	OTHER MALES	WHITE FEMALES	BLACK FEMALES	OTHER FEMALES
OFFICIALS/MANAGERS	100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
PROFESSIONALS	100.0%	42.9%	7.1%	0.0%	35.7%	14.3%	0.0%
TECHNICIANS	100.0%	72.7%	9.1%	0.0%	15.2%	3.0%	0.0%
PROTECTIVE SERVICE	100.0%	68.8%	18.8%	0.0%	6.3%	6.3%	0.0%
PARA-PROFESSIONAL	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
CLERICAL	100.0%	14.3%	0.0%	0.0%	71.4%	14.3%	0.0%
SKILLED CRAFT	100.0%	71.4%	28.6%	0.0%	0.0%	0.0%	0.0%
SERVICE/MAINTENANCE	100.0%	80.0%	20.0%	0.0%	0.0%	0.0%	0.0%
TOTAL NUMBER	99	57	12	0	22	8	0
TOTAL PERCENTAGES	100.0%	57.6%	12.1%	0.0%	22.2%	8.1%	0.0%

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

April 4, 2005

Honorable C. Nelson Harris, Mayor
Honorable Beverly Fitzpatrick, Jr., Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Dear Mayor Harris and Members of City Council:

Subject: Juvenile Accountability Block Grant Award No. 05-G3221JB04

Background:

The Department of Criminal Justice Services notified Roanoke and Roanoke County of an allocation of funds under the Juvenile Accountability Block Grant Program (JABG). The allocation of $40,581 in federal funds was awarded jointly to the two jurisdictions. A joint local match of $4,509 is required, for a total program budget of $45,090.

Considerations:

The allocation formula provides $28,339 federal and $3,149 match for Roanoke and $12,242 federal and $1,360 match for Roanoke County. Staff from the jurisdictions have met and developed program proposals for the use of the funding. Roanoke County will provide a substance abuse intervention education program through the schools. The City of Roanoke in collaboration with the Boys and Girls Club and Total Action Against Poverty (TAP) will provide services to students suspended or otherwise absent from school during the day. TAP-Project Recovery will help adjudicated youth avoid the negative risks and unproductive lifestyles that often correlate with dropping out of school.

Funding for the City's match of $3,149 is in account 001-630-1270-2010, Human Services Support. The City of Roanoke will serve as the fiscal agent for the funds.

Recommended Action:

Authorize the City Manager or her designee to accept the $40,581 JABG grant allocated to Roanoke for $28,339, and Roanoke County for $12,242 and to execute the agreement from the Department of Criminal Justice Services for the funds.

Appropriate $45,090 and increase the corresponding revenue estimates of $40,581 in federal funds and $1,360 in County match funds in accounts to be established by the Director of Finance in the Grant Fund and transfer $3,149 from Human Services Support account 001-630-1270-2010 to the Grant Fund account established above.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:cwt

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Rolanda B. Russell, Assistant City Manager for Community Development
Sherman M. Stovall, Acting Director of Management and Budget
Jane Conlin, Director of Human/Social Services
John M. Chambliss, Jr., Assistant County Administrator
Carol Tuning, Human Services Coordinator

CM05-00036

Juvenile Accountability Block Grant Program
Roanoke Valley Multi-Year
Community Plan of Action

INTRODUCTION

The Juvenile Accountability Block Grant program, referred to as JABG, is a federal block grant program designed to promote greater accountability in the juvenile justice system. Each locality receiving JABG funds must develop a plan of action that focuses on a needs assessment among juvenile justice services, and determines the most effective use of funds to address juvenile delinquency, improve the juvenile justice system, and increase accountability among juveniles for their actions.

This document serves as the combined JABG community plan of action for the City of Roanoke and Roanoke County for 2005-06. It proposes that Roanoke's JABG funding be used to support existing programs designed to enhance our system of graduated sanctions and improve juvenile accountability.

Background

Decades of research have shown that juvenile crime and delinquent behaviors do not emerge randomly. A number of key risk factors directly increase the chances that a juvenile will engage in delinquent or criminal activity (e.g. school suspensions, poor academic achievement, drug use, dropping out of school). Likewise, research has demonstrated that protective factors (e.g. education, mentors, connections to the community) can change how a juvenile responds to risks and result in positive behaviors, health, and lifestyle choices.

In 1995, JLARC completed a study on incarcerated juvenile offenders in Virginia's system. The results were significant: 44% were at least four years below age level in reading, 80% were truant or school dropouts, 45% of incarcerated youth had parents who abused drugs or alcohol, and 47% were living with a single parent (The Operation and Impact of Juvenile Corrections

Services in Virginia, JLARC, 1997). The Office of Juvenile Justice and Delinquency Prevention states that 90% of teachers providing reading instruction in juvenile correctional facilities reported that they had "students who could not read material composed of words from their own oral vocabularies," and that approximately 40% of youth held in detention facilities may have some form of learning disability. Most juvenile offenders age 16 and older never return to school or graduate from high school. The U.S. Dept. of Justice states that over 70% of all people entering state correctional facilities have not completed high school, with 46% having had some high school education and 16.4% having had no high school.

Much of the research sponsored by JLARC, the Office of Juvenile Justice and Delinquency Prevention (OJJDO) and other national organizations supports the observations and conclusions we believe to be true in the Roanoke Valley. Our Juvenile Crime Enforcement Coalition (JCEC) identified the following trends among Roanoke's juvenile population.

- The majority of serious and violent juvenile offenders tend to have multiple problems such as substance abuse, mental health difficulties, truancy, suspension, expulsion, and dropping out of school.
- Serious delinquents are likely to be involved in drug use, precocious sexual activity, school failure, juvenile gangs, and unsupervised gun ownership.
- Truancy and dropping out of school are the greatest predictors of delinquency and incarceration.
- Large numbers of juvenile offenders continue to be expelled or suspended long-term from public school for serious behavior problems. If not enrolled in alternative programs, many of these youth drop out of school all together, and continue to commit more serious crimes leading to incarceration. City of Roanoke juvenile court staff reports that about 85% of pre-dispositional youth have dropped out of school. About 30% of the high school dropouts in the Project Recovery program have had involvement with the juvenile court system.
- One of the biggest challenges for our Juvenile Court system is finding appropriate academic placements for juvenile offenders who cannot experience success in a traditional academic setting.

- Many youth are engaging in risky behaviors as early as 10-12 years of age.
- Large numbers of persons who are incarcerated lack high school diplomas.

Local Juvenile Justice Data

The following charts provide information for the last two years on intake complaints processed by the 23A Court Service Unit serving the City of Roanoke and the 23 Court Service Unit serving Roanoke County and the City of Salem.

District 23A City of Roanoke Intake Complaints

	FY 2002-2003	FY 2003 -2004
Assault	378	414
Larceny	363	334
Disorderly Conduct	169	157
CHINS/CHINsUP (Status))	162	201
Vandalism	108	128
Narcotics	69	53
Weapons	43	33
Probation Violations	40	45

District 23 County of Roanoke and City of Salem Intake Complaints
Roanoke county youth represent about 80% of all intake cases.

	FY 2002-2003	FY 2003 -2004
Assault	285	234
Larceny	244	201
Disorderly Conduct	102	107
CHINS/CHINsUP (Status))	822	664
Vandalism	93	82
Narcotics	115	119
Weapons	18	10
Probation Violations	13	27

In November 2000, 1,240 City of Roanoke youth in grades 8, 10 and 12 were surveyed using the Search Institute's Developmental Assets Survey. In November 2002, youth in grades 6, 8, 10, 12 were surveyed using the Search Institute tool and the Center for Disease Control's Youth Risk Behavior Survey (1,330 completed the YRBS and 1,090 completed the Search Institute survey). Both survey processes indicated that a significant percentage of Roanoke's youth have engaged in high-risk behaviors.

- 22% had used alcohol 3 or more times in the last 30 days or got drunk once or more in the last two weeks; 40% had at least one drink of alcohol in the past 30 days.
- 22% had used illicit drugs 3 or more times in the last 12 months (cocaine, LSD, PCP, heroin, marijuana, and amphetamines); 29% had used marijuana in the past 30 days, and 49.5% have used it at least once.
- 22% had been involved in 3 or more incidents of shoplifting, trouble with police, or vandalism in the last 12 months.
- 40% had engaged in 3 or more acts of fighting, hitting, injuring a person, carrying or using a weapon, or threatening physical harm in the last 12 months.
- 17% of high school students had carried a knife or gun for protection.

On February 29, 2000, all Roanoke County students present in grades 6 through 12 completed The American Drug and Alcohol, Risk and Protective Factor Survey conducted by the University of Colorado. On January 29, 2002, all students present in grades 6 through 12 completed the Youth Risk Behavior Survey conducted by Virginia Tech. Similar questions on the two instruments demonstrated a significant level of risk taking behaviors among Roanoke County's youth.

- 27.3% of Middle School students, and 73.4% of High School students had at least one drink of alcohol on 1 or more of the past 30 days.
- 31.1% of Middle School students, and 16.9% of High School students carried a weapon on 1 or more of the past 30 days.
- 45.4% of Middle School students, and 27.4% of High School students were in a physical fight 1 or more times during the past 12 months.

- 47.7% of Middle School students, and 45.4% of High School students have been bullied; and 34.9% and 39.9%, respectively, have bullied someone.

Program Services Identified as High Priority for Juvenile Offenders

- Substance abuse education and intervention services.
- Parenting education/training programs and mandatory involvement of parents.
- Day time reporting center for youth expelled, suspended, or experiencing long term separations from school and in need of supervision.
- Anger/aggression management programs for youth (angry children are believed to be a major cause of juvenile delinquency, violence, and crime).
- Intervention, supervision and case management services in the schools for youth charged with a crime in the community.
- Retrieval of adjudicated youth who have dropped out of traditional school setting.

INTERVENTION STRATEGIES -- Fiscal Year 2005 Use of JABG funding:

A. Day Reporting Program operated by the Boys & Girls Clubs of Roanoke Valley.

Overall Goal: To provide juvenile offenders, who have been suspended, expelled or who have dropped out of the public school system, with supervision, academic remediation, and educational transitional services until they are able to return to their home school or the alternative education center (Noel C. Taylor Learning Academy). Failure to attend this program and/or comply with its requirements will result in the juvenile offender receiving sanctions, such as placement in the local detention facility, or commitment to the Department of Juvenile Justice.

Performance Indicators:

Outcome indicators include number of accountability programs in operation - 1 (Day Report Center) and number of accountability program slots, which is a maximum of 17 youths in the program at a given time. Output indicators include: one supervision meeting per youth per month and each juvenile offender signs a behavior contract at time of intake. The program receives referrals from City of Roanoke Schools (15 for 2004-05 school years), Department of Juvenile Justice (10 for 2004-05 school years) and Department of Social Services (0 for 2004-05 school year). To date, 4 out of 25 participants have completed the program successfully (16%); seventeen remain in the program (68%); four have been dropped from the program for behavior problems (16%).

Outcome and output indicator data are tracked through attendance rosters, and follow-up parent/guardian and student surveys. Additionally, Office of Juvenile Justice will run comparative reports of attendees to determine if Juvenile offenders have had recurring offenses. Criminal charges against these youth have included the following: robbery, shoplifting, assault, destruction of property, truancy, violation of probation.

Rationale: Juvenile offenders who are suspended, expelled or otherwise separated from the public school system and provided no alternative supervision and educational instruction are at an increased risk of further criminal activity and dropping out of school all together. Suspension/expulsion alone results in the juvenile having idle time, becoming further disconnected from school and community, and experiencing minimal personal accountability for his/her actions. The Day Reporting Program holds the youth accountable for his criminal actions, as well as stressing his/her responsibility to complete his/her education and learn how to control his/her personal behavior (i.e., anger management, respect for others and property, obey the law). Within Roanoke's system of graduated sanctions, this program falls under the category of Community Treatment.

B. Saturday Substance Abuse Program (SSAP)

The Saturday Substance Abuse Program a collaborative among Roanoke County Public School's Student Assistance Program, Family Service of the Roanoke Valley, Law Enforcement Personnel and Roanoke County and City Administration.

Overall Goal - (Purpose Area 11) Law enforcement personnel and/or court service personnel refer youth to the program who violate the school substance use policy and/or the Code of Virginia. The program provides education and intervention services to stop substance use thereby decreasing recidivism among youth.

Outcome and output indicator data will be tracked through attendance rosters, pre/post test and follow-up surveys/questionnaires. Additionally, school attendance and substance use discipline data will be gathered for further analysis of change.

Target Population: The identified participants include all youth who violate the substance use school policy and/or the Code of Virginia within Roanoke County.

Rationale: Substance abuse often leads to further criminal activity and/or behavior problems (i.e. truancy, poor grades, school drop out, theft, assault). It is important to intervene and discourage substance use behaviors as soon as they are identified. A collaborative effort among law enforcement, court services, schools system personnel, and community agencies is an effective partnership to provide services to youth. The school is a logical place to intervene in negative behaviors, hold students accountable for their choices, and note changes in behaviors. The school-based Student Assistance Program Coordinator/Counselor provides the student with case management services in coordination with the parents, school resource officers, courts and other community programs involved with assisting the youth.

Law enforcement personnel and/or court services (purpose area 11) in collaboration with the Student Assistance Program personnel will refer students and their parents to the SSAP, which is provided by Family Services of the Roanoke Valley. A behavioral contract is developed at entry into the accountability program. The program consists of eight hours of substance abuse education during two Saturday mornings. Parents of these students are also required to attend the sessions and are provided with information, skills and community resources to assist them in parenting their child.

A follow-up session is conducted with each student and their parents by the student's school-based Student Assistance Program Coordinator/Counselor to develop a service plan. Furthermore, there is an ongoing dialogue among parents, youth and the Student Assistance program Coordinator/Counselor to track progress and to amend the plan as needed. Students and their parents are held accountable for implementing the service plan and progress is tracked accordingly. Additionally, a questionnaire is mailed to participants at a designated follow-up period to

gather outcome data. This will allow for the feasibility of a longitudinal follow-up to determine program efficacy.

Sequence of sanctions for non-compliance of SSAP

1.) Parents and students are contacted regarding non-compliance and offered another opportunity to attend as long as the student and parents are cooperating with other agreed upon requirements.

2.) If students and parents still do not respond then the information is shared with the referral source - e.g., law enforcement officer, or court services.

3.) Additionally, if the substance use violation was also a school substance use violation then the student could be recommended for expulsion from school. However, approximately 99% of all students who go before the school board for expulsion are placed at R.E. Cook Alternative School.

   a. At this facility students attend regular school, receive substance abuse counseling on a regular basis, are randomly drug tested by the school and the parents must attend a weekly parent group. Also, the student and parents may complete another substance abuse assessment and if treatment services are recommended they must participate.

4.) Furthermore, the law enforcement officer will consult with court intake to determine if charges need to be placed. Students who have been diverted by Juvenile Intake and/or on probation may be taken back before the judge for application of additional sanctions.

C. **Total Action Against Poverty (TAP) - Project Recovery,** a collaborative project between TAP and Roanoke City Schools.

Overall Goal (Purpose Area 11) - Project Recovery will help adjudicated youth avoid the negative risks and unproductive lifestyles that often correlate with dropping out of school. We will recover those youth who have dropped out of the traditional school setting and assist them in returning to the public school system or an alternative educational program that leads to the completion of their secondary education requirements. Formal assessments will be completed to determine grade level and academic potential to obtain a GED. Basic education instruction leading to the acquisition of a state certified GED will be provided. Additionally work readiness skills will be taught to students wishing to enter employment.

Outcome and output indicator data:

Outcome

- Number of accountability programs in operation - 1 (Project Recovery)
- Number of accountability programming slots - A maximum of 20 youth will be enrolled in the program (Enrollment record will be used to measure outcome)

Output

- Number of supervision meetings per youth per month (Reports from Probation Officer/Outreach Worker/Diversion Officer will be used)
- Number and percent of youth with a behavioral contract developed at their intake into the accountability program (Reports from Intake Officer will be used)
- Average percent of days youth received services (Attendance will be tracked)
- Number of days of program participation per youth (Classroom attendance records will be used to measure outcome)

Target population - Adjudicated youth who have dropped out of school.

