

UNFINISHED BUSINESS

UB-1



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

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

Order of Business:

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

Action:

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

COUNCIL AGENDA ITEM TITLE: Review Major Demolition Projects Schedule

ISSUE: To provide City Council an update on major demolition projects and future funding requests regarding the demolition of certain property.

RECOMMENDATION: The City Administration recommends that City Council review the updated demolition time line and set a public hearing to authorize the allocation of additional funds to perform asbestos abatement and demolition of 200 Buren Street.

TIMING: City Council action is requested on February 10, 2015.

BACKGROUND: The City has allocated \$109,256 to conduct asbestos testing, asbestos abatement and demolition of 600 East Broadway and 700 North 21st Avenue. An additional \$45,000 was used to demolish the former Health Department/Library building. The remaining \$10,000 in the demolition account will not cover the Buren Street project. Additional funds may also be requested in the future to demolish single family detached homes that are currently on the derelict building list.

FISCAL IMPACT: None.

ENCLOSED DOCUMENTS: Demolition Update Table

STAFF: Mark A. Haley, City Manager
Charles E. Dane, Assistant City Manager
Tevya W. Griffin, Director of Neighborhood Assistance & Planning

SUMMARY:

- | | | | | | |
|--------------------------|--------------------------|---|--------------------------|--------------------------|------------------------------------|
| Y | N | | Y | N | |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor, Brenda Pelham, Ward #6 | <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Jasmine E. Gore Ward #4 |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Christina J. Luman-Bailey, Ward #1 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Wayne Walton, Ward #5 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Jackie Shornak, Ward #7 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Anthony Zevgofis, Ward #3 | | | |

City of Hopewell

Major Demolition Projects in the Pipeline (last revised February 2, 2015)

Property	Asbestos Testing (Cost & Contractor)	Asbestos Abatement (Cost and Contractor)	Demolition (Cost & Contractor)	Project Total	Estimated Date of Completion of Entire Project
600 East Broadway	\$690 Viro - Technology	\$21,500 Abateco Services, Inc.	\$49,860 Cooper & Claiborne	\$72,050	<ul style="list-style-type: none"> Asbestos Testing and Removal Complete Demolition – Mid to Late February 2015 (waiting for Verizon to cut phone line)
700 North 21 st Avenue (Hillcrest)	\$900 Viro - Technology Testing	\$10,800 AmeriTribe	\$25,506 Dwight Snead Construction Company	\$37,206	<ul style="list-style-type: none"> Asbestos Testing and Removal Complete Demolition- Early to Mid-March (waiting for water lines and telephone lines to be cut)
200 Buren Street	\$1,060 France Environmental	\$19,750 AmeriTribe	\$27,950 Dwight Snead	\$48,760	Based on funding availability
Prince George Terrace (two fire damaged buildings)	Not yet determined	Not yet determined	Not yet determined	Not yet determined	Not yet determined

REGULAR BUSINESS

REPORTS OF
THE CITY
MANAGER

R-1

Chapter 38 YOUTH SERVICES

ARTICLE I. IN GENERAL

Secs. 38-1--38-15. Reserved.

ARTICLE II. COMMISSION*

Sec. 38-16. Establishment, composition, appointment, and terms of members.

(a) There shall be a youth services commission established, such commission to consist of fifteen (15) members appointed by city council. Each member shall be a resident of, or employed in, the city or shall be responsible for the provision of services to the youth of Hopewell.

(b) The youth services commission shall include in its membership, whenever possible, at least one (1) member each with experience in the fields of business, law, medicine, education, the juvenile justice system, and youth services; at least one (1) member of the Hopewell City Council; at least one (1) member below the age of eighteen (18) years; representatives of public and private agencies serving youth; and private citizens not employed by government or service agencies. A majority of the members of the commission shall be citizens who are not employed by government or service agencies and who are not elected government officials. Student members shall qualify as citizen members.

(c) The member(s) of city council serving on the commission shall serve a term(s) concurrent with his term(s) in office. Student members of the commission shall be appointed for one-year terms. The commission members who are either representing public or private agencies serving youth or who are citizens not employed by government or service agencies shall be appointed by city council for three-year staggered terms.

Of the members initially appointed when the commission is established, except for council members, five (5) shall be appointed for terms of three (3) years; five (5) for terms of two (2) years; and five (5) for terms of one (1) year. Student members shall fall in the latter category. All subsequent appointments, except to fill an unexpired term, shall be for a period of three (3) years, except as otherwise stated above.

(d) Eight (8) members of the commission present at a meeting shall constitute a quorum for conducting business for all purposes. The commission may adopt such other rules of procedure not inconsistent with this article as it may find necessary for the transaction of business.

(e) In case a vacancy occurs on the commission, city council shall appoint a person to replace the originally appointed member for the remainder of the term, when necessary to comply with subsection (a) above. Council, at its discretion, shall have the power and authority to remove any member(s) of the commission for misconduct or neglect of duty. The members shall serve without compensation for their services.

(f) The members of the commission, immediately upon their initial appointment, and in each June thereafter, shall meet, elect a chairman, and adopt rules of procedure.

Sec. 38-17. Duties and responsibilities.

It shall be the continuing duty of the youth services commission to:

- (1) Assist community agencies and organizations in establishing and modifying programs and services to youth on the basis of an objective assessment of community needs and resources.
- (2) Evaluate and monitor community programs and services to determine their impact on youth.
- (3) Attempt to resolve agency policies and procedures that make it difficult for youths and their families to receive services.
- (4) Advise the city manager on a continuing basis.
- (5) Make a formal written report to city council at least annually concerning the activities, plans, and recommendations of the commission.
- (6) Provide a public forum, where concerns about youth can be expressed.
- (7) Encourage involvement of the community in the solution of problems concerning youth.
- (8) Encourage any additions, deletions, or changes in laws, policies, and procedures that will improve community conditions for youth development.

Sec. 38-18. Office on youth.

There shall be established an office on youth to implement the strategies to accomplish the goals and objectives as established and authorized by the youth services commission.

The principal administrative officer shall establish written administrative policies for the office on youth and shall ensure that these policies are carried out in conformity with the Code of Virginia and other applicable regulations and policies including, but not limited to:

- (1) Department of corrections;
- (2) Title VII of the 1964 Civil Rights Act;
- (3) State and local health and fire regulations;
- (4) Workmans compensation.

The office on youth shall have at least one paid staff member known as the director (coordinator) and possess an administrative capability including clerical and other supportive services.

CODE CITY OF HOPEWELL, VIRGINIA (1981)
www.HopewellVa.net

R-2

ORDINANCE 2014-__
CITY OF HOPEWELL
STORMWATER MANAGEMENT ORDINANCE

Pursuant to Code § 62.1-44.15:27, this ordinance is adopted as part of an initiative to integrate the City of Hopewell's stormwater management requirements with the City of Hopewell's erosion and sediment control ordinance, Chapter 14 of the Hopewell City Code, flood insurance, flood plain management, Article XV of the City Zoning Ordinance and Chesapeake Bay Preservation Act, Article XV-A of the City Zoning Ordinance requirements into a unified stormwater program. The unified stormwater program is intended to facilitate the submission and approval of plans, issuance of permits, payment of fees, and coordination of inspection and enforcement activities into a more convenient and efficient manner for both the City of Hopewell and those responsible for compliance with these programs.

1-1. PURPOSE AND AUTHORITY. (Section 9VAC25-870-20, 9VAC25-870-40)

- (a) The purpose of this Ordinance is to ensure the general health, safety, and welfare of the citizens of the City of Hopewell and protect the quality and quantity of state waters from the potential harm of unmanaged stormwater, including protection from a land disturbing activity causing unreasonable degradation of properties, water quality, stream channels, and other natural resources, and to establish procedures whereby stormwater requirements related to water quality and quantity shall be administered and enforced.
- (b) This ordinance is adopted pursuant to Article 1.1 (§62.1-44.15:24 et seq.) of Chapter 3.1 of Title 62.1 of the Code of Virginia.

1-2. DEFINITIONS. (9VAC25-870-10)

In addition to the definitions set forth in 9VAC25-870-10 of the Virginia Stormwater Management Regulations, as amended, which are expressly adopted and incorporated herein by reference, the following words and terms used in this Ordinance have the following meanings unless otherwise specified herein. Where definitions differ, those incorporated herein shall have precedence.

"Administrator" means the VSMP authority including the City of Hopewell staff person or department responsible for administering the VSMP on behalf of the locality, or the duly authorized agent of the Administrator. Until amended by ordinance, the Administrator for the city of Hopewell is the Department of Public Works.

"Agreement in lieu of a stormwater management plan" means a contract between the plan-approving authority and the landowner with minimum requirements necessary to meet the intent of a stormwater pollution prevention plan as defined in this Article.

"Applicant" means any person submitting an application for a permit or requesting issuance of a permit under this Ordinance.

"Best management practice" or "BMP" means schedules of activities, prohibitions of practices, including both structural and nonstructural practices, maintenance procedures, and

other management practices to prevent or reduce the pollution of surface waters and groundwater systems from the impacts of land-disturbing activities.

"Chesapeake Bay Preservation Act land-disturbing activity" means a land-disturbing activity including clearing, grading, or excavation that results in a land disturbance equal or greater than 2,500 square feet and less than one acre in all areas of jurisdictions designated as subject to the regulations adopted pursuant to the Chesapeake Bay Preservation Act, Code of Virginia, § 62.1-44.15:75, et seq.