Rationale - Research clearly establishes the prevalence of low educational attainment and dropout status among incarcerated youth and adults in the U.S., and makes a powerful case for retrieving and re-enrolling dropouts as a form of crime prevention in our community. Office of Juvenile Justice and Delinquency Prevention states that 90% of teachers providing reading instruction in juvenile correctional facilities reported that they had "students who [could not] read material composed of words from their own oral vocabularies," and that approximately 40% of youth held in detention facilities may have some form of learning disability. Most juvenile offenders age 16 and older never return to school or graduate from high school.

The National Adult Literacy Survey found that 19% of adult inmates are completely illiterate and 40% are functionally illiterate. This compares to the national illiteracy rate for adult Americans at 4%, with 21% functionally illiterate. The survey found that the rate of learning disabilities in adult correctional facilities runs at 11%, compared to 3% in the general population. U.S. Dept. of Justice states that over 70% of all people entering state correctional facilities have not completed high school, with 46% having had some high school education and 16.4% having had no high school.

The low educational levels of the prison population would suggest that a city's worsening dropout problem may be paralleled by a worsening juvenile crime problem. Such is the case in Roanoke, where both the dropout rate and the juvenile crime rate are among the worst in the state of Virginia. According to 2002 Kids Count in Virginia, the rate of juvenile arrests per 1,000 among youth ages 12-17 rose steadily -- in lock step with Roanoke's rising dropout rate -- from 8.52 in 1993 to 11.7. in 2002, giving the City of Roanoke a rank of 83 out of 91 Virginia localities in incidence of juvenile crime.

An education specialist will contact 20 adjudicated youth who have dropped out of school, counsel them about the importance of an education and share their educational options, which includes returning to public school or an alternative educational setting. If the youth prefers to return to public school, the education specialist will discuss youth's interest with principal and/or guidance counselor to assist youth in reenrollment. If the student prefers an alternative program and is under 17 years of age, the education specialist will work with the parent and school system to secure the required release from compulsory education so that the youth can enroll in a GED program. Older youth are not required to return to public school. Once enrolled, the student will be encouraged to attend classes daily. The education specialist will track school attendance and progress. At least 60% of reenrolled high school seniors or GED enrolled students should complete high school or obtain their GED. The same percentage (60%) of those who are not high school seniors or who are functioning on a basic education level will increase their grade level by ½ to 2 grades depending on the level at entry.

Sequence of sanctions for non-compliance:

1. Parents will be contacted if student refuses to attend classes daily.
2. Probation officer will be contacted if student still fails to conform.
3. If non-compliance still exists, student will be taken back before the judge.

Awarding of 2005 Funds and Administrative Plan

The Roanoke Valley proposes use of available JABG funding for the above-described programs and targets the following one purpose area.

JABG Purpose Areas #11 - Establishing and maintaining accountability-based programs designed to reduce recidivism among juveniles who are referred by law enforcement personnel or agencies.

The JABG committee will monitor programs for their effectiveness in reducing recidivism among juvenile offenders. Our goal is to establish an outcome measurement process for evaluating program effectiveness and increasing juvenile accountability based on the following strategies:

- use the state's tracking system to monitor any further delinquent acts committed by our court involved juveniles after receiving and/or completing sanctions and intervention services.
- sharing of information on juvenile offenders and program resources to promote early identification and effective supervision and treatment options.
- establish an outcomes check list for probation officers/case managers to use to assess and report progress among youth served at set intervals.
- parents will be required to complete a questionnaire to assess and report change in youth's behaviors and compliance with home-rules, school attendance, etc., and the family's overall level of functioning at set intervals.
- individual student tracking forms used by the Student Assistance Program Coordinators will be used to denote changes in school attendance, discipline, grades and results of urine screens as well as other community services received every nine weeks.
- track number of students who return and complete school.

Juvenile Accountability Block Grant Program
Roanoke Valley Community Plan of Action

Juvenile Justice Services Available in Roanoke Valley

	Graduated Sanctions		
Type of Program	Diversion	Treatment	Institutional Facility
Restitution	X		
Community Service	X		
Enhanced Community Service (FORCE)	X		
Reaching Out to Adolescent Dads (ROADS)	X		
Parent Education/Support Group	X		
Truancy Program	X		
Parent Aide	X		
Noel C Taylor Learning Academy-Alternative Education Center	X		
ARTE (Aggression Replacement Training & Education)	X		
Outreach Detention	X		
Electronic Monitoring	X		
Detention Center	X		X
Detention Center Tour	X		
Substance Abuse Counseling		X	
Family Group Counseling		X	
MRT (Moral Reconation Therapy) - substance abuse		X	
Day Treatment Services		X	
Day Reporting Program		X	
Women's Group		X	
Grief Group		X	
In Home Services		X	
Youth Haven II - Day Reporting Center		X	
Probation		X	
Specialized Probation		X	
Intensive Supervision		X	
Aftercare supervision		X	
Independent living		X	
Post-dispositional sentencing		X	
Psychological Evaluation Services		X	
Commitment to Juvenile Justice Institution		X	X
Sanctuary		X	X
Youth Haven I - for males		X	X
Project Recovery	X		
Student Assistance Program	X		

Juvenile Accountability Block Grant Program
Roanoke Valley Community Plan of Action

Process of Graduated Sanctions applied in the Roanoke Valley

Roanoke's local Court Service Units have developed the following system of graduated sanctions for use in their case management of juvenile offenders. The sanctions are applied according to the needs of the youth and his/her compliance with supervision, probation and treatment orders. If a youth is successful, sanctions decrease and incentives increase. However, if a youth is not successful, sanctions increase and incentives decrease. The overall goal of this approach is to develop consistency across case planning strategies and increase accountability among youth for their actions.

Most Restrictive

Transfer to Adult Court
Commitment
Post Dispositional Detention
Pre-Dispositional Detention
Residential Placement
Group Home
House Arrest
Intensive Probation
Probation
Community Treatment
Counseling/Outpatient
Community Service
Fine/Restitution
Diversion
Warning

Least Restrictive

BOYS AND GIRLS CLUB
Day Report Center ($20,066)

Program Overview:

The mission of the JABG Day Report Center is to provide supervision, academic remediation, and educational transition services to juvenile offenders in a system of graduated sanctions designed to enhance school attendance and reduce delinquent activity in the high-risk school age population of the City of Roanoke. This program provides a structured regimen of activities for eligible youth, to include social competency development such as anger management, life skills training and gang prevention and serves as a sanction for youth who have been suspended from City of Roanoke Schools. (Funding for this program is supplemented by other community resources/matching funds so that other than JABG-eligible youth can be served).

Data Collected to present indicates that:

Since March of 2002, the Day Report Center has served 54 teens. Thirty-nine students were contacted and given our after-care survey. (No valid contact information has been recorded for the remaining 15 teens.) Of the students who responded (46%), 72% successfully re-entered the school system; 77% have had no further involvement with law enforcement since leaving the program. Two students reported they had dropped out of school since leaving the program but both are working to get their GED.

During the 2004-05 school year, we have served 25 expelled and/or adjudicated youth who have been referred to the program by the City of Roanoke Schools and the Department of Juvenile Justice. Eight students have been discharged from the program; five of these students have successfully re-entered the school system and four of the five have had no further suspensions. Of those discharged, six have had no further involvement with law enforcement.

To date, we have served two seniors in high school. One of these seniors successfully graduated and is attending a four-year college. The other is still enrolled in the program.

Goals: To provide supervision of identified youth while increasing youth's capabilities for personal accountability by providing treatment and services designed to increase the development of social competencies, career development competencies, social skills and personal development and improve academic achievement. To increase parental awareness and educational involvement, while decreasing and diminishing recurring court involvement of all youth involved.

Program Objectives:

- Provide services for up to 17 youth at one time enrolled in middle and high school at risk of further delinquent acts and provide them with constructive, positive alternatives.
- Maintain continued participation in the programming of at least 66% of the targeted youth.
- Improve the school attendance and performance of 50% of program participants.
- Have no subsequent juvenile justice system involvement in at least 50% of the targeted youth.
- Provide recreational activities as a viable and safe alternative to negative behaviors.
- Have 100% participation in parental survey, allowing us to document changes in behavior and follow-up with reentry program.

Purpose area 11 - Performance Indicators

Output Indicators

- Number of youth referred to and involved in program
- Numbers of youth successfully completing program

Outcome indicators

- Number of youth having no further court involvement (Office of Juvenile Justice)
- Number of youth referred a second time to program (Day Report Program)
- Number of youth who successfully complete academic school year in traditional school setting (City of Roanoke Schools)

Roanoke County
Saturday Substance Abuse Program ($12,242)

Program Overview:

The Saturday Substance Abuse Program is a collaborative effort among law enforcement personnel, Roanoke County Public School's Student Assistance Program and Family Services of the Roanoke Valley.

The program is for students who violate the Roanoke County Public Schools substance use policy and/or the Code of Virginia and/or who are referred by law enforcement or court services. Youth and their parents attend eight hours of substance abuse education expanding over two Saturday mornings. This program is designed to utilize existing services, enhance collaboration and offer an effective program with little funding.

Evidence demonstrates that the program is being effective. Parents and students report gains in awareness, attitude and knowledge, recidivism, school dropout and expulsions are low, and a high percentage of youth remain in school and those scheduled to graduate are doing so. The following information demonstrates program outcomes.

From March 2002 to December 2004 approximately 246 out of 297 youth (85%) and their parent/guardian completed the program.

Data from January, 2004 to December, 2004 indicates that:

110 youth were referred and 88 completed the SSAP (80%)

8 youth attend only one of the two sessions (7% - non-compliance)

Of the 88 youth that completed the program:

- 2 youth were expelled to the alternative school - 2 youth were first time substance policy violators but considered severe enough to warrant

placement at the alternative school.

- 2 youth expelled to the alternative school for a subsequent violation were expelled from the alternative school for non-compliance with contract and positive urine
  screens (.02 %).

- 1 youth dropped-out of school after reaching the age of 18 (.01%).

- 85% of the parents and in some classes 100% of the parents stated according to an exit survey they have a better understanding of substance abuse and an increased positive attitude toward non-use by their youth. Parents increased their pre/post test scores by 13.9%

- 80% of the youth, who completed the SSAP increased their knowledge of the negative effects of substance use based on their pre/post test scores. Students increased their pre/post test scores by 17%

- 80 students (89%) of the 88 (80%) completed the program between January 2004 and December 2004, of the 80 students (89%) 14 graduated from high school, 1 dropped out of school, 2 students completed their GED, 3 moved and 1 was court ordered further sanctions. 59 students are currently enrolled and attending school.

Goal: 90% of the youth who complete the SSAP program by December 2006 will not have violated the school substance use policy nor the Code of Virginia in regards to substance use within one year from the youth's prior offense as is evidenced by violation records.

Objectives:

1.) 90% of the youth referred by law enforcement personnel and/or are court referred to the SSAP will complete the program as indicated on attendance rosters by December 2005.

2.) 75% of the youth will increase knowledge of the negative effects of substance use as indicated by a 10% increase over pre/post-test completed at the end of each session.
3.) 75% of the parents/guardians who participate in the SSAP will have a better understanding of substance abuse and increased positive attitude toward non-use by their youth as indicated by a survey and pre/post test completed at the end of each session.
4.) 95% of the youth and parents who successfully complete the SSAP in 2005 will complete a follow-up plan with the Student Assistance Coordinator/Counselor within a month after completion of sessions as evidenced by data from the individual student tracking form.

Activities:

1.) Notify youth/parents of the date, time and place of the SSAP at the beginning of each session.
2.) Schedule trained facilitators to present the curriculum before each of the seven sessions of the two-day SSAP.
3.) Students/parents attend the program, attendance is taken and they participate in the program, and complete survey and pre/post test.
4.) Reports are sent to Student Assistance Program Coordinators at the end of each session.
5.) Student Assistance Program Coordinators meet with students and parents to discuss results and recommendations from the facilitators of the SSAP and develop an individual service follow-up plan.
6.) A questionnaire will be mailed to participants at a designated follow-up period to gather outcome data.

Purpose Area 11 - Performance Indicators

Output Indicators

- Number of accountability programs in operation. (SSAP)
- Number of accountability programming slots. (15 middle and 15 high school youth and 40 parent/guardians for each session)

Outcome Indicators:

- Number of and percent of youth with a contract developed at their intake into the accountability program. (Youth substance use violation contracts are developed at the time of the offense.)
- Number of days of program participation per youth. (attendance x2)
- Number and percent of youth to complete their accountability program successfully. (Students referred and successfully complete the SSAP vs those who don't)
- Number and percent of youth to receive aftercare services. (follow-up services by SAP Coordinator and/or community service agency)

Total Action Against Poverty
Project Recovery Program ($8,273)

Program Overview:

Project Recovery will help adjudicated youth avoid the negative risks and unproductive lifestyles that often correlate with dropping out of school. We will recover those youth who have dropped out of the traditional school setting and assist them in returning to the public school system or an alternative educational program that leads to the completion of their secondary education requirements. If alternate education (GED) is the option taken, the youth will be required to attend classes five days a week for four hours each day. Project Recovery will also track the retention and completion rate of adjudicated youth. (Funding for this program is supplemented by United Way and the Western Virginia Education Classic so that other youth who are not court order can be served.)

Program Goals:

- Retrieve adjudicated youth who have dropped out of school
- Provide formal assessment to determine grade level and academic potential to obtain a GED
- Provide Basic Education Instruction that leads to the acquisition of a state certified GED
- Provide Work Readiness Skills for youth wishing to enter employment

Program Objectives:

- Provide Outreach and Recovery Services to 20 youth who have dropped out of school and are court involved
- Re-enroll 12 youth in the public school system or an alternative educational program that will help them get back on track toward high school completion
- 60% of youth who enrolled and remain will get their GED or increase their grade level by ½ to 2 grades depending on the level at entry

Purpose Area:

11. Accountability-based programs designed to reduce recidivism among juveniles referred by law enforcement personnel or agencies.

Outcome and Output Indicators:

Outcome

- Number of accountability programs in operation
- Number of accountability programming slots

Output

- Number and percent of youth referrals across departments, organizations, agencies or units
- Average percent of days youth received treatment/services
- Number of days of program participation per youth
- Number and percent of youth to complete their accountability program successfully

Sequence of sanctions for non-compliance

- ❑ Parents and students are contacted regarding non-compliance and offered another opportunity to get back on track provided student is willing to abide by agreed requirements
- ❑ If students and parents do not respond then the non-compliance is reported to the probation officer or the referral source - e.g., or court services
- ❑ Students on probation may be taken back before the judge

Juvenile Crime Enforcement Coalition

Required Representation	Member Name/Title	Agreed to Participate	Attended Meeting(s)	Kept Informed/Provide Input
Police Department	Linda Payne Roanoke County Police Dept.	Yes	Yes	Yes
Sheriff's Department	George McMillan, Sheriff City of Roanoke	Yes	No	Yes
Commonwealth Attorney	Alice Ekirch, Assistant Commonwealth Attorney II	Yes	Yes	Yes
Court Services Unit	Rodney Hubbard, City of Roanoke Juvenile Court Services	Yes	Yes	Yes
	Regina Goforth, Juvenile Court Services	Yes	Yes	Yes
Juvenile Court	Judge Joseph Bounds Juvenile and Domestic Relations District Court	Yes / Representative	No	Yes
City of Roanoke Schools	Steve Tomasik Roanoke City Schools	Yes	Yes	Yes
Roanoke County Schools	JoAnn Burkholder Roanoke County Schools	Yes	Yes	Yes
Non-Profit/Non-Governmental Victim Advocacy	Tom Tankersley, Director of Counseling Family Service of Roanoke Valley	Yes	Yes	Yes
Religious Affiliated Fraternal	Prestonia Kier, Youth Director Unity of the Roanoke Valley	Yes	No	Yes
Non-Profit Organization	Annette Lewis, Total Action Against Poverty Higher Ed Center	Yes	Yes	Yes
	Ron Jones, Total Action Against Poverty Higher Ed Center	Yes	Yes	Yes
	Rebecca Emanuelson Boys and Girls Clubs of Roanoke Valley	Yes	Yes	Yes
Social Services Organization	Jane Conlin Director of Human Services	Yes	Yes	Yes
Additional Representation	John Chambliss, Roanoke County Assistant County Administrator	Yes	Yes	Yes
	Calvin Curry Roanoke Redevelopment and Housing Authority	Yes	Yes	Yes
	Jim O'Hare City of Roanoke Juvenile Justice Youth Care Administrator	Yes	Yes	Yes
	Carol Tuning Human Services Coordinator	Yes	Yes	Yes
Volunteer/Business	Linda Hodges Director, Barnhart Fund Carilion Hospital	Yes	Yes	Yes

NOTE: All documents, notices of meetings are transmitted to every member and their comments recommendations, etc are invited.

Use of Funds for Current Program Year
January 1, 2005 - December 31, 2005

Saturday Substance Abuse Program for Youth and Parents
JABG Budget ($12,242 + Cash match of 10% ($1,347) = $13,589)

Line Item	JABG			
Personnel	Actual	Cash Match	In-Kind	Total
Roanoke County Public Schools			$ 42,336.00	$ 42,336.00
Total Personnel			$ 42,336.00	$ 42,336.00
Benefits				
FICA/Medicare (7.65%)			$ 3,238.70	$ 3,238.70
Workers Comp (2.5%)			$ 1,058.40	$ 1,058.40
Unemployment (2.5%)			$ 1,058.40	$ 1,058.40
Total Benefits			$ 5,355.50	$ 5,355.50
Contracted Services				
Family Service of Roanoke Valley (Six - 8 hour sessions)	$ 12,242.00	$ 1,347.00		$ 13,589.00
Total Contracted Services	$ 12,242.00	$ 1,347.00		$ 13,589.00
Supplies/Materials				
Materials (Video/Instructional)				
Copying				
Total Supplies/Materials				
Other Expenses				
Postage/Printing				
Facility Maintenance			$ 1,820.00	$ 1,820.00
Total Other Expenses			$ 1,820.00	$ 1,920.00
Total Program Expenses	$ 12,242.00	$ 1,347.00	$ 49,511.50	$ 63,100.05

Boys and Girls Clubs of Roanoke Valley
JABG Budget
JABG Budget ($20,066 + Cash Match of 10% ($2,230) = $22,296)

Line Item	JABG	In-Kind	Match	Total
Personnel				
BGCRV / JABG Director	$ 14,066.00	$ 2,000.00		$16,066.00
Part Time Staff				
1@$8X25hrX30wks	6,000.00		$ 2,230.00	8,230.00
Rke City Teacher	$ -	4,800.00		$4,800.00
Total Personnel	**$20,066.00**	**$ 6,800.00**	**$ 2,230.00**	**$ 29,096.00**
Benefits				
FICA/Medicare (7.65%)		$ 1,415.25		$ 1,415.25
Workers Comp (2.5%)		$ 462.50		$ 462.50
Unemployment (2.5%)		$ 462.50		$ 462.50
Total Benefits		**$ 2,340.25**		**$ 2,340.25**
Supplies/Equipment				
Office		$ 633.00		$ 633.00
Program		$ 1,391.00		$ 1,391.00
Cleaning		$ -		$ -
Total Supplies/Equipment		**$ 2,024.00**		**$ 2,024.00**
Other Expenses				
Insurance		$ 667.00		$ 667.00
Rke City School Lunches		$ 700.00		$ 700.00
Travel/Training		$ 1,200.00		$ 1,200.00
Postage/Printing		$ -		$ -
Utilities		$ 5,833.00		$ 5,833.00
Facility Maintenance		$ -		$ -
Total Other Expenses		**$ 8,400.00**	**$ 2,230.00**	**$ 8,400.00**
Total Program Expenses	**$ 20,066.00**	**$19,564.25**	**$2230.00**	**$41,860.25**

Total Action Against Poverty
Project Recovery
JABG Budget
JABG Budget ($8,273 + Cash Match of 10% ($919.00) = $9,192)

Line Item	JABG	In-Kind	Match	Total
TAP Personnel	$6,683	$19,946	$ 411	**$27,040**
GED Instructor	------	30,677	------	**30,677**
Total Personnel	**$6,683**	**$50,623**	**$ 411**	**$57,717**
Fringe				
FICA (7.65%)	$ 511	$ 3,781	$ 123	**$ 4,415**
W.C. (2.1%)	140	1,072	61	**1,273**
VUTA (3.78	99	505	54	**658**
Insurance	550	3,897	194	**4,641**
Total Fringe	**$1,300**	**$ 9,255**	**$ 432**	**$10,987**
Supplies/Materials				
Office	$ 100	$ 1,200	$ 40	**$ 1,340**
Program	50	500	21	**571**
Supplies/Materials	**$ 150**	**$ 1,700**	**$ 61**	**$ 1,911**
Other				
Bus Passes (Youth)	$ 100	$ 1,500	$ 15	**$ 1,689**
Postage	40	300		**340**
Space Cost		12,431		**12,431**
Indirect Cost	------	5,829	------	**5,829**
Total Other	**140**	**$20,060**	**$ 15**	**$ 20,215**
TOTAL BUDGET	**$ 8,273**	**$81,638**	**$ 919**	**$ 90,830**

JUVENILE ACCOUNTABILITY BLOCK GRANT
POLICY ASSURANCE

As Project Director, I certify the following for my locality:

City of Roanoke .
(Name of Locality)

1. ___X____ The state policy on controlled substance abuse screening is used by the locality (Court Services Unit).
(See attached)

2. ___X____ A policy on controlled substance abuse screening has been established for this locality.
(Please attach a copy of your locality's policy)

_____ _____
Signature of Project Director Date

Memorandum of Agreement
City of Roanoke
and
Roanoke County

1. This Memorandum of Understanding, made this 16th day of March, 2005 by and between the City of Roanoke (CITY) and Roanoke County (County);

2. WHEREAS, the Department of Criminal Justice Services notified the City and the County of the availability of an allocation of funds under the Juvenile Accountability Block Grant Program (JABG);

3. AND, the allocation of $48,493 in federal funds was awarded jointly to the two jurisdictions.

4. The City and County agree to the following:

   a. The allocation formula provides $32,473 federal and $3,608 match for the City, $16,020 federal and $1,780 match for the County.

   b. Staff from the jurisdictions have met and developed program proposals for the use of the funding.

   c. The County will provide a substance abuse intervention education program through the schools.

   d. The City, in collaboration with the Boys & Girls Club and Total Action Against Poverty, will provide services to students suspended or otherwise absent from school during the day as well as improve the drop-out retrieval rate.

   e. This agreement shall remain in full force until expiration of grant funds.

5. NOW THEREFORE, it is mutually agreeable between the parties to enter into this agreement.

6. IN WITNESS WHEREOF the parties have affixed their signatures and seals.

City of Roanoke

--- ---
Jane Conlin, Director Date
Human/Social Services

Roanoke County

--- ---
John Chambliss, Jr., Date
Assistant County Administrator

APPENDIX 1

COPY OF SUBSTANCE ABUSE SCREENING AND ASSESSMENT

AHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to appropriate funding from the Juvenile Accountability Block Grant Program and local match for juvenile education programs, amending and reordaining certain sections of the 2004-2005 General and Grant Funds Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2004-2005 General and Grant Funds Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

General Fund		
Appropriations		
Transfer to Grant Fund	001-250-9310-9535	$ 3,149
Fees For Professional Services	001-630-1270-2010	(3,149)
Grant Fund		
Appropriations		
Fees For Professional Services	035-630-5063-2010	31,488
Fees For Professional Services	035-630-5064-2010	13,602
Revenues		
State Grant Receipts - City	035-630-5063-5068	28,339
Local Match - City	035-630-5063-5069	3,149
State Grant Receipts - County	035-630-5064-5070	12,242
Local Match - County	035-630-5064-5071	1,360

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.

DJC

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing acceptance of a Juvenile Accountability Block Grant from the Virginia Department of Criminal Justice Services on behalf of the City, authorizing execution of any and all necessary documents to comply with the terms and conditions of the grant and applicable laws, regulations, and requirements pertaining thereto.

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

1. The Juvenile Accountability Block Grant funds from the Virginia Department of Criminal Justice Services, in the amount of $40,581.00, as set forth in the City Manager's letter, dated April 4, 2005, to this Council are hereby ACCEPTED.

2. The City Manager, or her designee, is hereby authorized to execute any and all requisite documents pertaining to the City's acceptance of these grant funds, and to furnish such additional information as may be required in connection with the City's acceptance of these grant funds. All documents shall be approved by the City Attorney.

ATTEST:

City Clerk.

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

April 4, 2005

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Dear Mayor Harris and Members of City Council:

Subject: Appropriation of Flood Insurance Proceeds

Background:

A local emergency was declared in the City of Roanoke on September 28, 2004 as a result of flooding. An evaluation of damages to city property has been completed by Risk Management and other operating departments. An assessment of damages has also been completed as required for the purposes of flood insurance recoveries. Insurance proceeds have been received both in the form of advances and settlements. The final insurance settlement, however, is pending completion and subsequent insurance proceeds will need to be appropriated at a later date.

Considerations:
Funding in the amount of $192,071 has been received and needs to be appropriated to cover expenses that have been incurred.

Recommended Action(s):

Establish a revenue estimate of $67,271 in the Capital Projects Fund.
Appropriate $67,271 to the following expenditure account:

Department	Account	Dollar Amount
Facilities Management (BCAP)	008-440-9854-9003	67,271

Establish a revenue estimate of $82,800 in the General Fund and $42,000 in the Civic Facilities Fund. Appropriate $124,800 to the following expenditure accounts:

Department	Account	Dollar Amount
Facilities Management	001-440-4330-2300	44,000
Parks	001-620-4340-2300	30,000
Transportation - Street Maint.	001-530-4110-2300	8,800
Civic Facilities	005-550-7410-2300	42,000

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:am

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Sherman M. Stovall, Director of Management and Budget
Glenn A. Asher, Risk Manager

#CM05-00039

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to appropriate flood insurance proceeds to various departments, amending and reordaining certain sections of the 2004-2005 General, Civic Facilities and Capital Projects Funds Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2004-2005 General, Civic Facilities and Capital Projects Funds Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

General Fund		
Appropriations		
Flood Damage Repairs	001-440-4330-2300	$ 44,000
Flood Damage Repairs	001-620-4340-2300	30,000
Flood Damage Repairs	001-530-4110-2300	8,800
Revenues		
Flood Damage Reimbursements	001-110-1234-0664	82,800
Civic Facilities Fund		
Appropriations		
Flood Damage Repairs	005-550-7410-2300	42,000
Revenues		
Flood Damage Reimbursements	005-110-1234-0664	42,000
Capital Projects Fund		
Appropriations		
Appropriated from General Revenue	008-440-9854-9003	67,271
Revenues		
Flood Damage Reimbursements	008-110-1234-0664	67,271

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.

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

April 4, 2005

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable Dr. M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Dear Mayor Harris and Members of City Council:

Subject: Annual Submission of Street Inventory to VDOT for Maintenance Payment Eligibility

Background:

Section 33.1 - 41.1 of the Code of Virginia (1950), as amended, establishes the eligibility criteria of localities for receiving funds from the Virginia Department of Transportation (VDOT) for street maintenance. It specifies two functional classifications of roadways (Principal/Minor Arterials and Collector/Locals) and establishes a base payment rate per lane mile for each classification of roadway. These rates are adjusted annually by VDOT based upon a statewide maintenance index of unit costs for labor, equipment and materials used by VDOT on roads and bridges.

Typically, the City submits a list of streets either added to or deleted from the City system to VDOT once a year. Upon approval of this list, VDOT adjusts the annual reimbursement received by the City for street maintenance activities. Eligible expenditures include costs for maintenance of streets, sidewalks, curb and gutter, traffic signals, bridges, signs and pavement markings.

Considerations:

To streamline this recurring process, a single resolution may be used to authorize the City Manager to make submissions as required for all future

years. This resolution would be attached to the appropriate forms at the time of each submission. A council update will be provided at each submission to VDOT.

Recommendation:

City Council adopt the attached resolution authorizing the City Manager to submit to VDOT the required forms through which streets are added to or deleted from the City street system used to determine State Maintenance Payment eligibility.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/MDJ/gpe

Attachments

Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Robert K. Bengtson, P.E., Director of Public Works
Kenneth H. King Jr., P.E., Manager, Division of Transportation

CM05-00028

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION authorizing the City Manager to submit on an annual basis a street inventory for State maintenance payment eligibility to the Virginia Department of Transportation (VDOT), upon forms prescribed by VDOT, for approval by the Commonwealth Transportation Board, in order to ensure the City's eligibility for State maintenance funds.

WHEREAS, Section 33.1-41.1 of the Code of Virginia (1950), as amended, establishes eligibility criteria for localities for receiving funds from VDOT for street maintenance purposes; and

WHEREAS, inventory additions and deletions are required to be submitted to VDOT on an annual basis in order to be eligible for payment.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke that the City Manager is authorized to submit on an annual basis inventory additions and deletions to VDOT for approval by the Commonwealth Transportation Board in order to ensure the City's eligibility for State street maintenance funds, as set forth in the City Manager's letter dated April 4, 2005, to City Council.

ATTEST:

City Clerk.

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

April 4, 2005

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Dear Mayor Harris and Members of City Council:

Subject: Property Rights Acquisition for Southern Hills Drive - Street and Drainage Improvements Project

The Southern Hills Neighborhood Plan identifies storm drain and street improvements needed along Southern Hills Drive. Design of the project is now sufficiently complete to identify the property rights that will be needed for construction of the project. See Attachment #1 for map showing location of parcels.