"Common plan of development or sale" means a contiguous area where separate and distinct construction activities may be taking place at different times on different schedules.

"Control measure" means any best management practice or stormwater facility, or other method used to minimize the discharge of pollutants to state waters.

"Clean Water Act" or "CWA" means the federal Clean Water Act (33 U.S.C §1251 et seq.), formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500, as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483, and Public Law 97-117, or any subsequent revisions thereto.

"Department" means the Department of Environmental Quality.

"Development" means land disturbance and the resulting landform associated with the construction of residential, commercial, industrial, institutional, recreation, transportation or utility facilities or structures or the clearing of land for non-agricultural or non-silvicultural purposes.

"General permit" means the state permit titled GENERAL PERMIT FOR DISCHARGES OF STORMWATER FROM CONSTRUCTION ACTIVITIES found in Part XIV (9 VAC 25-880-1 et seq.) of the Regulations authorizing a category of discharges under the CWA and the Act within a geographical area of the Commonwealth of Virginia.

"Land disturbance" or "land-disturbing activity" means a man-made change to the land surface that potentially changes its runoff characteristics including clearing, grading, or excavation except that the term shall not include those exemptions specified in Section 1-3 (c) of this Ordinance.

"Layout" means a conceptual drawing sufficient to provide for the specified stormwater management facilities required at the time of approval.

"Minor modification" means an amendment to an existing general permit before its expiration not requiring extensive review and evaluation including, but not limited to, changes in EPA promulgated test protocols, increasing monitoring frequency requirements, changes in sampling locations, and changes to compliance dates within the overall compliance schedules. A minor general permit modification or amendment does not substantially alter general permit conditions, substantially increase or decrease the amount of surface water impacts, increase the size of the operation, or reduce the capacity of the facility to protect human health or the environment.

"Operator" means the owner or operator of any facility or activity subject to regulation under this Ordinance.

"Permit" or *"VSMP Authority Permit"* means an approval to conduct a land-disturbing activity issued by the Administrator for the initiation of a land-disturbing activity, in accordance with this Ordinance, and which may only be issued after evidence of general permit coverage has been provided by the Department.

"Permittee" means the person to whom the VSMP Authority Permit is issued.

"Person" means any individual, corporation, partnership, association, state, municipality, commission, or political subdivision of a state, governmental body, including federal, state, or local entity as applicable, any interstate body or any other legal entity.

"Regulations" means the Virginia Stormwater Management Program (VSMP) Permit Regulations, 9VAC25-870, as amended.

"Site" means the land or water area where any facility or land-disturbing activity is physically located or conducted, including adjacent land used or preserved in connection with the facility or land-disturbing activity. Areas channelward of mean low water in tidal Virginia shall not be considered part of a site.

"State" means the Commonwealth of Virginia.

"State Board" means the State Water Control Board.

"State permit" means an approval to conduct a land-disturbing activity issued by the State Board in the form of a state stormwater individual permit or coverage issued under a state general permit or an approval issued by the State Board for stormwater discharges from an MS4. Under these state permits, the Commonwealth imposes and enforces requirements pursuant to the federal Clean Water Act and regulations, the Virginia Stormwater Management Act and the Regulations.

"State Water Control Law" means Chapter 3.1 (§62.1-44.2 et seq.) of Title 62.1 of the Code of Virginia.

"State waters" means all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands.

"Stormwater" means precipitation that is discharged across the land surface or through conveyances to one or more waterways and that may include stormwater runoff, snow melt runoff, and surface runoff and drainage.

"Stormwater management plan" means a document(s) containing material describing methods for complying with the requirements of Section 1-6 of this Ordinance.

"*Stormwater Pollution Prevention Plan*" or "*SWPPP*" means a document that is prepared in accordance with good engineering practices and that identifies potential sources of pollutants that may reasonably be expected to affect the quality of stormwater discharges from the construction site, and otherwise meets the requirements of this Ordinance. In addition the document shall identify and require the implementation of control measures, and shall include, but not be limited to the inclusion of, or the incorporation by reference of, an approved erosion and sediment control plan, an approved stormwater management plan, and a pollution prevention plan.

"*Subdivision*" means the same as defined in Section 2-53 of the City of Hopewell's Subdivision Ordinance.

"*Total maximum daily load*" or "*TMDL*" means the sum of the individual wasteload allocations for point sources, load allocations for nonpoint sources, natural background loading and a margin of safety. TMDLs can be expressed in terms of either mass per time, toxicity, or other appropriate measure. The TMDL process provides for point versus nonpoint source trade-offs.

"*Virginia Stormwater Management Act*" or "*Act*" means Article 1.1 (§62.1-44.15:24 et seq.) of Chapter 3.1 of Title 62.1 of the Code of Virginia.

"*Virginia Stormwater BMP Clearinghouse website*." means a website that contains detailed design standards and specifications for control measures that may be used in Virginia to comply with the requirements of the Virginia Stormwater Management Act and associated regulations.

"*Virginia Stormwater Management Program*" or "*VSMP*" means a program approved by the State Board after September 13, 2011, that has been established by a locality to manage the quality and quantity of runoff resulting from land-disturbing activities and shall include such items as local ordinances, rules, permit requirements, annual standards and specifications, policies and guidelines, technical materials, and requirements for plan review, inspection, enforcement, where authorized in this article, and evaluation consistent with the requirements of this article and associated regulations.

"*Virginia Stormwater Management Program Authority*" or "*VSMP Authority*" means an authority approved by the State Board after September 13, 2011, to operate a Virginia Stormwater Management Program. For the purposes of this Ordinance, the City of Hopewell is the VSMP Authority.

Sec. 1-3. - STORMWATER PERMIT REQUIREMENT; EXEMPTIONS.

- (a) Except as provided herein, no person may engage in any land-disturbing activity until a VSMP authority permit has been issued by the Administrator in accordance with the provisions of this Ordinance.
- (b) A Chesapeake Bay Preservation Act Land-Disturbing Activity shall be subject to an erosion and sediment control plan consistent with the requirements of the Erosion and Sediment Control Ordinance, a stormwater management plan as outlined under Section 1-6, the technical criteria and administrative requirements for land-disturbing activities outlined in Section 1-9, and the requirements for control measures long-term maintenance outlined under Section 1-10, and provisions for inspections pursuant to 9VAC870-114 of the Regulations. Chesapeake Bay Preservation Act Land-Disturbing activities do not require

completion of a registration statement or require coverage under the General Permit. Exceptions may be requested pursuant to 9VAC25-870-57.

- (c) Notwithstanding any other provisions of this Ordinance, the following activities are exempt, unless otherwise required by federal law:
- (1) Permitted surface or deep mining operations and projects, or oil and gas operations and projects conducted under the provisions of Title 45.1 of the Code of Virginia;
 - (2) Clearing of lands specifically for agricultural purposes and the management, tilling, planting, or harvesting of agricultural, horticultural, or forest crops, livestock feedlot operations, or as additionally set forth by the State Board in regulations, including engineering operations as follows: construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage, and land irrigation; however, this exception shall not apply to harvesting of forest crops unless the area on which harvesting occurs is reforested artificially or naturally in accordance with the provisions of Chapter 11 (§ 10.1-1100 et seq.) of Title 10.1 of the Code of Virginia or is converted to bona fide agricultural or improved pasture use as described in Subsection B of § 10.1-1163 of Article 9 of Chapter 11 of Title 10.1 of the Code of Virginia;
 - (3) Single-family residences separately built and disturbing less than one acre and not part of a larger common plan of development or sale, including additions or modifications to existing single-family detached residential structures do not require completion of a registration statement; however, such residences are subject to general permit requirements.
 - (4) Land-disturbing activities that disturb less than one acre of land area except for land-disturbing activity exceeding an area of 2,500 square feet in all areas of the jurisdictions designated as subject to the Chesapeake Bay Preservation Area Designation and Management Regulations (9VAC 25-830) adopted pursuant to the provisions of the Chesapeake Bay Preservation Act (§ 62.1-44.15:67 et seq.) or activities that are part of a larger common plan of development or sale that is one acre or greater of disturbance;
 - (5) Discharges to a sanitary sewer or a combined sewer system;
 - (6) Activities under a State or federal reclamation program to return an abandoned property to an agricultural or open land use;
 - (7) Routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original construction of the project. The paving of an existing road with a compacted or impervious surface and reestablishment of existing associated ditches and shoulders shall be deemed routine maintenance if performed in accordance with this Subsection; and
 - (8) Conducting land-disturbing activities in response to a public emergency where

the related work requires immediate authorization to avoid imminent endangerment to human health or the environment. In such situations, the Administrator shall be advised of the disturbance within seven days of commencing the land-disturbing activity and compliance with the administrative requirements of Subsection (a) is required within 30 days of commencing the land-disturbing activity.

Sec. 1-4. - STORMWATER MANAGEMENT PROGRAM ESTABLISHED; SUBMISSION AND APPROVAL OF PLANS; PROHIBITIONS.