Recommended Action(s):

Authorize the City Manager to acquire the necessary property rights on parcels listed on Attachment #2. Said property rights may be acquired following a satisfactory environmental site inspection by negotiation or eminent domain, and may include fee simple, permanent easements, temporary construction easements, rights of way, licenses or permits, etc.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/SEF

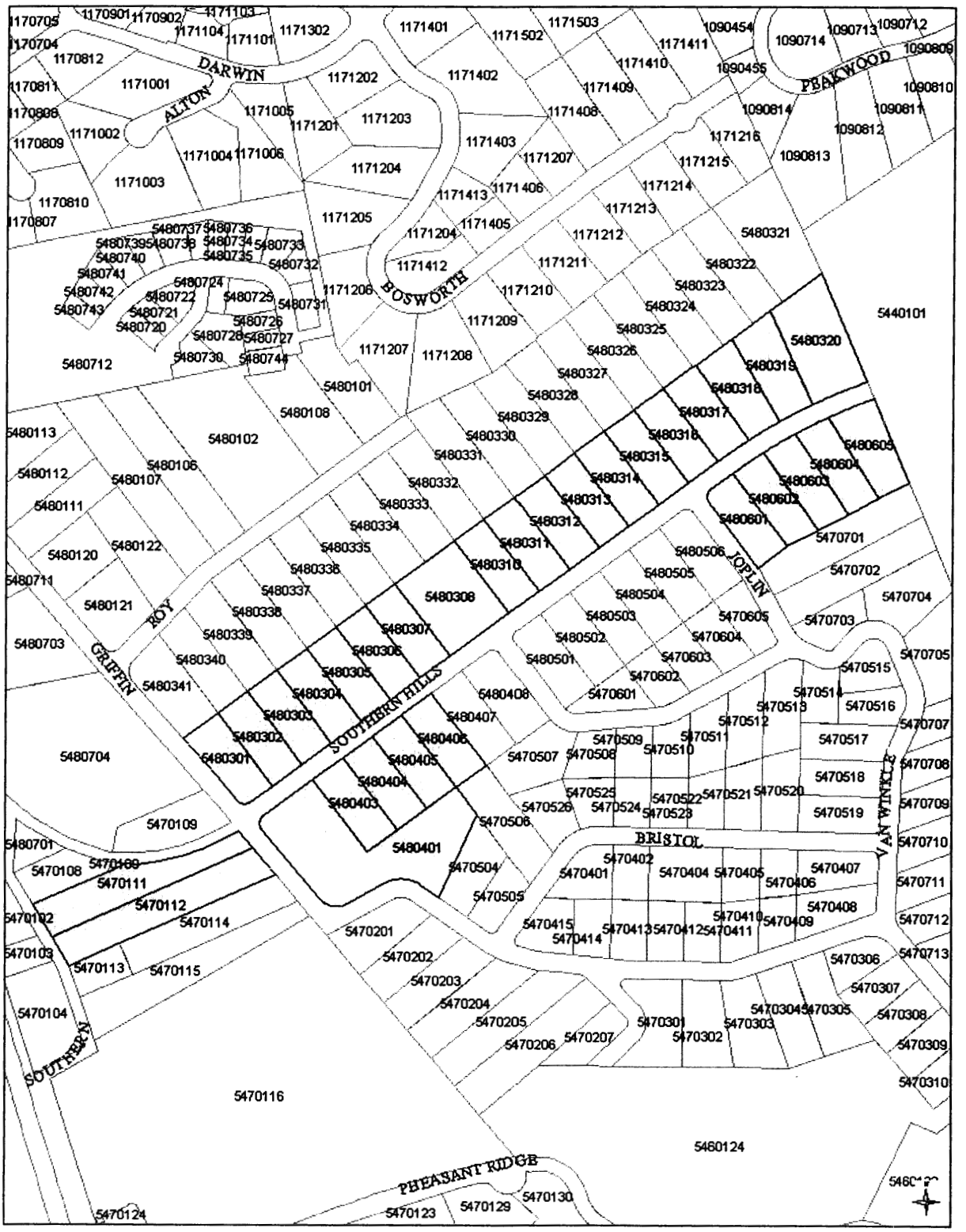
Attachments

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Sarah E. Fitton, Engineering Coordinator

#CM05-00038

Attachment #1

SOUTHERN HILLS DRIVE – STREET & DRAINAGE IMPROVEMENTS PROJECT



Attachment #2

SOUTHERN HILLS DRAINAGE AND STREET IMPROVEMENTS PROJECT

Tax No.	Owner
5470111	Faison Southern Lane LLC
5470112	Faison Southern Lane LLC
5480301	Virginia Cobbs
5480302	Virginia Cobbs
5480303	Virginia Cobbs
5480304	Nannie S. Witcher
5480305	Nannie S. Witcher
5480306	Lucy L. Taylor
5480307	Lucy L. Taylor
5480308	M & W Properties
5480310	Dennis Phelps
5480311	Dennis Phelps
5480312	Eugene Phelps
5480313	Michael Smith
5480314	Lorraine Turner Franklin
5480315	Frederick L. Wiley
5480316	Frances O. Muse
5480317	Frances O. Muse
5480318	Frances O. Muse
5480319	Springwood Assoc.
5480320	Springwood Assoc.
5480401	James A. Allman
5480403	Theodore Y. Beckner, Jr.
5480404	City of Roanoke
5480405	City of Roanoke
5480406	City of Roanoke
5480601	Roger L. Johnson
5480602	Helen Leftwich
5480603	Thomas J. Barbour
5480604	STEKASA LLC
5480605	Jean G. Robertson

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE providing for the acquisition of property rights needed by the City for certain street and drainage improvements in connection with the Southern Hills Drive - Street and Drainage Improvements Project; authorizing the City Manager to fix a certain limit on the consideration to be offered by the City; providing for the City's acquisition of such property rights by condemnation, under certain circumstances; authorizing the City to make motion for the award of a right of entry on any of the parcels for the purpose of commencing the project; and dispensing with the second reading of this ordinance by title.

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

1. For certain street and drainage improvements in connection with the Southern Hills Drive - Street and Drainage Improvements Project, the City wants and needs certain fee simple interests, temporary construction easements, permanent easements, and rights of ingress and egress, licenses or permits, as more specifically set forth in the City Manager's letter dated April 4, 2005, to City Council. The owners of the property as identified by the attachments are based on the best information available to the City at this time. The City may acquire the identified interest from the legal owner of the property as determined by a title search. The proper City officials are authorized to acquire for the City from the respective owners the necessary interests and appropriate ancillary rights with respect to the parcels, for such consideration as the City Manager may deem appropriate, subject to the limitation set out below and subject to applicable statutory guidelines. All requisite documents shall be upon form approved by the City Attorney.

2. The City Manager is directed to offer on behalf of the City to the owners of each of the aforementioned parcels, such consideration as deemed appropriate for the necessary interests,

provided, however, the total consideration offered or expended, including closing costs, title search fees, appraisal costs, and recordation fees, design and construction costs, shall not exceed $40,000.00 without further authorization of Council. Upon the acceptance of any offer and upon delivery to the City of a deed, approved as to form and execution by the City Attorney, the Director of Finance is directed to pay the respective consideration to the owners of the interest conveyed, certified by the City Attorney to be entitled to the same.

3. Should the City be unable to agree with the owner of any real estate in which an interest in property is required or should any owner be a person under a disability and lacking capacity to convey such interest or should the whereabouts of the owner be unknown, the City Attorney is authorized and directed to institute condemnation or legal proceedings to acquire for the City the appropriate property rights.

4. In instituting or conducting any condemnation proceeding, the City Attorney is authorized to make motion on behalf of the City for entry of an order, pursuant to §25.1-200, et seq, or §33.1-120, et seq, Code of Virginia (1950), as amended, granting to the City the right to enter upon the property for the purpose of commencing the project. The Director of Finance, upon request of the City Attorney, shall be authorized and directed to drawn and pay into court the sums offered to the respective owners.

5. 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.

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

April 4, 2005

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Dear Mayor Harris and Members of Council:

Subject: First Amendment to Lease for the Department of Economic Development at 111 Franklin Road, Suite 200

Background:

The City of Roanoke currently leases 3,444.50 rentable square feet at 111 Franklin Road, Suite 200 for the Economic Development Department. The original lease was for a five year period beginning May 25, 2000 through May 31, 2005 at a rental rate of $16.75 per square foot with a 3% annual increase. Resolution No. 34717-032000 approved the lease dated March 20, 2000.

An extension of the current lease agreement for an additional five-year period has been requested, beginning June 1, 2005 through May 31, 2010. The extension will be substantially similar to the original agreement. The proposed agreement establishes a rate of $16.00 per rentable square foot with an increase of 1.55% each year thereafter. The annual rental, which will be paid in monthly installments, shall be as follows:

June 1, 2005 - May 31, 2006	$55,112.00	$4,592.66 per month
June 1, 2006 - May 31, 2007	$55,973.12	$4,664.42 per month
June 1, 2007 - May 31, 2008	$56,834.25	$4,736.18 per month
June 1, 2008 - May 31, 2009	$57,695.37	$4,807.94 per month
June 1, 2009 - May 31, 2010	$58,556.50	$4,879.70 per month

Funding for the lease is included in the Economic Development Department budget.

Recommended Action:

Authorize the City Manager to execute the first amendment to the lease agreement with Crown Roanoke, LLC, a Virginia Limited Liability Company, for 111 Franklin Road, Suite 200, Roanoke, Virginia for a period of five years, beginning June 1, 2005 and expiring May 31, 2010. All documents shall be upon form approved by the City Attorney.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:lpp

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Brian Townsend, Acting Director of Economic Development
Sherman Stovall, Director of Management and Budget
David Collins, Assistant City Attorney
Lisa Poindexter-Plaia, Economic Development Specialist

CM05-00037

Index Fields for Contracts & Leases Imaging database

Type	**Contract**
Doc ID	**5DGQHE**
Title	**Office lease 111 Franklin Plaza 111 Franklin Plaza 111 Franklin Rd Roanoke, VA**
Department	**Economic Development**
Destroy Date	**05/31/2010**

01/02/2003 11:12:27 AM by Bonnie Flagg

Economic Development

#5 DG GHE

LEASE

THIS LEASE made this 20th day of March, 2000, between Crown Roanoke, LLC, a Virginia Limited Liability Company with offices at c/o Crown Properties, Inc., 400 Garden City Plaza, Suite 111, Garden City, New York 22530 (hereinafter "Lessor") and the CITY OF ROANOKE, VIRGINIA, a Virginia municipal corporation having its office at 364 Municipal Building, 215 Church Avenue, S.W., Roanoke, Virginia 24011 (hereinafter "Lessee").

WITNESSETH:

Lessor hereby demises and lets unto Lessee all certain space (the "Premises") constituting a portion of the second (2nd) floor, as outlined on the plans marked Exhibit "A" attached hereto and made a part hereof, in the building known as or to be known as 111 Franklin Plaza at 111 Franklin Road, in the City of Roanoke Commonwealth of Virginia, (the "Building"). Lessor and Lessee agree that the Premises consists of 2,995.25 rentable square feet (the "Floor Area"), as measured from the outside of exterior walls, shaft walls or corridors or the center of any common walls, as the case may be, plus a 15% prorated share of the common areas equal to an additional 449.25 square feet, for a total of 3,444.50 square feet which will be the basis for the rent paid to Lessor.

This Lease is made on and is subject to the following terms and conditions:

Article 1. Term

(A) The term of this Lease shall commence on the Commencement Date as hereinafter defined and shall end on the date that is five (5) years thereafter except that if the Commencement Date is other than the first day of the month, then the term of this Lease shall end on the date that is five (5) years from the last day of the month in which the Commencement Date occurs.

(B) The Commencement Date shall be May 1, 2000, or such later date that Lessor gives notice to Lessee that the "Lessee Improvements" as defined in Article 5 below are substantially complete and that the Premises are available to be delivered to Lessee. If the Commencement Date is other than the first day of a month then the rent for the first partial month shall be pro-rated. Lessor and Lessee anticipate that the Commencement Date shall be approximately 60 days from the execution of the Plans described in Article 5 below.

(C) For purposes of this Lease the term "lease year" shall mean a period of 12 consecutive calendar months, the first full lease year commencing on the first day of the term (or, if the Commencement Date is other than the first day of a month, then commencing on the first day of the first month following the Commencement Date) and each succeeding lease year shall commence on the anniversary date of the first lease year. Any portion of a lease year which is less than a full lease year shall be a partial lease year. Each party hereto hereby agrees, upon receipt of written request from the other, to confirm by a written amendment to this lease the respective commencement and expiration dates.

Article 2. Rent

(A) Lessee covenants and agrees to pay to Lessor annual rent as set forth in the RENTAL SCHEDULE attached hereto as Exhibit "B" and forming part hereof, which annual rent shall be paid by Lessee without notice, demand or set-off in the respective monthly installments set forth below, in advance, on or before the first day of each calendar month of the term of this Lease.

(B) Rent for the second full month of the term hereof shall be paid at the time of the signing of this Lease.

(C) All rent and other sums to be paid by Lessee or Lessor hereunder shall be sent to Lessor at c/o Crown Properties, Inc., 400 Garden City Plaza, Suite 111, Garden City, New York 11530.

(D) Notwithstanding any other provision of this Lease, Lessee shall have the right to terminate this Lease without penalty or further obligation in the event the federal, state, or municipal government does not appropriate the funds necessary for payment of the rent. Lessee shall give thirty (30) days notice of such nonappropriation. Lessee shall be liable for the rent in such event only through the month in which the Premises are vacated. As a condition of Lessee's right to terminate under this paragraph, Lessee shall pay to Lessor the total of the following amounts: (a) Six (6) months rent at the rate being charged as of the date of termination; (b) Unamortized cost of Tenant Improvements and commissions paid to any broker in connection with this Lease. The total amount of Tenant Improvements and brokerage commission are intended to be amortized over the full five (5) year term of this Lease; (c) The cost of Tenant Improvements shall not exceed $70,000.

Article 3. INTENTIONALLY OMITTED

Article 4. Use

(A) The Premises shall be occupied and used only for administrative business office purposes and will be accessible to the general public. ("Permitted Use"). Lessee agrees not to (a) permit any unlawful or immoral practice to be carried on or committed at the Premises; (b) make any use of or allow the Premises to be used in any manner or for any purpose that might invalidate or increase the rate of insurance thereon; (c) use the Premises for any purpose whatsoever which might create a nuisance or injure the reputation of the Premises or of the Building; (d) deface or injure the Building or Premises; (e) commit or suffer any waste; or (f) use, store, install or distribute on or from the Premises any hazardous or toxic chemicals, wastes, substances or materials. Lessee agrees to pay any increase in the cost of insurance to Lessor as a result of any unauthorized use of the Premises by Lessee, but such payment shall not constitute in any manner a waiver by Lessor of its right to enforce all of the covenants and provisions of this Lease.

(B) Lessee shall not, without the prior written consent of Lessor, use any apparatus, machinery, or device in or about the Premises which will overload the Building or any portion thereof or which will cause any substantial noise, vibration or fumes. If any of Lessee's office machines and equipment should create noise, vibration, fumes, or otherwise disturb the quiet enjoyment of any other tenant in the Building, then Lessee shall, at Lessee's expense, provide adequate insulation, or take such other action as may be necessary to eliminate the disturbance. Tenant shall comply with all laws relating to its use and occupancy of the Premises and shall observe such reasonable rules and regulations as may be adopted and made available to Lessee by Lessor from time to time for the safety, care and cleanliness of the Premises and the Building, and for the preservation of good order therein.

Article 5. Lessee's Improvements

Promptly following the execution of this Lease, Lessor shall, at Lessor's sole cost and expense, cause the following improvements to be made to the Premises as shown on Exhibit "C" and including the complete build out of the walls, doors, petitions, etc., shown on Exhibit "A" and forming part hereof. All work shall be done to building standard quality and finish.

Lessee expressly acknowledges and agrees that except for the Lessee Improvements set forth in this Article 5, the Premises are being leased to Lessee in their "AS IS" condition as of the Commencement Date, with Lessor being under no obligation, express or implied, to make any other alterations or improvements to the Premises in connection with Lessee's continued occupancy thereof.

Article 6. Occupancy, Assignment and Subletting

(A) Lessee shall not occupy nor permit others to occupy the Premises, or any part

thereof, other than as hereinbefore specified, nor shall Lessee voluntarily, involuntarily or by operation of law assign its leasehold interest, or mortgage or pledge this Lease, without the prior written consent of Lessor. In addition, Lessee shall not assign this Lease or sublet the Premises or any part thereof, without (i) the prior written consent of Lessor which shall not be unreasonably withheld, and (ii) first offering such space to Lessor in accordance with Paragraph (B) hereof. If Lessor does consent in writing to any assignment or sublease, such consent shall not in any way release Lessee from liability under any of the covenants or conditions of this lease, and no such consent shall apply to any future or further assignment or sublease nor bind Lessor to give consent to any further or future assignment or sublease. Any assignee or sublessee will be bound by the terms of this Lease and any modifications hereof as though such assignee or sublessee were the original party hereto.

(B) If Lessee wishes to assign or sublease the Premises or any part thereof, Lessee must first offer to return the Premises to Lessor (which offer shall be made in writing). If Lessor elects to take back the Premises it shall so notify Lessee in writing, within thirty (30) days after receipt of Lessee's offer, specifying the date on which this Lease shall terminate to occur not more than an additional thirty (30) days after Lessor notifies Lessee of its election. If Lessor does not accept Lessee's offer, Lessee may sublease that portion of the Premises offered to Lessor or assign this Lease, but only upon Lessor's prior written consent, it being understood and agreed that such consent shall still be required notwithstanding Lessor's election not to take back such space.

(C) In no event shall Lessee advertise the availability of its space or its lease in public media nor shall it offer the space or the lease to any party with whom Lessor is then negotiating or who is a tenant in the Building.

(D) This Lease is for use by the City of Roanoke for general business purposes such as economic or community development.

Article 7. Alterations

Lessee will make no alterations, additions or improvements to the Premises without first submitting a detailed description thereof to Lessor and obtaining Lessor's prior written approval. All other alterations, additions or improvements made by Lessee and all fixtures attached to the Premises shall, at Lessor's option, become the property of Lessor and remain on the Premises upon the expiration or termination of this Lease or, after written notice to Lessee, any or all of the foregoing except for Lessee Improvements set forth in Article 5 shall be removed at the cost and expense of Lessee before the expiration or sooner termination of this Lease, and in such latter event Lessee shall repair all damage to the Premises caused by both installation and removal. Lessee shall not erect or place, or cause or allow to be erected or placed, any sign, advertising matter, showcase or other article or matter in or upon the stairways, lobbies, passages, outside walls, windows or sidewalks or any other areas in, on or about the Building without the prior written consent of Lessor.

Article 8. Rules and Regulations

The rules and regulations annexed hereto as Exhibit "D" and such additions or modifications thereof as may from time to time be made by Lessor, upon written notice to Lessee, shall be deemed a part of this Lease with the same effect as though set forth herein. Lessee agrees that said rules and regulations will be faithfully observed by Lessee and Lessee's employees and invitees.

Article 9. Fire or Other Casualty; Waiver of Subrogation

(A) If during the term of this Lease or any renewal or extension hereof, the Building is so damaged by fire or other casualty that the Premises are rendered untenantable (whether or not the Premises are damaged) and the Building cannot be repaired within sixty (60) working days or such casualty is not included in the risks covered by Lessor's then current insurance policies, then, at Lessor's Option (which

may be exercised, if at all, by notice in writing given not more than thirty (30) days after such damage), this Lease shall terminate as of the date of such damage. In such case, Lessee shall pay the rent or percentage rent apportioned to the time of the damage if Lessee is already out of possession. If Lessee is not out of possession Lessee shall have reasonable time to vacate the Premises. If such repairs can be made within the said sixty (60) working days and are covered by insurance as aforesaid, or if Lessor does not elect to terminate this Lease as aforesaid, then, to the extent that Lessee is not liable for such damage or repairs, Lessor will repair the Building, excluding Lessee's Work and Lessee's property. Lessee may enter the Premises to repair the damage, and rent shall be apportioned and suspended while Lessee is deprived of use of the Premises. If the Premises shall be only slightly damaged or if the damage to the Building does not render the Premises untenantable then, unless Lessee is liable for such damage or repairs, Lessor will repair whatever portion, if any, of the Premises which may have been damaged by the fire or other insured casualty and which is Lessor's obligation to maintain under this Lease, and the rent shall not be apportioned or suspended. If Lessor repairs or rebuilds the Building as aforesaid, Lessee shall at Lessee's expense promptly repair or replace Lessee's Work and Lessee's fixtures, furniture, furnishings, floor coverings and stock in trade and promptly reopen for business.

(B) Notwithstanding any other provision herein, Lessee hereby releases Lessor from liability for loss or damage to the property of Lessee, unless the loss or damage occurred through the negligence of Lessor or its agents, servants, invitees or employees.

Article 10. Lessor's Right to Enter

Lessee will permit Lessor, Lessor's agents or employees or any other person or persons authorized by Lessor to inspect the Premises at any time, and to enter the Premises, if Lessor shall so elect, to make alterations, improvements or repairs to the Building, or for any other purpose related to the operation or maintenance of the Building, including showing the space to prospective tenants, purchasers and mortgagees. If at any time during the last three (3) months of the term of this Lease, Lessee shall have removed substantially all of Lessee's property from the Premises, Lessor may enter to alter, renovate and redecorate the Premises, without abatement or rent, or any in any other manner modifying the rights and obligations of either party to this Lease. If Lessee shall not be personally present to open and permit an entry into the Premises at any time when for any reason an entry shall be necessary or permissible, Lessor or Lessor's agents may enter by a master key, or may forcibly enter in case of emergency, without rendering Lessor or its agents liable for any damages therefor and without in any manner affecting the rights or obligations of either party to this Lease, provided Lessor or its agents shall accord reasonable care to Lessee's property.

Article 11. Insurance

(A) Lessee agrees to maintain during the term hereof, effective on the date Lessee takes possession of the Premises, insurance coverage with respect to the Premises in companies satisfactory to Lessor for bodily injury, including death, property damage and personal injury liability and contractual liability insurance, each with a limit of liability of one million dollars ($1,000,000) for each occurrence and two million dollars ($2,000,000) in the aggregate, all such insurance to include Lessor and its employees and agents as additional insured parties.

(B) Lessee shall provide Lessor with copies of policies or certificates evidencing such insurance prior to the date Lessee takes possession of the Premises and from time to time thereafter as required by Lessor evidencing that the aforesaid insurance is in full force and effect. All policies and certificates shall provide that a minimum of twenty (20) day written notice shall be given to Lessor by any such insurance company prior to the cancellation, termination or change of such coverage. All insurance herein required shall be deemed to be additional obligations of Lessee.

(C) Lessee will not do or commit, or suffer or permit to be done or committed, any act or thing which shall cause the insurance policies on the Building (or any such policy) to become void or

suspended, or which shall cause the Building to be considered a more hazardous risk.

Article 12. Release of Lessor

Lessor shall not be held responsible for, and is hereby expressly relieved from, any and all liability by reason of any injury, loss, or damage to persons or property in, on or about the Premises or the Building, whether the same be due to fire, breakage, leakage, water construction or physical conditions anywhere in the Building, failure of water supply, light or power, defects in electrical wiring, plumbing or other equipment or mechanisms, wind, lightning, storm or any other cause whatsoever, whether the loss, injury or damage be to the person or property of Lessee or any other person, unless such injury, loss or damage is the direct result solely of the negligence of Lessor, its agents or its employees occurring entirely after the date of this Lease.

Article 13. Indemnity

To the extent permitted by law, Lessee agrees to indemnify, defend and hold harmless Lessor, excepting for Lessor's negligence or the negligence of Lessor's employees, from and against all claims, liabilities, losses, damages, expenses, actions or causes of action for injury to or death of any person or loss of or damage to property in or upon the Premises and including the person and property of Lessee, its employees, agents, invitees, licensees or others, it being understood and agreed that all property kept, stored or maintained in or upon the Premises or in the Building shall be at the risk of Lessee. The foregoing indemnity shall be in addition to Lessee's obligation to supply the insurance as required by Article 11 hereof and not in discharge of or substitution for the same.

To the extent permitted by law, if any damage to the Premises or other property of Lessor results from any act or neglect of Lessee, its agents or employees, Lessor may at its option repair such damage, and Lessee shall promptly on demand reimburse Lessor for the cost thereof to the extent the same is not reimbursed to Lessor under Lessor's insurance.

Article 14. Repair and Maintenance

(A) Repairs. Lessee agrees to keep the Demised Premises in good order and condition, ordinary wear and tear and damage caused by insured against casualty alone excepted, and to remove all unreasonable accumulations of dirt, rubbish, waste and refuse therefrom. Upon the expiration or sooner termination of the Demised Term, Lessee will surrender the Demised Premises, broom clean and vacant, in the same good order and condition as Lessee has agreed to keep the Demises Premises during the Demised Term. Lessee shall not knowingly do or commit, or suffer or permit to be done or committed anywhere in the Building, any act or thing contrary to law or the rules and regulations prescribed from time to time by any Federal, State, or local authorities having jurisdiction. Lessor shall, at the request of Lessee, repair or replace all electric lamps, tubes, light bulbs, glass windows or fixtures in the Demises Premises, as may be necessary from time to time, and Lessee shall pay the cost thereof to Lessor upon demand as Additional Rent.

(B) Lessee's Additional Covenants. Lessee shall faithfully observe and perform all of the covenants and conditions to be performed and observed by Lessee hereunder and, in addition to those covenants and conditions which are set forth elsewhere herein, Lessee agrees (i) to secure and maintain in effect any governmental approvals, licenses and permits as may be required for Lessee's use and occupancy of the Demised Premises; and (ii) to comply with all applicable laws, codes and regulations of governmental authorities applicable to Lessee's use and occupancy of the Demised Premises and all rules and regulations of insurers of the Demised Premises and the National Board of Fire Underwriters as they apply to Lessee's use and occupancy of the Demised Premises.

(C) Lessor agrees, at it expense, to keep the foundations, utility lines from the point of connection for Lessee, exterior walls, structural systems of the Building and the heating, ventilating and air conditioning systems servicing the Building in good condition and repair. Lessor shall not be liable to Lessee

for any damage: caused by the items mentioned in the previous sentence being out of repair unless Lessor has had a reasc ıble opportunity to have the same repaired after Lessee has notified Lessor, in writing, of the need for suc repair.

Article 15. ervices

) Landlord's Services. Lessor will keep the Building in operation for the use of tenants during ordinary siness hours (i.e. 8 A.M. to 6 P.M. on business days, and 8 A.M. to 1 P.M. on Saturdays), except Sundays d legal holidays, including passenger elevators, and will furnish heating and air conditioning as needed base n climate and conditions. Lessor will also cause the Demised Premises to be cleaned in the manner an the extent that the other offices in the Building are cleaned, and will remove refuse and rubbish from off and trash receptacles and wastepaper baskets as it accumulates on a daily basis. Extraordinary ar ints of trash or refuse will be removed as required at Lessee's expense. Lessor will furnish water and sewer nd a reasonable amount of electricity for lighting and operating customary small business machines during dinary business hours. Electricity for other equipment of or for the use of Lessee, including, without limitatic ain frame computers and special heating or air conditioning equipment, shall be provided, if available, at Le ee's expense as Additional Rent, and if such additional electricity is provided, Lessor shall, at Lessee's sole cost and expense, install submeters to measure the amount of additional electricity provided, together with rise and other necessary installations, and the cost of such equipment and the installation thereof and all c ier costs associated with providing such additional service, as well as the cost of the additional electri y so provided, shall be paid by Lessee and collectible as Additional Rent hereunder. In addition, if Lesse hall request and Lessor shall approve the installation of special air conditioning equipment, Lessee shall pay s Additional Rent, the cost of additional water used in connection with the amount of water used. Lessee sh keep all windows and doors of the Demised Premises closed when required to maximize the efficiency of th heating and air conditioning systems. Lessee shall comply with all reasonable rules and regulations from e to time promulgated by Lessor to conserve fuel and/or energy.

(Interruption of Services. In case of accidents, strikes, inability to obtain supplies, breakdowns, rep s, renewals or improvements to the Building, or replacement of machinery therein, or for other cause perta ing to the Building deemed sufficient by Landlord, the operation of any of the elevators or other machinery apparatus, and/or the furnishing of any services, may be changed or temporarily suspended by Le or, and Lessor shall not be responsible or liable in any way for any failure, interruption or inadequacy in th quantity or quality of the aforesaid services where caused by war, civil commotion, governmental res ctions, prohibitions or other regulations , strikes, labor disturbances, inability to obtain adequate supplie or materials, casualties, repairs, replacements, elevator conversion or other cause or causes beyond Le sor's reasonable control, whether similar or dissimilar to the foregoing. Lessor may at any time and from tir to time discontinue any service except those which Lessor has specifically agreed to provide as set fo above. Lessee will give Lessor prompt written notice of any accident in, on or about the Demised Premis and any breakage or defects in the plumbing or heating or cooling apparatus, the elevators or any other syst or apparatus serving the Demised Premises.

Article 16. D fault

S uld Lessee default in the payment of any rent or other moneys hereunder to be paid by Lessee, as and n the same become due, or should Lessee violate any other covenant of this Lease, Lessor may, after teen (15) days written notice to Lessee for any such default in the payment of rent or other moneys or after ty (30) days written notice to Lessee for any such violation of any other covenant by Lessee, if such d ult or other violation shall not have been corrected or cured during such period, re-enter and take posses n of the demised premises and terminate Lessee's leasehold interest by appropriate judicial proceedir , and relet the same or any part thereof on such terms, conditions and rentals as Lessor may deem proper and apply the proceeds that may be collected from any such reletting, less the expense of doing so, upon e rent to be paid by Lessee and hold Lessee responsible for any balance that may be due or thereafter bec e due under this Lease, or Lessor may, at its option, terminate and cancel this Lease in which event. Not s given pursuant to this paragraph shall specify the nature of the default and the provision

of the Lease relied upon by the Lessor.

Article 17. Inability to Deliver Possession

This Lease is subject to any existing lease or tenancy of the Premises, and Lessor shall not under any circumstances be liable for its inability to deliver possession of the Premises to Lessee at any time either at or after the beginning of the term hereof by reason of the retention of the Premises or any part thereof by any other person. The term hereof shall not be affected by Lessor's inability to deliver possession at the beginning of the term, but rent shall abate until such time as the Premises are thereafter available for Lessee.

Article 18. Subordination

This Lease shall be subject and subordinate to the lien of any mortgages and other encumbrances now existing or hereafter created on or against the Building, without the necessity of any further instrument or act on the part of Lessee, but Lessee agrees upon demand of Lessor to execute, acknowledge and deliver such instruments as shall be desired by any mortgagee or proposed mortgagee or by any person holding or about to acquire a ground rent or other encumbrance, to confirm the subordination herein set forth.

Article 19. Condemnation

In the event that the Building or any part hereof is taken or condemned for a public or quasi-public use, this Lease shall terminate if and when possession of the Premises is surrendered to the condemnor, and the rent reserved hereunder shall abate for the balance of the term. If only part of the Premises is surrendered to the condemnor, this Lease shall terminate and rent shall abate in proportion to the Floor Area within the Premises taken by the condemnor. In any such event, Lessee waives all claims for leasehold damages against Lessor and assigns to Lessor all claims for leasehold damages, if any, against the condemnor.

Article 20. Limitation on Lessor's Liability

The Lessor named in the first paragraph of this Lease and any subsequent owner of the Building shall be liable only for obligations accruing during the period of its ownership or interest in the Building, and the liability of any such Lessor and all of its officers, directors, employees, agents and/or partners, as the case may be, shall be limited to such Lessor's estate or other title to or interest in the Building.

Article 21. Parties Bound

This Lease shall be binding upon, and shall inure to the benefit of, the parties hereto, their respective personal representatives, successors and assigns, subject to the provisions of this Lease restricting assignment without consent. Notwithstanding the foregoing or anything else herein contained, in the event that Lessor's interest or estate in the Premises shall terminate by operation of law or foreclosure sale or for any other reason, or if for any reason Lessor ceases to be entitled to the rentals hereunder, then in any such event Lessor shall be released and relieved from all liability and responsibility thereafter accruing to Lessee in connection with any of the terms, covenants or conditions to be performed by Lessor under this Lease or by operation of law, and Lessee shall look only to the purchaser or other successor or assignee of Lessor for such performance.

Article 22. Notices

Any notices required or permitted to be given hereunder by either party to the other shall be in writing and delivered personally or sent by United States registered or certified mail, postage prepaid, addressed as follows: if to Lessor,

c/o Crown Properties
400 Garden City Plaza
Garden City, New York 11530

with a copy to: Stuart J. Stein, P.C.
400 Garden City Plaza, Suite 507
Garden City , New York 22530

and if to Lessee, at: City Manager
City of Roanoke
364 Municipal Building
215 Church Avenue, S.W.
Roanoke, Virginia 24011

Either party may at any time change the address for such notices by delivering or mailing to the other party, as aforesaid, a notice advising of the change and setting forth the new address. If the term "Lessee" as used in this Lease refers to more than one person or entity, any notice, consent, approval, request, communication bill, demand or statement given as aforesaid to any one of such persons shall be deemed to have been duly given to Lessee.