- (a) Pursuant to § 62.1-44.15:27 of the Code of Virginia, the City of Hopewell hereby establishes a Virginia stormwater management program for land-disturbing activities and adopts the applicable Regulations that specify standards and specifications for VSMPs promulgated by the State Board for the purposes set out in Section 1-1 of this Ordinance. The City Council of the City of Hopewell hereby designates the Department of Public Works as the Administrator of the Virginia stormwater management program.
- (b) No VSMP authority permit shall be issued by the Administrator, until the following items have been submitted to and approved by the Administrator as prescribed herein:
 - (1) A permit application that includes a general permit registration statement, where applicable;
 - (2) An erosion and sediment control plan approved in accordance with the City of Hopewell's Erosion and Sediment Control Ordinance, Chapter 14 of the Hopewell City Code; and
 - (3) A stormwater management plan that meets the requirements of Section 1-6 of this Ordinance, or an executed agreement in lieu of a stormwater management plan, which shall be a contract on a form approved by the Administrator between the City of Hopewell and the person who is applying for a permit that specifies methods that will be implemented to comply with the requirements of a VSMP for the construction of a single family residence.
- (c) No VSMP authority permit shall be issued until evidence of general permit coverage is obtained.
- (d) No VSMP authority permit shall be issued until the fees required to be paid pursuant to Section 1-14, are received, and if so required by the Administrator, the Land Disturbance Permit performance bond surety in the form of a Letter of Credit, Corporate Check, Certified Check or Cash, has been posted by the applicant, per the City Article II, Bonds and Agreements Guidelines, and pursuant to Section 1-15 of this Ordinance has been submitted.
- (e) No VSMP authority permit shall be issued unless and until the permit application and attendant materials and supporting documentation demonstrate that all land clearing, construction, disturbance, land development and drainage will be done according to the approved permit.

- (f) No grading, building or other local permit shall be issued for a property unless a VSMP authority permit has been issued by the Administrator.

Sec. 1-5. - STORMWATER POLLUTION PREVENTION PLAN; CONTENTS OF PLANS.

- (a) The Stormwater Pollution Prevention Plan (SWPPP) shall include the content specified by Section 9VAC25-870-54 and must also comply with the requirements and general information set forth in Section 9VAC880-70, Section II [stormwater pollution prevention plan] of the general permit.
- (b) The SWPPP shall be amended by the operator whenever there is a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants to state waters which is not addressed by the existing SWPPP.
- (c) The SWPPP must be maintained by the operator at a central location onsite. If an onsite location is unavailable, notice of the SWPPP's location must be posted near the main entrance at the construction site. Operators shall make the SWPPP available for public review in accordance with Section II of the general permit, either electronically or in hard copy.

Sec. 1-6. - STORMWATER MANAGEMENT PLAN; CONTENTS OF PLAN.

- (a) The Stormwater Management Plan, required in Section 1-4 of this Ordinance, must apply the stormwater management technical criteria set forth in Section 1-9 of this Ordinance to the entire land-disturbing activity. Individual lots in new residential, commercial, or industrial developments shall not be considered separate land-disturbing activities. A stormwater management plan shall consider all sources of surface runoff and all sources of subsurface and groundwater flows converted to subsurface runoff, and include the following information:
 - (1) Information on the type and location of stormwater discharges; information on the features to which stormwater is being discharged including surface waters or karst features, if present, and the predevelopment and post development drainage areas;
 - (2) Contact information including the name, address, and telephone number of the owner and the tax reference number and parcel number of the property or properties affected;
 - (3) A narrative describing the current site conditions and final site conditions, and which includes the following:
 - (i) Existing and finished topography with a maximum of two (2)-foot contour intervals with spot elevations where necessary. Plans depicting any off-site drainage area shall show off-site topography with a maximum of five (5)-foot contour intervals.

- (ii) Storm drainage systems, and all natural, artificial and man-made watercourses.
 - (iii) Storm sewers systems, to include the location, sizes, and inverts of the facilities and proposed extensions in and near the project.
 - (iv) Plans for collecting and depositing stormwater, (in accordance with the latest Virginia Erosion Control and Sedimentation Handbook) and method of treatment of natural, artificial and man-made watercourses, including a delineation of proposed limits of floodplains, if any, as created or enlarged by the proposed development.
- (4) A general description of the proposed stormwater management facilities and the mechanism through which the facilities will be operated and maintained after construction is complete;
- (5) Information on the proposed stormwater management facilities, including:
- (i) The type of facilities;
 - (ii) Location, including geographic coordinates;
 - (iii) Acres treated; and
 - (iv) The surface waters or karst features, if present, into which the facility will discharge.
- (6) Hydrologic and hydraulic computations, including runoff characteristics;
- (7) Documentation and calculations verifying compliance with the water quality and quantity requirements of Section 1-9 of this Ordinance.
- (8) A map or maps of the site that depicts the topography of the site and includes:
- (i) All contributing drainage areas;
 - (ii) Existing streams, ponds, culverts, ditches, wetlands, other water bodies, and floodplains;
 - (iii) Soil types, geologic formations if karst features are present in the area, forest cover, and other vegetative areas;
 - (iv) Current land use including existing structures, roads, and locations of known utilities and easements;
 - (v) Sufficient information on adjoining parcels to assess the impacts of stormwater from the site on these parcels;
 - (vi) The limits of clearing and grading, and the proposed drainage patterns on the site;
 - (vii) Proposed buildings, roads, parking areas, utilities, and stormwater management facilities; and
 - (viii) Proposed land use with tabulation of the percentage of surface area to be adapted to various uses, including but not limited to planned locations of utilities, roads, and easements.
- (b) If an operator intends to meet the water quality and/or quantity requirements set forth in Section 1-9 of this Ordinance through the use of off-site compliance options, where applicable, then a letter of availability from the off-site provider must be included.

Approved off-site options must achieve the necessary nutrient reductions prior to the commencement of the applicant's land-disturbing activity except as otherwise allowed by § 62.1-44.15:35 of the Code of Virginia.

- (c) Elements of the stormwater management plans that include activities regulated under Chapter 4 (§54.1-400 et seq.) of Title 54.1 of the Code of Virginia shall be appropriately sealed and signed by a professional registered in the Commonwealth of Virginia pursuant to Article 1 (§ 54.1-400 et seq.) of Chapter 4 of Title 54.1 of the Code of Virginia.
- (d) A construction record drawing for permanent stormwater management facilities shall be submitted to the Administrator. The construction record drawing shall be appropriately sealed and signed by a professional registered in the Commonwealth of Virginia, certifying that the stormwater management facilities have been constructed in accordance with the approved plan. However, the Administrator may elect not to require construction record drawings for stormwater management facilities for which maintenance agreements are not required pursuant to Section 1-10(b).

Sec. 1-7. – POLLUTION PREVENTION PLAN; CONTENTS OF PLANS.

- (a) Pollution Prevention Plan, required by 9VAC25870-56, shall be developed, implemented, and updated as necessary and must detail the design, installation, implementation, and maintenance of effective pollution prevention measures to minimize the discharge of pollutants. At a minimum, such measures must be designed, installed, implemented, and maintained to:
 - (1) Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
 - (2) Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the site to precipitation and to stormwater; and
 - (3) Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures.
- (b) The pollution prevention plan shall include effective best management practices to prohibit the following discharges:
 - (1) Wastewater from washout of concrete, unless managed by an appropriate control;
 - (2) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials;
 - (3) Fuels, oils, or other pollutants used in vehicle and equipment operation and

maintenance; and

- (4) Soaps or solvents used in vehicle and equipment washing.
- (c) Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are prohibited unless managed by appropriate controls.

Sec. 1-8. - REVIEW OF STORMWATER MANAGEMENT PLAN.

- (a) The Administrator or any duly authorized agent of the Administrator shall review stormwater management plans and shall approve or disapprove a stormwater management plan according to the following:
 - (1) The Administrator shall determine the completeness of a plan in accordance with Section 1-6 of this Ordinance, and shall notify the applicant, in writing, of such determination, within 15 calendar days of receipt. If the plan is deemed to be incomplete, the above written notification shall contain the reasons the plan is deemed incomplete.
 - (2) The Administrator shall have an additional 60 calendar days from the date of the communication of completeness to review the plan, except that if a determination of completeness is not made within the time prescribed in subdivision (1), then plan shall be deemed complete and the Administrator shall have 60 calendar days from the date of submission to review the plan.
 - (3) The Administrator shall review any plan that has been previously disapproved, within 45 calendar days of the date of resubmission.
 - (4) During the review period, the plan shall be approved or disapproved and the decision communicated in writing to the person responsible for the land-disturbing activity or his designated agent. If the plan is not approved, the reasons for not approving the plan shall be provided in writing. Approval or denial shall be based on the plan's compliance with the requirements of this Ordinance.
 - (5) If a plan meeting all requirements of this Ordinance is submitted and no action is taken within the time provided above in subdivision (2) for review, the plan shall be deemed approved.
- (b) Approved stormwater plans may be modified as follows:
 - (1) Modifications to an approved stormwater management plan shall be allowed only after review and written approval by the Administrator. The Administrator shall have 60 calendar days to respond in writing either approving or disapproving such request.
 - (2) The Administrator may require that an approved stormwater management plan be amended, within a time prescribed by the Administrator, to address any deficiencies noted during inspection.

- (c) The Administrator shall require the submission of a construction record drawing for permanent stormwater management facilities. The Administrator may elect not to require construction record drawings for stormwater management facilities for which recorded maintenance agreements are not required pursuant to Section 1-10 (b).

Sec. 1-9 - TECHNICAL CRITERIA FOR REGULATED LAND DISTURBING ACTIVITIES.

- (a) To protect the quality and quantity of state water from the potential harm of unmanaged stormwater runoff resulting from land-disturbing activities, the City of Hopewell hereby adopts the technical criteria for regulated land-disturbing activities set forth in Part II B of the Regulations, as amended, expressly to include 9VAC25-870-62 [applicability]; 9VAC25-870-63 [water quality design criteria requirements]; 9VAC25-870-65 [water quality compliance]; 9VAC25-870-66 [water quantity]; 9VAC25-870-69 [offsite compliance options]; 9VAC25-870-72 [design storms and hydrologic methods]; 9VAC25-870-74 [stormwater harvesting]; 9VAC25-870-76 [linear development project]; 9VAC25-870-85 [stormwater management impoundment structures or facilities]; and 9VAC25-870-92 [comprehensive stormwater management plans], which shall apply to all land-disturbing activities, including all Chesapeake Bay Preservation Act land-disturbing activities, regulated by this Ordinance, except as expressly set forth in subsection (b), (d) and (e) below.
- (b) Land disturbing activities, including all Chesapeake Bay Preservation Act land-disturbing activities, that obtain an initial state permit or commence land disturbance prior to July 1, 2014, shall be conducted in accordance with the technical criteria for regulated land-disturbing activities set forth in part II C of the Regulations, expressly to include 9VAC25-870-93 [definitions]; 9VAC25-870-94 [applicability]; 9VAC25-870-95 [general]; 9VAC25-870-96 [water quality]; 9VAC25-870-97 [stream channel erosion]; 9VAC25-870-98 [flooding]; and 9VAC25-870-99 [regional (watershed-wide) stormwater management plans]. Such projects shall remain subject to the Part II C technical criteria for an additional two general permit cycles. After such time, portions of the project not under construction shall become subject to any new technical criteria adopted by the Board.
- (c) Land-disturbing activities that obtain general permit coverage on or after July 1, 2014, shall be conducted in accordance with the Part II B technical criteria of the Regulations. Such projects shall remain subject to the Part II B technical criteria for an additional two general permit cycles except as provided for in 9VAC25-870-48. After such time, portions of the project not under construction shall be subject to any new technical criteria adopted by the Board.
- (d) Any land-disturbing activity shall be considered grandfathered and shall be subject to the Part II C technical criteria of this chapter provided:
 - (1) A proffered or conditional zoning plan, zoning with a plan of development, preliminary or final subdivision plat, a preliminary or final site plan, or any document determined by the City of Hopewell to be equivalent thereto (i) was approved by a the City of Hopewell prior to July 1, 2012, (ii) provided a layout as defined in 9VAC25-870-10, (iii) will comply with the Part II C technical criteria of the Regulations, and (iv) has not been subsequently modified or amended in a manner resulting in an increase in the amount of phosphorous leaving each point of

discharge, and such that there is no increase in the volume or rate of runoff;

- (2) A state permit has not been issued prior to July 1, 2014; and
 - (3) Land disturbance did not commence prior to July 1, 2014.
- (e) The City of Hopewell, state, and federal projects shall be considered grandfathered by the VSMP authority and shall be subject to the Part II C technical criteria of this chapter provided:
- (1) There has been an obligation of local, state, or federal funding, in whole or in part, prior to July 1, 2012, or the department has approved a stormwater management plan prior to July 1, 2012;
 - (2) A state permit has not been issued prior to July 1, 2014; and
 - (3) Land disturbance did not commence prior to July 1, 2014.
- (f) Land-disturbing activities grandfathered under Subsections (d) and (e) of this section shall remain subject to the Part II C technical criteria of the VSMP Regulation for one additional state permit cycle. After such time, portions of the project not under construction shall become subject to any new technical requirements adopted by the board.
- (g) In cases where governmental bonding or public debt financing has been issued for a project prior to July 1, 2012, such project shall be subject to the technical requirements Part II C.
- (h) The Administrator may grant exceptions to the technical requirements of Part II B or Part II C of the Regulations, provided that (i) the exception is the minimum necessary to afford relief, (ii) reasonable and appropriate conditions are imposed so that the intent of the Act, the Regulations, and this Ordinance are preserved, (iii) granting the exception will not confer any special privileges that are denied in other similar circumstances, and (iv) exception requests are not based upon conditions or circumstances that are self-imposed or self-created. Economic hardship alone is not sufficient reason to grant an exception from the requirements of this Ordinance.
- (1) Exceptions to the requirement that the land-disturbing activity obtain required VSMP authority permit shall not be given by the Administrator, nor shall the Administrator approve the use of a BMP not found on the Virginia Stormwater BMP Clearinghouse Website, or any other control measure duly approved by the Director.
 - (2) Exceptions to requirements for phosphorus reductions shall not be allowed unless offsite options otherwise permitted pursuant to 9VAC25-870-69 have been considered and found not available.
- (i) Nothing in this Section shall preclude an operator from constructing to a more stringent standard at his discretion.

Sec. 1-10 - LONG-TERM MAINTENANCE OF PERMANENT STORMWATER FACILITIES

- (a) The Administrator shall require the provision of long-term responsibility for and maintenance of stormwater management facilities and other techniques specified to manage the quality and quantity of runoff. Such requirements shall be set forth in an instrument recorded in the local land records prior to general permit termination or earlier as required by the Administrator and shall at a minimum:
 - (1) Be submitted to the Administrator for review and approval prior to the approval of the stormwater management plan;
 - (2) Be stated to run with the land;
 - (3) Pass the responsibility for such maintenance to successors in title;
 - (34) Provide for all necessary access to the property for purposes of maintenance and regulatory inspections;
 - (45) Provide for inspections and maintenance and the submission of inspection and maintenance reports to the Administrator; and
 - (56) Be enforceable by all appropriate governmental parties.
- (b) At the discretion of the Administrator, such recorded instruments need not be required for stormwater management facilities designed to treat stormwater runoff primarily from an individual residential lot on which they are located, provided it is demonstrated to the satisfaction of the Administrator that future maintenance of such facilities will be addressed through an enforceable mechanism at the discretion of the Administrator.
- (c) If a recorded instrument is not required pursuant to Subsection 1-10 (b), the Administrator shall develop a strategy for addressing maintenance of stormwater management facilities designed to treat stormwater runoff primarily from an individual residential lot on which they are located. Such a strategy may include periodic inspections, homeowner outreach and education, or other method targeted at promoting the long-term maintenance of such facilities. Such facilities shall not be subject to the requirement for an inspection to be conducted by the Administrator or any duly authorized agent of the Administrator.

Sec. 1-11. - MONITORING AND INSPECTIONS.

- (a) The Administrator or any duly authorized agent of the Administrator shall inspect the land-disturbing activity during construction for:

- (1) Compliance with the approved erosion and sediment control plan;
 - (2) Compliance with the approved stormwater management plan or agreement in lieu;
 - (3) Development, updating, and implementation of a pollution prevention plan; and
 - (4) Development and implementation of any additional control measures necessary to address a TMDL.
- (b) The Administrator or any duly authorized agent of the Administrator may, at reasonable times and under reasonable circumstances, enter any establishment or upon any property, public or private, for the purpose of obtaining information or conducting surveys or investigations necessary in the enforcement of the provisions of this Ordinance.
- (c) In accordance with a performance bond with surety, cash escrow, letter of credit, any combination thereof, or such other legal arrangement or instrument, the Administrator may also enter any establishment or upon any property, public or private, for the purpose of initiating or maintaining appropriate actions which are required by the permit conditions associated with a land-disturbing activity when a permittee, after proper notice, has failed to take acceptable action within the time specified.
- (d) Pursuant to § 62.1-44.15:40 of the Code of Virginia, the Administrator may require every VSMP authority permit applicant or permittee, or any such person subject to VSMP authority permit requirements under this Ordinance, to furnish when requested such application materials, plans, specifications, and other pertinent information as may be necessary to determine the effect of his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of this Ordinance. [NOTE: Please see § 62.1-44.15:40 regarding protection of specified confidential information.]
- (e) Post-construction inspections of stormwater management facilities required by the provisions of this Ordinance shall be conducted by the Administrator or any duly authorized agent of the Administrator pursuant to the City of Hopewell's adopted and State Board approved inspection program, and shall occur, at minimum, at least once every five (5) years except as may otherwise be provided for in Section 1-10.

Sec. 1-12. - APPEALS.

Any permit applicant or permittee, or person subject to Ordinance requirements, aggrieved by a permit or enforcement decision of the Administrator may file an appeal with the Hopewell Circuit Court if allowed by state law.

Sec. 1-13. - ENFORCEMENT

- (a) If the Administrator determines that there is a failure to comply with the VSMP authority permit conditions or determines there is an unauthorized discharge, notice shall be served upon the permittee or person responsible for carrying out the permit conditions by any of the following: verbal warnings and inspection reports, notices of corrective action, and

notices to comply. Written notices shall be served by registered or certified mail to the address specified in the permit application or by delivery at the site of the development activities to the agent or employee supervising such activities.

- (1) The notice shall specify the measures needed to comply with the permit conditions and shall specify the time within which such measures shall be completed. Upon failure to comply within the time specified, a stop work order may be issued in accordance with Subsection (b) or the permit may be revoked by the Administrator.
- (2) If a permittee fails to comply with a notice issued in accordance with this Section within the time specified, the Administrator may issue an order requiring the owner, permittee, person responsible for carrying out an approved plan, or the person conducting the land-disturbing activities without an approved plan or required permit to cease all land-disturbing activities until the violation of the permit has ceased, or an approved plan and required permits are obtained, and specified corrective measures have been completed.