Article 23. INTENTIONALLY OMITTED

Article 24. Number and Gender

For the purposes of this Lease, the singular shall include the plural and the plural shall include the singular, and the masculine shall include the feminine and the neuter, and the neuter shall include the masculine and the feminine, as the context may require.

Article 25. Captions

The captions contained herein are for the convenience of the parties only. They do not in any way modify, amplify, alter or give full notice of the provisions hereof.

Article 26. Amendments

This Lease may be modified or amended only by an instrument in writing signed by the party against which enforcement of such modification or amendment is sought.

Article 27. Partial Invalidity

If any clause or provision of this Lease, or the application thereof to any person or in any circumstance, shall to any extent be invalid or unenforceable, the remainder of this Lease, or the application of such clause or provision to persons or in circumstances other than those as to which it is invalid or unenforceable, shall not be affected thereby, and each clause and provision of this Lease shall be valid and enforceable to the fullest extend permitted by law.

Article 28. Lessee's Estoppel Certificate

Lessee shall deliver to Lessor, within twenty-one (21) days after request therefor, a certificate to such person as Lessor may designate, certifying that this Lease is unamended and in full force and effect and that there are no defaults by Lessor or set-offs against rent hereunder, and the date to which rent has been paid; provided, that in the event this Lease has been amended or if there are any alleged defaults or set-offs as aforesaid, such certificate shall specify in precise detail the nature thereof. Lessee acknowledges that the prompt availability of this certificate to Lessor is of importance to Lessor in connection with proposed re-

financing or sale of the Building. Accordingly Lessee agrees that if it does not deliver the certificate within said twenty-one (21) days, it shall pay to Lessor, as and for additional rent, to reimburse it for its possible loss, the sum of $250.00 per day.

Article 29. Holding Over

If Lessee shall fail to surrender possession of the Premises and remove all of its property therefrom upon termination of this Lease, then Lessor may at its option treat Lessee as a tenant from month to month on all the terms and conditions in effect during the final month of the lease term, except that the minimum monthly rent during any such holdover period shall be 150% of the rent payable by Lessee during the final month of the lease term. For purposes of this clause, the word "rent" shall include minimum rent, percentage rent and all additional rent, including, without limitation, any amounts payable under applicable escalation clauses; if escalation clauses involve annualized calculations, a pro rata portion of rent escalation charges for the last year of the lease term shall be considered an item of additional rent payable during the last month of the lease term.

Article 30. Entire Agreement

This Lease constitutes the entire agreement between the parties hereto. Except as set forth herein, there are no promises, representations or understandings between the parties of any kind or nature whatsoever.

Article 31. Changes to Building

Lessor reserves the right to make any alterations, modifications, changes or additions to the Building and common areas it deems necessary or appropriate; to change the identity and type of stores and tenancies and the dimensions thereof, to change the name of the Building in which the Premises are located; to change the address or designation of the Building in which the Premises are located; to convert common areas into leasable areas (including installation of kiosks) or construct temporary or permanent Buildings or improvements in the common areas and change the location or character of or make alterations in or additions to the common areas; provided however, that no such changes will interfere with the location of, or access to, the Premises herein demised.

Article 32. Brokers

Lessee represents and warrants to Lessor that Lessee has dealt with no broker or other real estate agent so as to entitle such agent to a commission or fee with respect to this Lease or other than ROBERT COPTY REAL ESTATE (the "Broker"). The Broker's fee shall be paid by Lessor, but if Lessee's representation and warranty herein shall prove false or incorrect, Lessee will indemnify and hold Lessor harmless from any and all claims for fees and commissions to any entity other than the Broker and for all costs, including attorney's fees, arising in connection therewith.

Article 33. Liens

Lessee agrees promptly to pay for any work done or materials furnished by or on behalf of Lessee in, on or about the Premises or any part of the Building and will not permit or suffer any lien to attach to the Premises or all or any part of the Building, and Lessee shall have no authority or power, express or implied, to create or cause any lien, charge or encumbrance of any kind to be filed against the Premises or all or any part of the Building. In any event any lien shall at any time be filed against the Premises or against any part of the Building by reason of work, labor, services or materials alleged to have been performed or furnished by, for or to Lessee or to anyone holding the Premises through or under Lessee, Lessee shall forthwith cause the same to be discharged of record or bonded to the satisfaction of Lessor. If Lessee shall fail to cause such lien forthwith to be so discharged or bonded after being notified of the filing thereof, then, in addition to any other right or remedy of Lessor, Lessor may discharge the same by paying the amount

claimed to be due, and the amount so paid by Lessor and all costs and expenses, including reasonable attorney's fees incurred by Lessor in procuring the discharge of such lien, shall be due and payable by Lessee to Lessor as additional rent on the first day of the next following month.

IN WITNESS WHEREOF, the parties hereto have executed this Lease, under seal, the day and year first above written.

SCHEDULES ATTACHED:

Description of Premises (Floor Plan)	Exhibit A
Rental Schedule	Exhibit B
Lessee's Work	Exhibit C
Rules and Regulations	Exhibit D

LESSOR:
CROWN ROANOKE, LLC
By: Crown Roanoke Manager, Inc.
Member

By: _____
Davar Rad, President

LESSEE:
CITY OF ROANOKE, VIRGINIA

By: _____
City Manager

Appropriation and Funds
Required for this Contract
Certified

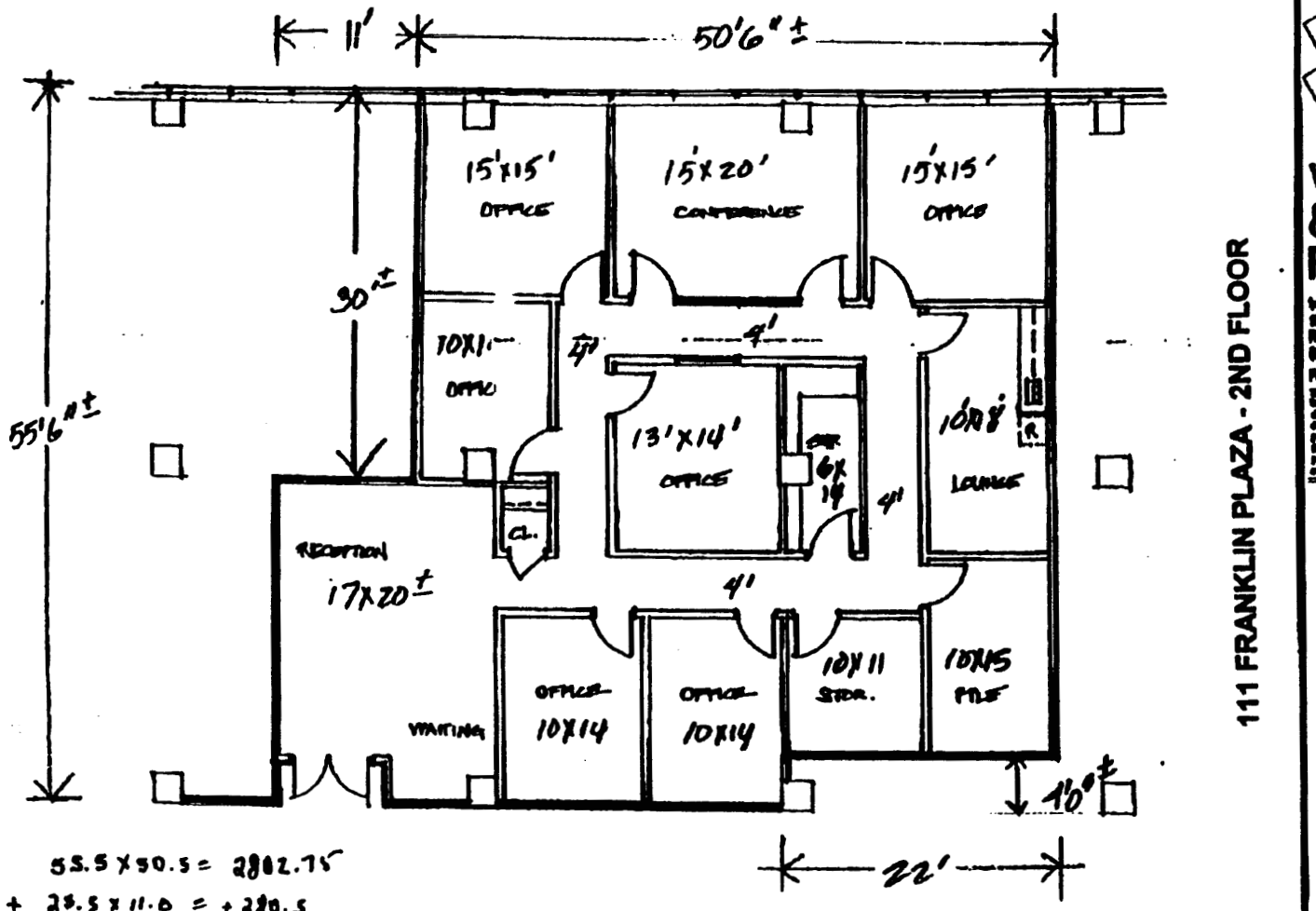
_____
Director of Finance
Date 3-22-00
Acct. # 001-002-8120-3075

ATTEST:
_____
CITY CLERK

APPROVED AS TO FORM:
_____ 3-22-2000
Assistant City Attorney

APPROVED AS TO EXECUTION:
_____ 4-11-2000
Assistant City Attorney

EXHIBIT A TO LEASE BETWEEN CROWN ROANOKE, LLC
AND CITY OF ROANOKE, VIRGINIA



55.5 x 50.5 = 2802.75
+ 25.5 x 11.0 = + 280.5
− 22.0 x 4.0 = − 88.0
2995.25 + 15% = 3444.5 S.F.

111 FRANKLIN PLAZA - 2ND FLOOR

vanBlaricom & Frantz, Inc.

OFFICE OF ECONOMIC DEVELOPMENT

Revised 2-29-00

Case No.	960B
Date	01/10/00
Drawn	PVB
Sheet No.	1

EXHIBIT B TO LEASE BETWEEN CROWN ROANOKE, LLC AND CITY OF ROANOKE, VIRGINIA
RENTAL SCHEDULE

LEASE YEAR	RENT PER S.F.	ANNUAL RENT	MONTHLY RENT
First Lease Year	$16.75	$57,695.38	$4,807.95
Second Lease Year	$17.25	$59,417.63	$4,951.47
Third Lease Year	$17.77	$61,208.77	$5,100.73
Fourth Lease Year	$18.30	$63,034.35	$5,252.86
Fifth Lease Year	$18.85	$64,928.83	$5,410.74

EXHIBIT C TO LEASE BETWEEN CROWN ROANOKE, L
AND CITY OF ROANOKE, VIRGINIA

Proposal

Page No. of Pages

Surfaces
Floor and Wall Coverings

217 Reserve Avenue
Roanoke, VA 24016
(540) 343-1586 • Fax (540) 343-1594

PROPOSAL SUBMITTED TO: VANBLARICOM & FRANTZ, INC.		PHONE	DATE 2/18/00
STREET		JOB NAME OFFICE OF ECONOMIC DEV.	
CITY, STATE AND ZIP CODE		JOB LOCATION FRANKLIN PLAZA	
ARCHITECT	DATE OF PLANS		JOB PHONE

We hereby submit specifications and estimates for:

CARPET OPTION 1: LEE'S "SEASCRAPT" WITH "TRUTH IN COLOR" BORDERS:	$8,307.00 ✓
~~OPTION #2 - LOWES "OMNI" WITH "BORDERS" AS BORDERS:~~	~~$6,518.00~~
✓ VCT AND COVE BASE:	$1,956.00 ✓
~~WALLCOVERING~~ SCHEME 1:	$4,133.00 ✓
SCHEME 2:	$5,887.00
~~SCHEME~~ TOTAL 1	~~$~~14,990

NOTES:
PRICE DOES NOT INCLUDE REMOVAL OF EXISTING FINISHES, EXCESSIVE WALL OR FLOOR PATCH/PREP.

Exhibit "C" also incorporates the complete buildout shown on Exhibit "A"

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

_____ dollars ($ _____).

Payment to be made as follows:

TERMS DUE UPON JOB COMPLETION. A SERVICE CHARGE OF 2% PER MONTH WHICH IS AN ANNUAL PERCENTAGE RATE OF 24% WILL BE CHARGED ON ALL OUTSTANDING ACCOUNTS OVER 30 DAYS.

All material is guaranteed to be as specified, all work to be completed in accordance with standard practices, any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature: Jay Buckholz

Note: This proposal may be withdrawn by us if not accepted within 90 days.

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____

Signature _____

Date of Acceptance _____

vanBlaricom & Frantz, Inc.
112 W. Kirk Avenue Roanoke, VA 24011

February 16, 2000

Roanoke Office for Economic Development

SCHEME I:	Carpet:	Lees Sisal Craft 507 Hummingbird
	Carpet Border:	Lees Truth in Color 327 Blueberry or 557 Midnight or 505 Pomegranate (One in Conf Room and One in Lobby)
	Wallcovering Lobby/Hall:	Olney D'Amore Cove SU7558
	Wallcovering Conf Rm:	Plexus Elegante Sol. 2; #793116
	VCT:	Armstrong 51809 Desert Beige
	Base:	Johnsonite 03 Sahara Khaki
	Wall Paint:	Sherwin Williams SW 1144 Import Ivory
	Trim Paint:	Sherwin Williams SW 1145 Artisan Tan

EXHIBIT D TO LEASE BETWEEN CROWN ROANOKE, LLC AND THE CITY OF ROANOKE, VIRGINIA

RULES AND REGULATIONS FOR 111 FRANKLIN PLAZA, ROANOKE, VA

1. Sidewalks, doorways, vestibules, halls, stairways and similar areas shall not be obstructed by Tenants or their officers, agents, servants, and employees, or used for any purpose other than ingress and egress to and from the Premises and for going from one part of the Building to another part of the Building.

2. Plumbing fixtures and appliances shall be used only for the purposes for which constructed, and no sweepings, rubbish, rags or other unsuitable material shall be thrown or placed therein. The cost of repairing any stoppage or damage resulting to any such fixtures or appliances from misuse on the part of a Landlord or such Landlord's officers, agents, servants and employees shall be paid by such Landlord.

3. Tenant shall not paint, display, inscribe, maintain, or affix any sign, picture, advertisement, notice, lettering or direction on any part of the outside of the Premises which can be seen on the outside of the Premises except on hallway doors of the Premises, and then only Building Standard graphics approved by Landlord. Landlord reserves the right, after reasonable notice to Tenant, to remove at Tenant's expense all matter, which violates this rule.

4. Directories will be placed by Landlord at Landlord's own expense, in conspicuous places in the Building. No other directories shall be permitted.

5. The Premises shall not be used for conducting any barter, trade, or exchange of goods or sale through promotional give-away gimmicks or any business involving the sale of second-hand goods, insurance salvage stock, or fare sale stock, and shall not be used for any auction or pawnshop business, any fire sale, bankruptcy sale, going-out-of-business sale, moving sale, bulk sale, or any other business which, because of merchandising methods or otherwise, would tend to lower the first-class character of the Building.

6. Tenants shall not do anything, or permit anything to be done, in or about the Building, or bring or keep anything therein, that will in any way increase the possibility of fire or other casualty or obstruct or interfere with the rights of, or otherwise injure or annoy, other tenants, or do anything in conflict with valid pertinent laws, rules or regulations of any governmental authority.

7. Tenants shall not place a load upon any floor of the Premises, which exceeds the floor load per square foot, which such floor was designed to carry or which is allowed by applicable building code.

8. Landlord shall have the power to prescribe the weight and position of safes or other heavy equipment, which may over-stress any portion of the floor. All damage done to the Building by the improper placing of heavy items, which over-stress the floor, will be repaired at the sole expense of the Tenant.