Such orders shall be issued in accordance with the provisions of Section 14-5 (d) of the Hopewell City Code. Such orders shall become effective upon service on the person by certified mail, return receipt requested, sent to his address specified in the land records of the locality, or by personal delivery by an agent of the Administrator. However, if the Administrator finds that any such violation is grossly affecting or presents an imminent and substantial danger of causing harmful erosion of lands or sediment deposition in waters within the watersheds of the Commonwealth or otherwise substantially impacting water quality, it may issue, without advance notice or hearing, an emergency order directing such person to cease immediately all land-disturbing activities on the site and shall provide an opportunity for a hearing, after reasonable notice as to the time and place thereof, to such person, to affirm, modify, amend, or cancel such emergency order. If a person who has been issued an order is not complying with the terms thereof, the Administrator may institute a proceeding for an injunction, mandamus, or other appropriate remedy in accordance with Subsection 1-14 (c).

- (b) In addition to any other remedy provided by this Ordinance, if the Administrator determines there is a failure to comply with the provisions of this Ordinance, the Administrator may initiate such informal and/or formal administrative enforcement procedures in a manner authorized by this Ordinance, the City of Hopewell Code of Ordinances, and any applicable City of Hopewell policies. Such measures include, but are not limited to:
 - (1) With the consent of any person subject to a VSMP authority permit who has violated or failed, neglected, or refused to comply with any Ordinance or permit issued by the City of Hopewell; who has failed to comply with any decision of the Administrator; or who has violated the terms of any order issued by the Administrator, a consent special order issued pursuant to §62.1-44.15:48 of the Code of Virginia. A consent special order shall order the person to comply with the terms of the order, as well as any provision of this Ordinance or decision by the Administrator. Such special orders shall be issued in accordance with City of Hopewell procedures, including procedures for public notice and comment, unless

issued as an emergency order consistent with (a) above. Consent special orders may include a civil charge for violations of the requirements listed above instead of civil penalties that could be imposed under this section. The City of Hopewell may proceed directly to use any other enforcement measures at its discretion.

- (2) Special orders and emergency special orders issued pursuant to §62.1-44.15:25 of the Code of Virginia.
- (3) Any person violating or failing, neglecting or refusing to obey any rule, regulation, ordinance, order, or permit condition issued by the Administrator or any other part of this Ordinance may be compelled in a proceeding instituted in any appropriate court by the City of Hopewell to obey same and to comply therewith by injunction, mandamus or other appropriate remedy.
- (4) Any person who violates any provision of this Ordinance or who fails, neglects, or refuses to comply with any order of the Administrator or the City of Hopewell, shall be subject to a civil penalty not to exceed \$32,500 for each violation within the discretion of the court. Each day of violation of each requirement shall constitute a separate offense. The City of Hopewell may issue a summons for the collection of the civil penalty and the action may be prosecuted in the appropriate court.

Violations for which a penalty may be imposed under this Subsection shall include but not be limited to the following:

- (i) No state permit registration;
 - (ii) No SWPPP;
 - (iii) Incomplete SWPPP;
 - (iv) SWPPP not available for review;
 - (v) No approved erosion and sediment control plan;
 - (vi) Failure to install stormwater BMPs or erosion and sediment controls;
 - (vii) Stormwater BMPs or erosion and sediment controls improperly installed or maintained;
 - (viii) Operational deficiencies;
 - (ix) Failure to conduct required inspections;
 - (x) Incomplete, improper, or missed inspections; and
 - (xi) Discharges not in compliance with the requirements of Section 4VAC 50-60-1170 of the general permit.
- (5) Notwithstanding any other civil or equitable remedy provided by this Section or by law, any person who willfully or negligently violates any provision of this Ordinance, any order of the Administrator, any condition of a permit, or any order of a court shall, be guilty of a misdemeanor punishable by confinement in jail for not more than 12 months or a fine of not less than \$2,500 nor more than \$32,500, or both.

Sec. 1-14. - FEES

- (a) Fees to cover costs associated with implementation of a VSMP related to land disturbing Ordinance No. 2014-__

activities and issuance of general permit coverage and VSMP authority permits shall be imposed in accordance with Table 1. When a site or sites has been purchased for development within a previously permitted common plan of development or sale, the Applicant shall be subject to fees (“total fee to be paid by applicant” column) in accordance with the disturbed acreage of their site or sites according to Table 1.

Table 1: Fees for permit issuance

An applicant shall pay the fees provided below for initial issuance of General Permit coverage and VSMP authority permit coverage. No more than 50% of the total fee to be paid by the applicant shall be due at the time that a stormwater management plan or an initial stormwater management plan is submitted to the City of Hopewell for review. The balance shall be paid prior to the issuance of coverage under the General Permit. When a site or sites are purchased for development within a previously permitted common plan of development or sale, the applicant shall be subject to fees in accordance with the disturbed acreage of their site or sites according to the following table.

Fee Type	Total fee to be paid by Applicant (includes both VSMP authority and Department portions where applicable)	Department portion of “total fee to be paid by Applicant” (based on 28% of total fee paid*)
Chesapeake Bay Preservation Act Land-Disturbing Activity (not subject to General Permit coverage; sites within designated areas of Chesapeake Bay Act localities with land-disturbance acreage equal to or greater than 2,500 square feet and less than 1 acre)	\$290	\$0
General/Stormwater Management - Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre and, if required by state law, detached single family residences within or without a common plan of development or sale with land-disturbance acreage equal to or greater than one acre and less than five acres)	\$290	\$81 (except for detached single family residences in which case, if required by law, \$0 is paid to the Department)
General/Stormwater Management - Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 1 acre and less than 5 Acres, not to include detached single family residences within or without a common plan of development or sale)	\$2,700	\$756

General/Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	\$3,400	\$952
General/Stormwater Management – Large Construction Activity/Land Clearing [Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres]	\$4,500	\$1,260
General/Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$6,100	\$1,708
General/Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	\$9,600	\$2,688

* If the project is completely administered by the Department such as may be the case for a state or federal project or projects covered by individual permits, the entire applicant fee shall be paid to the Department.

- (b) Fees for the modification or transfer of registration statements from the general permit issued by the State Board shall be imposed in accordance with Table 2. If the general permit modifications result in changes to stormwater management plans that require additional review by the City of Hopewell, such reviews shall be subject to the fees set out in Table 2. The fee assessed shall be based on the total disturbed acreage of the site. In addition to the general permit modification fee, modifications resulting in an increase in total disturbed acreage shall pay the difference in the initial permit fee paid and the permit fee that would have applied for the total disturbed acreage in Table 1. Fees Specified in this Subsection go to the City of Hopewell, Department of Public Works funding accounts for VSMP permits administration and CIP and Operations Maintenance activities related to City-wide drainage improvements.

Table 2: Fees for the modification or transfer of registration statements for the General Permit for Discharges of Stormwater from Construction Activities

Type of Permit	Fee Amount
General/Stormwater Management – Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre)	\$20
General/Stormwater Management – Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 1 and less than 5 acres)	\$200

General/Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	\$250
General/Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	\$300
General/Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$450
General/Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	\$700

- (c) The following annual permit maintenance shall be imposed in accordance with Table 3, including fees imposed on expired permits that have been administratively continued. With respect to the general permit, these fees shall apply until the permit coverage is terminated. Fees Specified in this Subsection go to the City of Hopewell, Department of Public Works funding accounts for VSMP permits administration and CIP and Operations Maintenance activities related to City-wide drainage improvements.

Table 3: Permit Maintenance Fees

Type of Permit	Fee Amount
Chesapeake Bay Preservation Act Land-Disturbing Activity (not subject to General Permit coverage; sites within designated areas of Chesapeake Bay Act localities with land-disturbance acreage equal to or greater than 2,500 square feet and less than 1 acre)	\$50
General/Stormwater Management – Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre)	\$50
General/Stormwater Management – Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance equal to or greater than 1 acre and less than 5 acres)	\$400
General/Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	\$500
General/Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	\$650

General/Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$900
General/Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater 100 acres)	\$1,400

General permit coverage maintenance fees shall be paid annually to the City of Hopewell, by the anniversary date of general permit coverage. No permit will be reissued or automatically continued without payment of the required fee. General permit coverage maintenance fees shall be applied until a Notice of Termination is effective.

- (d) The fees set forth in Subsections (a) through (c) above, shall apply to:
 - (1) All persons seeking coverage under the general permit.
 - (2) All permittees who request modifications to or transfers of their existing registration statement for coverage under a general permit.
 - (3) Persons whose coverage under the general permit has been revoked shall apply to the Department for an Individual Permit for Discharges of Stormwater From Construction Activities.
 - (4) Permit and permit coverage maintenance fees outlined under Section 1-15 (c) may apply to each general permit holder.
- (e) No general permit application fees will be assessed to:
 - (1) Permittees who request minor modifications to general permits as defined in Section 1-2 of this Ordinance. Permit modifications at the request of the permittee resulting in changes to stormwater management plans that require additional review by the Administrator shall not be exempt pursuant to this Section.
 - (2) Permittees whose general permits are modified or amended at the initiative of the Department, excluding errors in the registration statement identified by the Administrator or errors related to the acreage of the site.
- (f) All incomplete payments will be deemed as nonpayments, and the applicant shall be notified of any incomplete payments. Interest may be charged for late payments at the underpayment rate set forth in §58.1-15 of the Code of Virginia and is calculated on a monthly basis at the applicable periodic rate. A 10% late payment fee shall be charged to any delinquent (over 90 days past due) account. The City of Hopewell shall be entitled to all remedies available under the Code of Virginia in collecting any past due amount.