9. A Tenant shall notify the Building Manager when safes or other equipment are to be taken into or out of the Building. Moving of such items shall be done under the supervision of the Building Manager, after receiving written permission from him.

10. Corridor doors, when not in use, shall be kept closed.

11. All deliveries must be made via the service entrance and service elevators during normal business hours. Prior approval must be obtained from Landlord for any deliveries that must be received after normal business hours.

12. Each Tenant shall cooperate with Building employees in keeping the premises neat and clean and operating efficiently.

13. Nothing shall be swept or thrown into the corridors, halls, elevator shafts or stairways. No birds, animals or reptiles, or any other creatures, shall be brought into or kept in or about the building without the prior written consent of the Landlord which may be withheld for any reason.

14. Should a Tenant require telegraphic, telephonic, annunciator or any other communication service, Landlord will direct the electricians and installers where and how the wires are to be introduced and placed and none shall be introduced or placed except as Landlord shall direct.

15. Tenants shall not make or permit any improper noises in the building, or otherwise interfere in any way with other Tenants, or persons having business with them.

16. No equipment of any kind shall be operated on the premises that could in any way annoy any other Tenant in the building without written consent of Landlord.

17. Business machines and mechanical equipment belonging to any Tenant which cause noise and/or vibration that may be transmitted to the structure of the building or to any leased space so as to be objectionable to Landlord or any other tenants in the building shall be placed and maintained by such Tenants, at such Tenant's expense, in settings of cork, rubber, or spring type noise and/or vibration eliminators sufficient to eliminate vibration and/or noise.

18. Tenants shall not use or keep in the building any inflammable, or explosive fluid or substance, or any illuminating material, unless it is battery powered, UL approved.

19. Tenants, employees or agents, or anyone else who desires to enter the Building after normal business hours, may be required to sign in upon entry and sign out upon leaving, giving the location during such person's stay and such person's time or arrival and departure.

20. Landlord has the right to evacuate the Building in event of emergency or catastrophe.

21. If any governmental license or permit shall be required for the proper and lawful conduct of a Tenant's business, such Tenant, before occupying the premises, shall procure and maintain such license or permit and submit it for Landlord's inspection, and shall at all times comply with the terms of any such license or permit.

22. Landlord shall have the right, exercisable on 60 days written notice to Tenant and without liability to any Tenant, to change the name and street address of the building.

23. Landlord reserves the right to rescind any of these rules and make such other and further rules and regulations which shall be necessary, in the reasonable judgment of Landlord for the proper maintenance, safety and operation of the building, the operation thereof, the preservation of good order therein, and the protection and comfort of its Tenants, their agents, employees and invitees, which rules when made and notice thereof given to a Tenant shall be binding upon him in like manner as if originally herein prescribed. In the event of any conflict, inconsistency, or other difference between the terms and provisions of these Rules and Regulations, as now or hereafter in effect and the terms and provisions of any lease now or hereafter in effect between Landlord and Tenant in the Building. Landlord shall have the right to rely on the term or provision in either such lease or such Rules and Regulations which is most restrictive on such Tenant and most favorable to Landlord.

24. Tenant shall not maintain or operate, nor permit any other party to maintain or operate any vending machines for the sale of food, beverages, or other sundry items on the Premises without the prior written consent of Landlord.

END OF RULES AND REGULATIONS

FIRST AMENDMENT TO LEASE

THIS FIRST AMENDMENT TO LEASE (this "**Amendment**") is made as of the _____ day of _____ 2005, between **CROWN ROANOKE, LLC**, having an office at c/o Crown Properties, Inc., 400 Garden City Plaza, Suite 111, Garden City, New York 11530 ("**Landlord**"), and **CITY OF ROANOKE**, a Virginia municipal corporation having an office at 111 Franklin Plaza, Roanoke, Virginia 24011 ("**Tenant**").

W I T N E S S E T H:

WHEREAS, by Lease (the "**Lease**") dated as March 20, 2000, Landlord, as landlord, did demise and let unto Tenant, as tenant, and Tenant did hire and take certain premises containing approximately 3,444.50 rentable square feet located on the second (2nd) floor (the "**Premises**") in the building commonly known as 111 Franklin Road, Roanoke, Virginia (the "**Building**") as more particularly described in the Lease;

WHEREAS, the parties desire by this Amendment to extend the term of the Lease and to modify the Lease as hereinafter set forth; and

WHEREAS, the Lease, together with all amendments and modifications thereto is hereinafter referred to as the "**Lease**".

NOW, THEREFORE, for good and valuable consideration, the mutual receipt and legal sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Defined Terms; Recitals**. All terms used herein and not otherwise defined shall have the meanings ascribed to them in the Lease. The recitals set forth hereinabove are expressly incorporated into the body of this Amendment by reference.

2. **Effective Date**. The effective date of this Amendment shall be June 1, 2005 (the "**Effective Date**").

3. **Term; Expiration Date**. The parties agree and acknowledge that the term of the Lease, which is presently scheduled to expire on May 31, 2005, is extended for a period of five (5) years commencing on the Effective Date and expiring on May 31, 2010, unless sooner terminated as set forth in the Lease (the "**Expiration Date**").

4. **Rent**.

(A) Commencing on the Effective Date and continuing each Lease Year (as hereinafter defined) through and including the Expiration Date, the rent for the Premises shall be payable by Tenant to Landlord on the first day of each month in accordance with the terms and conditions of the Lease as follows:

Lease Year	Rate/r.s.f.	Annual Rent	Monthly Rent

1	$16.00	$55,112.00	$4,592.66
2	$16.25	$55,973.12	$4,664.42
3	$16.50	$56,834.25	$4,736.18
4	$16.75	$57,695.37	$4,807.94
5	$17.00	$58,556.50	$4,879.70

(B) "**Lease Year**" shall mean a period of twelve (12) consecutive calendar months. The first full Lease Year shall commence on the Effective Date, and each succeeding Lease Year shall commence on the anniversary date of the first Lease Year. Any portion of a Lease Year, which is less than a full Lease Year, shall be a partial Lease Year.

5. **Condition of Premises**. Tenant acknowledges that neither Landlord nor Landlord's agent has made any representations or promises with regard to the Premises for the term herein demised. Tenant acknowledges that it is in possession of the Premises and agrees to accept same in its "AS IS" condition as of the date hereof and that Landlord shall not be obligated to make any repairs, alterations, improvements or additions to the Premises for Tenant's occupancy whatsoever.

6. **Notices**. As of the Effective Date, Article 22 of the Lease is modified to provide that copies of notices to Landlord shall be sent to Platte, Klarsfeld, Levine & Lachtman, LLP, 10 East 40th Street, 46th Floor, New York, New York 10016, Attention: David R. Lachtman, Esq.

7. **Broker**. Tenant acknowledges that Copty & Company (the "**Broker**") acted as the broker in connection with this Agreement. Tenant represents and warrants that it has dealt with no broker, finder or like agent in connection with this Agreement other than Broker and, ***to the extent permitted by law***, Tenant does hereby agree to indemnify and hold Landlord harmless of and from any and all loss, costs, damage or expense (including, without limitation, attorneys' fees and disbursements) incurred by Landlord by reason of any claim of, or liability to, any broker, finder or like agent (except for Broker) who shall claim to have dealt with Tenant in connection with this Agreement.

8. **Effect of Amendment**. As modified and amended by this Amendment, all of the terms, covenants and conditions of the Lease are hereby ratified and confirmed and shall continue to be and remain in full force and effect throughout the remainder of the term thereof and Landlord has satisfied all of its obligations under the Lease as of the date hereof.

[The remainder of this page is left intentionally blank. Signature page to follow.]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed as of the day and year first above written.

Landlord
CROWN ROANOKE LLC

By: Crown Roanoke Manager, Inc.,
Its sole Managing member

By: _____
Name: Davar Rad
Title: President

Tenant
CITY OF ROANOKE, VIRGINIA

By: _____
Name:
Title:

DAC

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE authorizing the proper City officials to extend the lease agreement between the City and Crown Roanoke, LLC, for lease of office space within the Franklin Plaza Building, located at 111 Franklin Road, for the Department of Economic Development, for a period of five years, 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 and the City Clerk are authorized to execute and attest, respectively, on behalf of the City of Roanoke, in form approved by the City Attorney, the appropriate amendment to the lease agreement with Crown Roanoke, LLC, to extend the lease of office space within the Franklin Plaza Building, located at 111 Franklin Road, for the Department of Economic Development, for an additional term of five (5) years, beginning June 1, 2005 and expiring May 31, 2010, at an annual lease fee of $16.00 per square foot with an increase of 1.55% each year thereafter, over the five-year period, upon such terms and conditions as more particularly set forth in the City Manager's letter dated April 4, 2005.

2. Pursuant to the provisions of §12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

April 4, 2005

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Dear Mayor Harris and Members of City Council:

Subject: Fire/EMS Facility Improvement Program

During its Council presentations of January 3, 2005 and February 7, 2005, Fire-EMS administration requested minimum additional resources of $489,740.00 for the proposed Fire Station/Fire Administration Building to be located at 704 Franklin Road. Prior to this request, approximately $865,000.00 of cuts had been made to the design in an effort to bring the project within budget. Additional funding is necessary due to unanticipated site issues, site impacts to the proposed building design, and for Council requested upgrades to the design. The additional funds will bring the available funds in line with the consultants' estimated base bid costs.

I recommend that we proceed with the Fire Station/Fire Administration Building project as currently designed. We are able to meet the increased funding requirements of $489,740.00 by borrowing from the Roanoke River Flood Reduction Project account and repaying from excess EMS Fee Revenues over three years.

Recommended Action:

Transfer $489,740.00 to account number 008-530-9678-9003, Fire/EMS Facility Improvement Program. These funds are to be reimbursed to the Roanoke River Flood Reduction account.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/BDL:dps

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Philip C. Schirmer, P.E., L.S., City Engineer

#CM05-00035

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to appropriate funding for the Fire/EMS Facility Improvement Program, amending and reordaining certain sections of the 2004-2005 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2004-2005 Capital Projects Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

Appropriations

Appropriated from General Revenue	008-530-9678-9003	$	489,740
Appropriated from General Revenue	008-056-9620-9003		(489,740)

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.

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

April 4, 2005

Honorable C. Nelson Harris, Mayor, and Members of City Council
Roanoke, Virginia

Dear Mayor Harris and Members of Council:

Subject: Granting Temporary Construction Easement to the Higher Education Authority

This is to request space on Council's regular agenda for a report on the above referenced subject.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:sm

c: City Attorney
City Clerk
Director of Finance

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE authorizing the execution of a deed of easement granting to the Roanoke Higher Education Authority a temporary construction easement across City property to be used as a construction staging and storage area and for the placement of an office trailer; upon certain terms and conditions; and dispensing with the second reading of this ordinance by title.

WHEREAS, the Roanoke Higher Education Authority intends to renovate property located at 109 First Street SW, and desires to use certain City property as a construction staging area in connection with such renovation.

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

1. The City Manager is hereby authorized to execute the necessary documents, in such form as approved by the City Attorney, granting a temporary construction easement to the Roanoke Higher Education Authority across the entirety of City property designated as Roanoke Tax Map No. 2013001 located near the intersection of Wells Avenue, N.W. and First Street, N.W., to be used as a construction staging and storage area and for the placement of a construction office trailer in connection with the Roanoke Higher Education Authority's renovation of structures on adjacent property located at 109 First Street, N.W., for a term to commence on April 4, 2005, and expire on June 30, 2006; all as more particularly stated in the City Manager's letter to Council dated April 4, 2005.

1. 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.

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

TELEPHONE: 540-853-2431
FAX: 540-853-1221
EMAIL: cityatty@ci.roanoke.va.us

WILLIAM M. HACKWORTH
CITY ATTORNEY

TIMOTHY R. SPENCER
STEVEN J. TALEVI
GARY E. TEGENKAMP
DAVID L. COLLINS
HEATHER P. FERGUSON
ASSISTANT CITY ATTORNEYS

April 4, 2005

The Honorable Mayor and Members
of City Council
Roanoke, Virginia

Re: Agreement with CBL & Associates Management, Inc.

Dear Mayor Harris and Members of Council:

The City is planning to sponsor a Fair Housing Expo at Valley View Mall on April 16, 2005. The new owners of the mall, CBL & Associates Management, Inc., require that the City execute the attached agreement in order to use the mall. This agreement contains a provision, Paragraph 15, which requires that the City agree to indemnify and hold harmless CBL, and to defend it, in the event that anyone is injured or anything is damaged during the City's use of the premises. Only City Council can waive the City's sovereign immunity and agree to such a provision. CBL has refused to delete this provision.

I have prepared for your consideration the attached resolution which authorizes waiving the City's sovereign immunity, and authorizing the City Manager to execute this agreement.

With kindest personal regards, I am

Sincerely yours,

Timothy R. Spencer
Acting City Attorney

TRS/lsc
Attachments
c: Darlene L. Burcham, City Manager

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing the waiver of the City's sovereign immunity in connection with the City's use of Valley View Mall for a Fair Housing Expo, and authorizing execution of an agreement with Valley View Mall, LLC, through its agent, CBL Associates Management, Inc., in connection with such use of Valley View Mall.

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

1. This Council hereby waives its sovereign immunity with regard to the City's use of Valley View Mall on April 16, 2005, in connection with the Fair Housing Expo activities.

2. The City Manager is hereby authorized to execute for and on behalf of the City, upon form approved by the City Attorney, an Agreement, a copy of which is attached to the City Attorney's letter to Council of April 4, 2005, relating to the City's use of Valley View Mall, on April 16, 2005, for a Fair Housing Expo.

ATTEST:

City Clerk.

CITY OF ROANOKE
DEPARTMENT OF FINANCE

215 Church Avenue, S.W., Room 461
P.O. Box 1220
Roanoke, Virginia 24006-1220
Telephone: (540) 853-2821
Fax: (540) 853-6142

JESSE A. HALL
Director of Finance
email: jesse_hall@ci.roanoke.va.us

ANN H. SHAWVER
Deputy Director
email: ann_shawver@ci.roanoke.va.us

April 4, 2005

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff Council Member

Dear Mayor Harris and Members of City Council:

Subject: February Financial Report

The following narrative provides commentary on the significant trends and budget variances of the first eight months of fiscal year 2005.

Revenues

Revenues through February FY05 increased 2.88% compared to FY04. Categories with significant variances from the prior year are discussed as follows.

General Property Taxes increased 1.12% on a year-to-date basis in fiscal year 2005. The real estate tax is slightly lower through February year-to-date of fiscal year 05 than fiscal year 04. This is caused by timing differences in the receipt of real estate taxes handled by escrow companies for the second installment of the tax which is due April 5th. The tax is budgeted to grow 7.4% as a whole in FY05, and it is expected to meet this growth level. Delinquent real estate revenues have grown in FY05 due to continued collection efforts.

Other Local Taxes have risen .34% in fiscal year 2005 through February. This small level of growth is due to a decline in Business, Professional and Occupational License (BPOL) revenues which is offset by growth in other local taxes. The BPOL tax is due March 1st. Through February FY05, less of this revenue was processed by the City than in the prior year. Updated as of late March, revenue in FY05 was at 99% of the estimate, and it is expected to meet the target for the year which calls for growth of 1% over FY04. Increased local taxes include the E-911 tax, which grew as the result of an increase in the rate from $1.45 to $2.00 which became effective November 1, 2003. The sales tax is up 1.1% compared to prior year when both years are adjusted to exclude non-recurring collections of prior period sales taxes. The cellular phone utility tax has increased in the current year, in part due to collections of prior year unpaid amounts in the amount of $68,000. The prepared food and beverage tax has increased 4.4% since FY04, while the transient room tax has declined .1%.