1-15. Performance Bond (9VAC25-870-104.D and Code § 62.1-44.15:34 (A))

Prior to issuance of any permit, the Applicant may be required to submit a reasonable performance

bond with surety, cash escrow, letter of credit, any combination thereof, or such other legal arrangement acceptable to the City of Hopewell, to ensure that measures could be taken by the City of Hopewell at the Applicant's expense should the Applicant fail, after proper notice, within the time specified to initiate or maintain appropriate actions which may be required of him by the permit conditions as a result of his land disturbing activity. If the City of Hopewell takes such action upon such failure by the Applicant, the City of Hopewell may collect from the Applicant for the difference should the amount of the reasonable cost of such action exceed the amount of the security held, if any. Within 60 days of the completion of the requirements of the permit conditions, such bond, cash escrow, letter of credit or other legal arrangement, or the unexpended or unobligated portion thereof, shall be refunded to the Applicant or terminated.

DRAFT

R-3

Commercial Business Grant Program

Previously referred to as the “Legacy Business Pilot Program”

Introduction:

In the interest of furthering the economic prosperity of our City and our business owners, the Hopewell City Council would like to test a commercial business grant program aimed at improving the business property (or building).

Who is Eligible:

1. Any business located in one of the designated Business Zones (B-1, B-2, B-3 and B-4)
2. The business must have been in operation for a minimum of one (1) year from the time applications are submitted.
3. Business owner does not have to own the property or the building the business is run from. If property is being rented the business owner is required to have written approval from the property owner submitted with the grant application.
4. Business defined as retail (e.g. grocery store, discount store, furniture store, auto parts, restaurant, etc.) or service (accountant, attorney, banking, transportation, etc.).

General Program Guidelines:

1. This is a competitive grant process. Applications will be reviewed, and selections made by, the CBGP Committee that will consist of 1 Staff member, 2 local business people, 1 Chamber of Commerce member, and 1 EDA Committee member.
2. Announcement of program should be thirty (30) days prior to the opening of application acceptance. Application period should be sixty (60) days and review of applications and decision on finalists should be completed in sixty (60) days.
3. Application must come from the business owner, but the applicant may either own or rent the property where the business is located. If renting the property, landlord approval must be granted.
4. Funds will be awarded based on what projects the CBGP feels will best improve the business opportunity for the City. The budget, est. \$20,000, will be allocated after the business proposals have been rated for their ability to improve economic development for the City. The funds will be allocated to the ideas that meet the criteria until the annual fund limit is met. Final selections will be reviewed as a group with the City Attorney prior to announcing the winning business.
5. Requests must be no less than \$500 and not exceed \$10,000.
6. Criteria should be set to aid in selection/approval of applicant projects to be used by the selection committee. These criteria should be written once a draft of the program is approved by the EDA and prior to submission to Council. These criteria will be provided to the CBGP Committee for use when reviewing the applications and deciding.
7. This is not a matching grant program. The business must pre-pay the expense and receive reimbursement upon completion of work, certification of work completion by staff, and receiving documentation proving payment made for supplies and/or labor.
8. The applicant must meet or have a plan to meet minimum building and Life Safety Codes.
9. All Hopewell City taxes (Machine and Tool tax, Personal Property tax, etc.) must be current.
10. No funds will be provided to government owned properties, to tenants in government owned properties, or non-profit organizations.
11. An applicant must gain all applicable building and trade permits before commencing work.
12. If work is performed by a third party this party must be a licensed contractor.
13. Work can be done by applicant and the grant used to cover the materials. No charge for applicant or employees of applicant can be submitted as expenses covered by the grant.

14. Applicable, permits and permit fees must be submitted to the Department of Neighborhood Assistance & Planning, Building Code Division.
15. Work must be completed within twelve (12) months from notification of selection. Upon review and approval by staff the business will receive reimbursement at the agreed amount from the City.

Program Design Parameters:

1. Improvement is defined as “permanent”. Feeling is that the improvement should stay with the structure that is located in the City. Examples given, but not limited to, air ventilation system (HVAC & Cooking), lighting, booths affixed to the floor, flooring, painting, windows, counters, walls (or repair of walls), etc. Small list of fixes excluded, but not limited to, tables, chairs, removable floor covering, landscaping, and signage.
2. Improvements can be for either inside or outside.

Program Application Requirements:

Grant application must include **all** of the following documentation.

1. Completed program application form.
2. Abbreviated business plan which should include:
 - a. Narrative description of the business.
 - b. Evidence of business insurance.
 - c. Narrative description of how the requested improvements will aid in improving business for the applicant’s company.
3. Narrative description of improvements that will be performed if grant is awarded.

R-4

The Hopewell Economic Development Authority (HEDA) is pleased to announce that it will be starting a Business Retention and Expansion (BRE) Program with the City of Hopewell.

Beginning late February or early March the HEDA in conjunction with the City of Hopewell will kick off our first project which will be for BRE. The HEDA and the City want our current businesses to know that they are important to us all and their opinions and input are a dynamic part of how the City will move forward with community and economic development.

A BRE program provides a formalized mechanism for Economic Development personnel to interact with the local business community. This is typically done through one-on-one visits with local businesses, "roundtable" meetings with company representatives, or a variety of other activities that allow for discussion of business concerns. Most importantly, a BRE program will facilitate regular and on-going conversations and updates between the companies and community leaders, so they can identify (and have the opportunity to address) specific issues or problems being encountered by area companies.

With "repeat business" (i.e. expansion and growth of existing companies) being the largest percentage of new investment and job creation in most localities, BRE programs are essential. Similarly, many businesses considering operations in a new location frequently want to have peer-to-peer discussions, so it is critical for local Economic Development professionals to be able to link existing businesses up with potential businesses looking to locate in Hopewell and to allow existing businesses to share their success stories of being in Hopewell.

The HEDA, Hopewell's Assistant City Manager, Charles Dane and his staff, with assistance from the Hopewell Prince George Chamber will be working to implement the Hopewell BRE project. WThe HEDA is not only paying for all expenses associated with the BRE start up but also manning the initial project. The HEDA and Mr. Dane will be interviewing about 20 businesses of differing sizes and types to begin the process and getting them to fill out a survey for us. This survey assessment will then be reviewed, analyzed and discussed to move to the next steps. Most importantly, the HEDA would like for our existing business retention program to become a regular component of economic development in Hopewell.

What we need form Hopewell City Council? Nothing at this point. Just to be aware that we are starting this project and when we do a kickoff to please support our efforts. You will each receive invitations to the kick off. You will also receive any reporting of our findings and any suggested implementations or changes based upon those findings. Should you have any questions please feel free to ask.

Thank you.

R-5



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

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

Order of Business:

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

Action:

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

COUNCIL AGENDA ITEM TITLE: Minimum Age for Unaccompanied Minors to Use the Hopewell Community Center as Recommended by Staff and Approved by the Recreation Commission

ISSUE: As part of the Department of Recreation and Parks' review of policies and procedures, it has been determined that the current policy governing student admission creates potential safety concerns at the Community Center. The current policy states that an adult must accompany children under the age of 12 after 6:00 p.m. As written, the policy allows for children ages 6-11 to enter and use the facility unaccompanied during free time and all day on Saturdays. Staff has recommended that the policy be updated to reflect that no child under the age of 12 be permitted to use the facility without the supervision of an adult, unless the child is participating in a program offered or co-sponsored by the Recreation and Parks Department. The Recreation Commission has approved this policy change.

RECOMMENDATION: None.

TIMING: The change will be effective May 1, 2015 to allow time for appropriate advertisement of the policy update and to coincide with the release of the Summer Activity Guide.

BACKGROUND: None.

FISCAL IMPACT: The City Administration estimates that this policy change will have a fiscal impact of \$100 or less due to decreased daily membership sales.

ENCLOSED DOCUMENTS: None.

STAFF: Aaron Reidmiller, Director, Recreation and Parks

SUMMARY:

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Mayor, Brenda Pelham, Ward #6	<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Jasmine E. Gore Ward #4
<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Christina J. Luman-Bailey, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Wayne Walton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jackie Shornak, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Anthony Zevgolis, Ward #3			

R-6



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

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

Order of Business:

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

Action:

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

COUNCIL AGENDA ITEM TITLE: HOPEWELL PLANNING COMMISSION/WETLANDS BOARD MEETING TIME CHANGE

ISSUE: To inform the Hopewell City Council of the change in time of the monthly meeting of the Hopewell Planning Commission/Wetlands Board.

RECOMMENDATION: The City Administration recommends that City Council receive and file the change in the meeting time of the Hopewell Planning Commission/Wetlands Board and authorize the City Clerk to revise any documentation (ex. talent bank information) of the City regarding this time change.

TIMING: City Council action is requested on February 10, 2015.

BACKGROUND: The Hopewell Planning Commission/Wetlands Board meets every 1st Thursday of the month at 7:00 p.m. At their November 2014 meeting, Commissioners requested Staff review their by-laws to determine the process required to change the meeting time to 6:00 p.m. to better accommodate Commission members. Staff reviewed the by-laws of the Commission and concluded that there was no requirement to hold meetings at a certain time and no approval requirement. At their December 2014 meeting the Hopewell Planning Commission voted 4 to 0 to change their monthly meeting time from 7:00 p.m. to 6:00 p.m. It is was thought necessary to present this time change to City Council and the public.

FISCAL IMPACT: None.

ENCLOSED DOCUMENTS: None

STAFF: Mark A. Haley, City Manager
Charles E. Dane, Assistant City Manager
Tevya W. Griffin, Director of Neighborhood Assistance & Planning

SUMMARY:

- | | | | | |
|--------------------------|--------------------------|---|--------------------------|--------------------------|
| Y | N | | Y | N |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor, Brenda S. Pelham, Ward #6 | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Christina J. Luman-Bailey, Ward #1 | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> |

R-7

**BUDGET RESOLUTION AMENDMENT
FISCAL YEAR 2014 – 2015**

WHEREAS, at the meeting of the Council of the City of Hopewell held on Tuesday, February 10, 2015, an amendment was introduced to appropriate funds for the FY 2014-15 Budget to provide for the John Randolph Foundation Youth Initiative Project; and,

WHEREAS, a budget amendment to appropriate funds in the amount of \$3,000 in start-up money for John Randolph Foundation Youth Initiative Project from the Unassigned Fund Balance for the FY 2014-2015 budget, was introduced and,

WHEREAS, sufficient funds exist in the respective fund balance reserve account;

BE IT, HEREBY, RESOLVED by the Council of the City of Hopewell:

Sec 1. The following designated funds shall be appropriated:

General Fund-011:

Resources:

Fund Balance \$ 3,000

Appropriation:

John Randolph Foundation \$ 3,000

R-8



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

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

Order of Business:

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

Action:

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

COUNCIL AGENDA ITEM TITLE: Community Showcase Video - CGI Communications

ISSUE: The 2015 Community Showcase Video for Hopewell

RECOMMENDATION: Staff recommends approval of the Community Showcase Video Program

TIMING: Immediately (filming to be scheduled for June 2015)

BACKGROUND: CGI Communication formed in 1988 as CGI Communications Inc., is the leading provider of high-impact marketing solutions to communities and small businesses. CGI Communications works closely with the National League of Cities to provide a myriad of digital marketing tools to showcase and promote individual municipalities nationwide. CGI's over-arching goal is to increase awareness for the communities and businesses that serve as the mortar to cities, towns, chambers, and associations across the United States. Previously, the City partnered with CGI Communications for three years until the agreement expired. Councilor Gore brought the idea to repeat the video showcase for Hopewell to staff.

FISCAL IMPACT: None – This is a FREE service

ENCLOSED DOCUMENTS: (1) CGI Communications, Inc., Frequency Asked Questions and (2) Sample Letter to Business Owners

STAFF: Herbert Bragg, Director, Intergovernmental & Public Affairs

SUMMARY:

Y N

- Mayor, Brenda S. Pelham, Ward #6
- Vice Mayor Christina J. Luman-Bauiley, Ward #1
- Councilor Arlene Holloway, Ward #2

Y N

- Councilor Anthony Zevgolis, Ward #3
- Councilor Jasmine E. Gore, Ward #4
- Councilor Wayne Walton, Ward #5
- Councilor Jackie Shornak, Ward #7



Frequently Asked Questions

- **Who is CGI Communications, Inc.?**
Formed in 1988, CGI Communications, Inc. is the leading provider of high-impact marketing solutions to communities and small businesses. CGI is one of Upstate New York's top growth companies, receiving multiple Top 100 Awards in the Greater Rochester Area.
- **Are there any hidden costs?**
No, there is never a point where your municipality will see an invoice for any services we provide.
- **What if no businesses sign up for sponsorship?**
Even if zero sponsors participate, your Community will still receive the program at no cost. There is no threshold or minimum sponsorship requirement.
- **How long is the production time line?**
The welcome video can be completed with in a few weeks. The entire video production is typically about 12 -14 weeks, but can vary depending on what time of year filming is preferred.
- **What is the relationship between CGI and the United States Conference of Mayors and the National League of Cities?**
CGI works closely with the USCM and NLC to provide a myriad of digital marketing tools to showcase and promote individual municipalities nationwide. Our Community Showcase Program is an opportunity that both members and non-members can participate in.
- **Who fulfills the sponsorship element of the Community Video Program?**
CGI takes care of all sponsorship fulfillment, however if your community would like to recommend businesses to have the first right of refusal, we encourage and welcome you to do so.
- **Do we have a choice of what season we are filmed in?**
Absolutely! It is our goal to film municipalities in the season you feel best represents your community as a whole.
- **Do we need an Official Representative in our Welcome video?**
Absolutely not! It is your community's choice on whether or not you would like to have a civic leader represented in the welcome video.
- **Does our city have a choice in what type of establishments can participate in the sponsorship fulfillment?**
Of course! Your community has a say in the types of businesses that are featured. We simply need to know prior to the beginning of the sponsorship fulfillment campaign. For further information, please request CGI's Sponsor Policy.
- **Is there a special rate for non-profit organizations that want to get involved?**
We provide a Community Organizations chapter that creates an opportunity for local non-profits to garner exposure on our program at no-cost.
- **What is the GoCast Mobile App?**
GoCast gives you the power to record and upload videos to your official website and social media pages instantly! Operated right from your smart phone or device, GoCast allows you to record up to two minutes of video at a time with no limitation as to how often it's used. It is the perfect solution to adding new content to your website every day! From ribbon cuttings, festivals, departmental messages, emergency notifications, holiday greetings, event promotion...GoCast lets you film it all.

DATE

Dear Valued Business Owner:

The City of Hopewell is excited to announce a partnership with CGI Communications, Inc. to produce a series of online videos that highlight everything our community has to offer residents, business owners, and visitors.

Media technology has changed the world we live in and businesses must adapt or risk falling behind. For many businesses, getting noticed online is a challenge, particularly when competing against big brands with large marketing departments and seemingly endless budgets. However, more and more local companies are finding success cutting through the clutter using online video.

Statistics show that **utilizing video dramatically improves online visibility and drives more action to your website** than plain images and text. According to the BIA Kelsey Group, viewers engage more after watching a video, with clicks for more information increasing by 30-40% and phone inquiries increasing by 16-20%.

With an easily viewable interface on the official City website (www.hopewellva.gov) this video program will encourage viewers to learn more about area attractions, economic development opportunities, quality of life, and so much more. The City of Hopewell is dedicated to highlighting the advantages of living and working in our community, and we feel that this video program can do just that!

A representative from CGI Communications will be contacting you to educate you further on their digital marketing tools and how to enhance your online presence. We encourage you to consider participating in this program as it provides an exciting new opportunity to showcase your business and our community.

Best Regards,

Signatory
Title

R-9

**BUDGET RESOLUTION AMENDMENT
FISCAL YEAR 2014 – 2015**

WHEREAS, at the meeting of the Council of the City of Hopewell held on Tuesday, February 10, 2015, an amendment was introduced to appropriate funds for the FY 2014-15 Budget to provide for General District Court appointed attorney fees; and,

WHEREAS, a budget amendment to appropriate funds in the amount of \$5,000 for General District Court appointed attorney fees from the Unassigned Fund Balance for the FY 2014-2015 budget, was introduced and,

WHEREAS, sufficient funds exist in the respective bund balance reserve account;

BE IT, HEREBY, RESOLVED by the Council of the City of Hopewell:

Sec 1. The following designated funds shall be appropriated:

General Fund-011:

Resources:

Fund Balance \$ 5,000

Appropriation:

General District Court \$ 5,000

R-10



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

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

Order of Business:

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

Action:

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

COUNCIL AGENDA ITEM TITLE: Resolution regarding Refunding Bonds to be issued by Riverside Regional Jail Authority

ISSUE: The Riverside Regional Jail Authority has adopted a resolution authorizing the refunding of its bonds issued in 2007. Approximately \$45.8 million of the 2007 bonds are outstanding. Given the current favorable interest rate environment, it is anticipated that the refunding will result in net debt service savings of about \$4.3 million to the Authority, consisting of saving of approximately \$120,000 in fiscal years 2017 through 2019 and \$260,000 for fiscal years 2020 through 2033.

RECOMMENDATION: Approve request.

TIMING: February 10, 2015

BACKGROUND: While neither state law nor the terms of the Service Agreement require the local governing bodies of the member jurisdictions to approve the refunding, it is necessary for each of the governing bodies to approve an agreement to provide certain annual information for as long as the Authority's bonds are outstanding. Each of the governing bodies adopted a similar resolution for the 2013 refunding bond issue of the Authority, so this is nothing new.

FISCAL IMPACT: It is anticipated that the refunding will result in net debt service savings of about \$4.3 million to the Authority.

ENCLOSED DOCUMENTS: Resolution

STAFF: Mark A. Haley, City Manager

SUMMARY:

- | | | | | | |
|--------------------------|--------------------------|--|--------------------------|--------------------------|-----------------------------------|
| Y | N | | Y | N | |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Christina Luman-Bailey, Ward #1 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Wayne Walton, Ward #5 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway., Ward #2 | <input type="checkbox"/> | <input type="checkbox"/> | Mayor Brenda Pelham, Ward #6 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Anthony Zevgolts, Ward #3 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Jackie Shornak, Ward #7 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Jasmine Gore, Ward #4 | | | |

**RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF HOPEWELL, VIRGINIA REGARDING REFUNDING BONDS
TO BE ISSUED BY THE RIVERSIDE REGIONAL JAIL AUTHORITY**

The City of Hopewell, Virginia (the "City") is a member of the Riverside Regional Jail Authority (the "Authority"). The Authority issued its \$47,220,000 Jail Facility Revenue Bonds, Series 2007 (the "2007 Bonds") to finance a portion of the costs to construct an addition to the Authority's regional jail.

To take advantage of current low interest rates in the capital markets, the Authority has determined to refinance all or a portion of the 2007 Bonds to reduce debt service payments. Such refinancing is to be accomplished by the Authority through the issuance of its Jail Facility Refunding Revenue Bonds, Series 2015 (the "Bonds").