Permits, Fees and Licenses increased 17.17% since FY04 as a result of an increase in building inspection fees and excavation permits. Building inspection fees increased as a result of several large building permits including those for the Patrick Henry High School and Water Pollution Control Plant projects. Excavation permit fees increased in FY05, as these fees are being charged to the Water Authority whereas they were not charged when Water and Sewer Funds were components of the City. Some of

this growth is also attributable to Security and Fire Alarm Registration fees which were implemented approximately one year ago.

Grants-in-Aid Commonwealth increased 7.25% due to increased revenues for social services and other state-funded programs. Total revenues from the Commonwealth in FY05 are estimated at approximately 2% above the FY04 level. In FY05, CSA (Comprehensive Services Act) revenues have increased, correlating with expenditure increases related to the program. Funding of our Constitutional offices increased 4% in the current year as compared to last year. E911 Wireless funding has increased on a year-to-date basis, yet it is expected to remain close to the FY04 level for the year as a whole. Street maintenance funding has increased 3%, as expected based on the State allocation. HB599 revenues are up approximately 9% which is consistent with expected growth in this revenue, also in accordance with the State allocation. Conversely, the ABC tax has declined compared to the prior year, again in accordance with the State allocation.

Grants-in-Aid Federal decreased significantly compared to FY04 when reimbursements were received from FEMA related to flooding in February 2003.

Miscellaneous Revenue increased 76.66% in the current year due to an increase in donations, flood insurance proceeds, and other nonrecurring revenues.

Internal Services increased 25.12% due to a change in accounting between FY04 and FY05 for School Comprehensive Services Act (CSA) and School Resource Officer billings. In prior years, the school share of CSA costs were deducted from the transfer to schools. The School Resource Officers were previously direct expenses of the schools. The resource officers are now accounted for in the City's Police Department and are billed by the General Fund to the Schools. Offsetting these increases are decreased internal charges in FY05 which resulted from the formation of the Western Virginia Water Authority.

Expenditures

The FY05 expenditure budget includes funding of nearly $1.8 million to cover contracts and purchase orders made during FY04 but not paid by the end of that year. City Council approved re-appropriation of this funding when adopting the General Fund budget in May.

General Fund expenditures increased 1.14%. There has been one fewer payroll on a year to date basis in fiscal year 2005 as compared to fiscal year 2004. This causes most departments' expenditures to decline in the current year. All departments are also affected by the fact that City employees received an average pay raise of 3.0% on July 1, 2004. Other than these items which affect most categories of expenditures, variances between FY04 and FY05 are addressed as follows.

General Government expenditures declined 6.39% in FY05. Billings and Collections expenditures declined when the department's utility billing functions were transferred to the Water Authority July 1, 2004. There is a corresponding decline in revenues for these services which were previously paid by the Water and Water Pollution Control Funds.

Health and Welfare expenditures increased 10.91% despite the reduction in payroll costs on a year to date basis because CSA (Comprehensive Services Act) expenditures have risen. The CSA program has been a continually rising cost of the City due to the increasing number of children being served and some of the costly facilities at which services are provided. Other Social Services expenditures also increased from FY04 to FY05, mainly as a result of increased expenditures for foster care, special needs adoption and daycare services.

The Transfer to School Fund increased as budgeted and is also impacted by the aforementioned change in accounting from FY04 to FY05 related to School CSA costs.

The Transfer to School Capital Projects Fund in FY04 resulted from an appropriation of fund balances relative to CMERP for school construction and renovation costs. There has been no similar transfer in FY05.

Nondepartmental expenditures decreased 23.87% due to a net decline in transfers to other funds of the City. Transfers vary from year to year based on transactions between the General Fund and other funds of the City. In FY04, a one-time transfer of approximately $2.8 million was made from the General Fund to the Parking Fund for the retirement of the lease of the Century Station parking garage. Conversely, transfers to the Capital Projects and Department of Technology Funds increased as a result of increased funding of capital projects.

Sincerely,

Jesse A. Hall

Jesse A. Hall
Director of Finance

JAH:ca

Attachments

c: Darlene L. Burcham, City Manager
William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
Sherman M. Stovall, Director of Management and Budget

CITY OF ROANOKE, VIRGINIA
GENERAL FUND

STATEMENT OF REVENUE

Revenue Source	Year to Date for the Period: July 1 - February 29 2003-2004	Year to Date for the Period: July 1 - February 29 2004-2005	Percentage of Change	Current Fiscal Year: Revised Revenue Estimates	Current Fiscal Year: Percent of Revenue Estimate Received
General Property Taxes	$ 31,804,903	$ 32,162,293	1.12 %	$ 87,491,000	36.76%
Other Local Taxes	33,451,919	33,565,848	0.34 %	62,631,000	53.59%
Permits, Fees and Licenses	664,109	778,166	17.17 %	1,112,000	69.98%
Fines and Forfeitures	894,266	926,609	3.62 %	1,321,000	70.14%
Revenue from Use of Money and Property	404,113	420,853	4.14 %	735,000	57.26%
Grants-in-Aid Commonwealth	24,809,600	26,608,357	7.25 %	47,990,014	55.45%
Grants-in-Aid Federal Government	113,552	19,385	-82.93 %	34,000	57.01%
Charges for Services	5,780,892	5,791,135	0.18 %	8,115,000	71.36%
Miscellaneous Revenue	215,268	380,300	76.66 %	384,484	98.91%
Internal Services	1,393,791	1,743,974	25.12 %	2,730,000	63.88%
Total	**$ 99,532,413**	**$ 102,396,920**	**2.88 %**	**$ 212,543,498**	**48.18%**

STATEMENT OF EXPENDITURES AND ENCUMBRANCES

Expenditures	Year to Date for the Period: July 1 - February 29 2003-2004	Year to Date for the Period: July 1 - February 29 2004-2005	Percentage of Change	Current Fiscal Year: Unencumbered Balance	Current Fiscal Year: Revised Appropriations	Current Fiscal Year: Percent of Budget Obligated
General Government	$ 7,844,614	7,343,677	-6.39 %	$ 4,385,147	$ 11,728,824	62.61%
Judicial Administration	4,067,337	4,173,182	2.60 %	2,770,462	6,943,644	60.10%
Public Safety	34,665,178	35,195,781	1.53 %	17,240,732	52,436,513	67.12%
Public Works	15,565,008	15,848,869	1.82 %	6,810,054	22,658,923	69.95%
Health and Welfare	18,892,576	20,954,265	10.91 %	8,634,772	29,589,037	70.82%
Parks, Recreation and Cultural	5,909,292	5,586,206	-5.47 %	3,097,627	8,683,833	64.33%
Community Development	4,055,003	3,868,849	-4.59 %	1,900,921	5,769,770	67.05%
Transfer to Debt Service Fund	13,248,243	13,507,618	1.96 %	2,003,052	15,510,670	87.09%
Transfer to School Fund	32,592,964	35,028,744	7.47 %	17,296,642	52,325,386	66.94%
Transfer to School Capital Projects Fund	1,025,630	-	-100.00 %	-	-	0.00%
Nondepartmental	8,279,575	6,303,450	-23.87 %	4,262,272	10,565,722	59.66%
Total	**$ 146,145,420**	**147,810,641**	**1.14 %**	**$ 68,401,681**	**$ 216,212,322**	**68.36%**

CITY OF ROANOKE, VIRGINIA
CIVIC FACILITIES FUND
COMPARATIVE INCOME STATEMENT
FOR THE EIGHT MONTHS ENDING FEBRUARY 28, 2005

	FY 2005	FY 2004
Operating Revenues		
Rentals	$ 459,578	$ 548,218
Event Expenses	145,144	154,318
Display Advertising	108,792	84,019
Admissions Tax	333,676	282,550
Electrical Fees	13,895	5,700
Novelty Fees	63,525	49,334
Facility Surcharge	180,376	280,784
Charge Card Fees	67,658	53,760
Commissions	46,280	49,617
Catering/Concessions	618,452	777,947
Other	15,687	8,395
Total Operating Revenues	2,053,063	2,294,642
Operating Expenses		
Personal Services	1,304,661	1,303,353
Operating Expenses	1,311,321	1,391,746
Depreciation	309,601	352,664
Total Operating Expenses	2,925,583	3,047,763
Operating Loss	(872,520)	(753,121)
Nonoperating Revenues (Expenses)		
Interest on Investments	24,858	11,811
Flood Damage Reimbursements	35,000	23,453
Virginia Municipal League	-	11,865
Arena Ventures Contractual Penalties	122,970	117,505
Transfer from General Fund	499,483	477,565
Transfer from General Fund - Victory Stadium	102,277	113,727
Transfer from Capital Projects Fund	-	260,000
Transfer to Debt Service Fund	(48,409)	(43,784)
Interest and Fiscal Charges	(63,753)	-
Miscellaneous	5,934	-
Total Nonoperating Revenues	678,360	972,142
Net Income (Loss)	**$ (194,160)**	**$ 219,021**

CITY OF ROANOKE, VIRGINIA
PARKING FUND
COMPARATIVE INCOME STATEMENT
FOR THE EIGHT MONTHS ENDING FEBRUARY 28, 2005

	FY 2005	FY 2004
Operating Revenues		
Century Station Garage	$ 245,426	$ 271,242
Williamson Road Garage	350,887	338,182
Gainsboro Surface	35,839	28,049
Norfolk Ave Surface	42,975	38,831
Market Square Garage	147,509	151,115
Church Ave Garage	400,126	376,938
Tower Garage	270,891	292,330
Williamson Road Surface Lot	57,345	50,642
Gainsboro Garage	69,950	59,250
Other Surface Lots	107,908	93,145
Total Operating Revenues	1,728,856	1,699,724
Operating Expenses		
Operating Expenses	738,418	733,106
Depreciation	381,411	369,582
Total Operating Expenses	1,119,829	1,102,688
Operating Income	609,027	597,036
Nonoperating Revenues (Expenses)		
Interest on Investments	21,927	12,328
Transfer from General Fund (see note)	-	2,845,800
Transfer from Department of Technology Fund	-	78,000
Interest and Fiscal Charges	(215,022)	(246,737)
Net Nonoperating Revenues (Expenses)	(193,095)	2,689,391
Net Income	**$ 415,932**	**$ 3,286,427**

Note: The Transfer from General Fund for FY 2004 was to redeem the Century Station Garage lease.

CITY OF ROANOKE, VIRGINIA
CITY TREASURER'S OFFICE
GENERAL STATEMENT OF ACCOUNTABILITY
FOR THE MONTH ENDED FEBRUARY 28, 2005

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 FEBRUARY 28, 2005.

FUND	BALANCE AT JAN 31, 2005	RECEIPTS	DISBURSEMENTS	BALANCE AT FEB 28, 2005	BALANCE AT FEB 29, 2004
GENERAL	($19,696,418.45)	$18,719,452.84	$17,261,106.00	**($18,238,071.61)**	($19,353,140.39)
WATER	420.00	0.00	0.00	**420.00**	4,304,975.89
WATER POLLUTION CONTROL	1,738.22	0.00	0.00	**1,738.22**	26,384,182.93
CIVIC FACILITIES	8,332,687.59	195,548.82	621,933.78	**7,906,302.63**	1,370,578.07
PARKING	3,229,600.29	189,508.96	150,545.30	**3,268,563.95**	848,583.59
CAPITAL PROJECTS	60,754,577.78	166,214.46	1,021,668.23	**59,899,124.01**	48,207,013.01
MARKET BUILDING OPERATIONS	(77,849.46)	23,515.66	39,671.37	**(94,005.17)**	182,037.34
CONFERENCE CENTER	3,985,447.19	58,866.97	7,160.00	**4,037,154.16**	3,746,642.98
DEBT SERVICE	14,917,240.17	1,878,690.56	23,524.09	**16,772,406.64**	14,317,968.26
DEPT OF TECHNOLOGY	3,328,497.63	605,725.61	194,844.14	**3,739,379.10**	4,361,749.00
FLEET MANAGEMENT	423,405.18	147,009.81	192,220.39	**378,194.60**	843,087.00
PAYROLL	(12,712,851.21)	15,989,675.95	16,259,604.76	**(12,982,780.02)**	(12,439,192.23)
RISK MANAGEMENT	11,400,194.61	1,005,823.47	693,363.50	**11,712,654.58**	12,214,611.83
PENSION	621,993.62	1,720,292.51	1,753,663.92	**588,622.21**	831,478.08
SCHOOL FUND	(1,074,268.36)	4,852,824.81	6,825,128.27	**(3,046,571.82)**	5,675,196.89
SCHOOL CAPITAL PROJECTS	23,666,354.49	6,993.77	319,753.69	**23,353,594.57**	6,838,464.38
SCHOOL FOOD SERVICE	96,147.94	169,047.77	396,225.68	**(131,029.97)**	440,077.30
FDETC	0.00	0.00	0.00	**0.00**	46,977.18
GRANT	948,657.99	906,786.77	598,718.30	**1,256,726.46**	896,111.43
TOTAL	$98,145,575.22	$46,635,978.74	$46,359,131.42	**$98,422,422.54**	$99,717,402.54

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 ENDED FEBRUARY 28, 2005. THAT SAID FOREGOING:

CASH	
CASH IN HAND	**$7,262.96**
CASH IN BANK	**2,255,344.81**
INVESTMENTS ACQUIRED FROM COMPETITIVE PROPOSALS:	
COMMERCIAL HIGH PERFORMANCE MONEY MARKET	**5,450,000.00**
COMMERCIAL PAPER	**2,722,987.36**
LOCAL GOVERNMENT INVESTMENT POOL	**1,961,331.42**
MONEY MANAGEMENT ACCOUNT	**10,595,867.06**
U. S. AGENCIES	**11,498,707.50**
VIRGINIA AIM PROGRAM (U. S. SECURITIES)	**24,464,647.43**
VIRGINIA SNAP PROGRAM (U. S. SECURITIES)	**39,466,274.00**
TOTAL	**$98,422,422.54**

MARCH 17, 2005

Evelyn W. Powers
EVELYN W. POWERS, TREASURER

CITY OF ROANOKE PENSION PLAN
STATEMENT OF CHANGES IN PLAN NET ASSETS
FOR THE EIGHT MONTHS ENDED FEBRUARY 28, 2005

	FY 2005	FY 2004
Additions:		
Employer Contributions	$ 4,172,626	$ 3,165,109
Investment Income		
Net Appreciation (Depreciation) in Fair Value of Investments	20,348,953	36,102,799
Interest and Dividend Income	2,059,557	1,509,693
Total Investment Income (Loss)	22,408,510	37,612,492
Less Investment Expense	244,086	202,569
Net Investment Income (Loss)	22,164,424	37,409,923
Total Additions (Deductions)	**$ 26,337,050**	**$ 40,575,032**
Deductions		
Benefits Paid to Participants	$ 13,414,033	$ 11,982,871
Administrative Expenses	293,381	268,871
Total Deductions	13,707,414	12,251,742
Net Increase (Decrease)	**12,629,636**	**28,323,290**
Net Assets Held in Trust for Pension Benefits:		
Fund Balance July 1	306,925,352	283,983,057
Fund Balance February 28	**$319,554,988**	**$312,306,347**

CITY OF ROANOKE PENSION PLAN
BALANCE SHEET
FEBRUARY 28, 2005

	FY 2005	FY 2004
Assets		
Cash	$ 588,573	$ 822,558
Investments, at Fair Value	320,654,938	313,006,826
Due from Other Funds	1,431	1,431
Other Assets	6,531	6,150
Total Assets	**$ 321,251,473**	**$ 313,836,965**
Liabilities and Fund Balance		
Liabilities:		
Due to Other Funds	$ 1,694,636	$ 1,530,602
Accounts Payable	1,849	16
Total Liabilities	1,696,485	1,530,618
Fund Balance:		
Fund Balance, July 1	306,925,352	283,983,057
Net Gain (Loss) - Year to Date	12,629,636	28,323,290
Total Fund Balance	319,554,988	312,306,347
Total Liabilities and Fund Balance	**$ 321,251,473**	**$ 313,836,965**