In connection with the issuance of the 2007 Bonds, the City entered a Continuing Disclosure Agreement dated as of August 7, 2007 (the "2007 Agreement") in substantially the same form as the form of Continuing Disclosure Agreement (the "2015 Continuing Disclosure Agreement") presented to this meeting. The 2007 Agreement required the annual delivery of the City's audited financial statements and certain other information contained in its comprehensive annual financial report.

The Authority has advised that the issuance of the 2015 Bonds will necessitate the members of the Authority entering into the 2015 Continuing Disclosure Agreement to provide substantially the same information at the substantially the same time as the members are currently providing under the 2007 Agreement.

NOW, THEREFORE, be it resolved by the City Council of the City of Hopewell, Virginia:

1. **Approval of 2015 Continuing Disclosure Agreement.** The 2015 Continuing Disclosure Agreement is approved in substantially the form presented at this meeting. The City Manager, and such other officers of the City as may be appropriate, are authorized to execute and deliver the 2015 Continuing Disclosure Agreement, and affix and attest the seal thereto if needed, with such changes, insertions or omissions as may be approved by any of them, whose approval will be evidenced conclusively by the execution and delivery thereof.

2. **General Authorization.** Such officers of the City are each authorized and directed to execute and deliver on behalf of the City, and to do and perform such things and acts, as they deem necessary or appropriate to carry out the transactions authorized by this Resolution or contemplated the 2015 Continuing Disclosure Agreement, and are further authorized to assist the Authority in connection with the issuance of the Authority's 2015 Bonds and provide the type of information previously provided to the Authority in prior bond financings for use in the Authority's bond offering documents for the 2015 Bonds. All of the foregoing, previously done or performed by such officers of the City, are in all respects approved, ratified and confirmed.

3. **Effective Date.** This Resolution shall take effect immediately upon its adoption.

Adopted: _____, 2015

CERTIFICATE OF CLERK

The undersigned Clerk of the City Council of the City of Hopewell, Virginia, hereby certifies that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted at a regular meeting duly called and held on February 10, 2015 during which a quorum was present and acting throughout by the recorded affirmative vote of a majority of all of the members elected to the Council, the ayes and nays being recorded in the minutes of the Meeting as shown below:

<u>MEMBER</u>	<u>PRESENT/ABSENT</u>	<u>VOTE</u>
---------------	-----------------------	-------------

The attached resolution has not been repealed, revoked, rescinded or amended and is in full force and effect on the date hereof.

WITNESS my signature and the seal of the City of Hopewell, Virginia, this _____ day of _____, 2015.

Clerk of the City Council
of the City of Hopewell, Virginia

[SEAL]

CONTINUING DISCLOSURE AGREEMENT

This Continuing Disclosure Agreement (the “Disclosure Agreement”) is executed and delivered by the [City/County] of _____, Virginia (the “[City/County]”), in connection with the issuance by the Riverside Regional Jail Authority (the “Authority”) of its \$ _____ Jail Facility Refunding Revenue Bonds, Series 2015 (the “Bonds”). The [City/County] is a member jurisdiction of the Authority. The [City/County] hereby covenants and agrees as follows:

Section 1. Purpose of the Disclosure Agreement. This Disclosure Agreement is being executed and delivered by the [City/County] for the benefit of the holders of the Bonds and in order to assist the underwriters initially purchasing the Bonds (the “Underwriters”) in complying with the provisions of Section (b)(5)(i) of Rule 15c2-12 (the “Rule”), promulgated by the Securities and Exchange Commission (the “SEC”) under the Securities Exchange Act of 1934, as the same may be amended from time to time, by providing certain annual information as specified below (the “Continuing Disclosure”).

Section 2. Annual Disclosure.

(a) The [City/County] shall provide, or cause to be provided through a dissemination agent appointed by the [City/County] (the “Dissemination Agent”), annually certain financial information and operating data in accordance with the provisions of Section (b)(5)(i) of the Rule, as follows:

(i) Audited financial statements of the [City/County], prepared in accordance with generally accepted accounting principles (GAAP); and

(ii) The operating data with respect to the [City/County] set forth in the Authority’s Official Statement for the Bonds dated [February ___, 2015], in the section entitled [“Tax Base Data.”]

If the financial statements filed pursuant to subsection (a)(i) above are not audited, the [City/County] shall file such statements as audited when available.

(b) The [City/County] shall provide, or cause to be provided through a Dissemination Agent, annually the financial information and operating data described in subsection (a) above (the “Annual Disclosure”) by April 1 of each year, reflecting the financial information and operating data for the [City/County] as of the end of the [City/County]’s preceding fiscal year. The first such report shall be due by April 1, 2016 for the fiscal year ending June 30, 2015. Each such report shall be provided to the Municipal Securities Rulemaking Board (the “MSRB”) through its Electronic Municipal Market Access System (“EMMA”) or such other system designated by the MSRB.

(c) Any portion of the Annual Disclosure may be included by specific reference to other documents previously filed with the SEC; *provided*, that any final official statement incorporated by reference must be available from the MSRB.

(d) The [City/County] shall provide, or cause to be provided through a Dissemination Agent, in a timely manner to the MSRB via EMMA (or as otherwise directed by the MSRB) notice specifying any failure of the [City/County] to provide the Annual Disclosure by the date specified.

Section 3. Termination. The covenants and obligations of the [City/County] specified in Section 2 will terminate upon the redemption, defeasance (within the meaning of the Rule) or payment in full of all the Bonds.

Section 4. Amendment. The [City/County] reserves the right to modify its obligations contained in Section 2 without the consent of holders of the Bonds; *provided*, that such modification complies with the Rule as it exists at the time of modification. The [City/County] shall within a reasonable time thereafter send to the MSRB via EMMA (or as otherwise directed by the MSRB) a description of such modification(s).

Section 5. Defaults.

(a) If the [City/County] fails to comply with any covenant or obligation regarding Continuing Disclosure specified in this Disclosure Agreement, the Authority and any holder (within the meaning of the Rule) of Bonds then outstanding may, by notice to the [City/County], proceed to protect and enforce its rights and the rights of the holders by an action for specific performance of the [City/County]'s covenant to provide the Continuing Disclosure.

(b) Notwithstanding anything herein to the contrary, any failure of the [City/County] to comply with any obligation regarding Continuing Disclosure specified in this Disclosure Agreement (i) shall not be deemed to constitute an event of default under the Bonds or the documents providing for the issuance of the Bonds and (ii) shall not give rise to any right or remedy other than that described in Section 5(a) above.

Section 6. Additional Disclosure. The [City/County] may from time to time disclose certain information and data in addition to the Continuing Disclosure. Notwithstanding anything herein to the contrary, the [City/County] shall not incur any obligation to continue to provide, or to update, such additional information or data.

Section 7. Beneficiaries. This Agreement shall inure solely to the benefit of the [City/County], the Authority, the Underwriters and the holders from time to time of the Bonds, and shall create no rights in any other person or entity.

Section 8. Governing Law. This Disclosure Agreement will be construed and enforced in accordance with the laws of the Commonwealth of Virginia.

Dated: _____, 2015.

[CITY/COUNTY] OF _____, VIRGINIA

By _____

Name: _____

Title: _____

REPORTS OF
THE CITY
ATTORNEY

REPORTS OF CITY CLERK

Appointments/Reappointments to Boards and Commissions

February 10, 2015

VACANCIES

Talent Bank Resumes on File

Architectural Review Board (4 year term) No TBRs on file
2 vacancies
2 terms through 10.31.2018

Dock Commission (4 year term) No TBRs on file
1 vacancy Harbor Master

Keep Hopewell Beautiful (4 year term) 1 TBR on file
1 vacancy
1 vacancy for

Recreation Commission No TBRs on file
1 vacancy
1 students
1 vacancy rising junior

Senior Citizen Advisory Commission (2 year term) No TBRs on file
3 vacancies
1 unexpired term through 10.31.2015
2 terms through 10.31.2018

Social Services Advisory Board (2 year term) 5 TBRs on file
4 vacancies
1 unexpired term through 10.31.2015
1 unexpired term through 10.31.2017
2 terms through 10.31.2018

REPORTS OF THE CITY COUNCIL

COMMITTEES

INDIVIDUAL REQUESTS

ANY OTHER COUNCILOR

CITIZEN
COUNCILOR
REQUESTS

PRESENTATIONS
FROM
BOARDS
&
COMMISSIONS

CCR-1

Cynthia Ames

From: Jasmine Gore <goreje@mymail.vcu.edu>
Sent: Sunday, February 01, 2015 6:55 PM
To: Cynthia Ames
Subject: Re: CCRS NEED HELP...

Yes. This is perfect.

On Feb 1, 2015 6:51 PM, "Cynthia Ames" <comes@hopewellva.gov> wrote:

? Citizen/Councilor Requests - Councilor Gore - Let's Move VSU interns in partnership with JRMC available - Parks & Recs; Neighborhood Assistance & Planning Dept. - Youth.Planners to participate during comprehensive plan

CCR-2

Cynthia Ames

From: Jasmine Gore <goreje@mymail.vcu.edu>
Sent: Sunday, February 01, 2015 6:55 PM
To: Cynthia Ames
Subject: Re: CCRS NEED HELP....

Yes. This is perfect.

On Feb 1, 2015 6:51 PM, "Cynthia Ames" <comes@honestwellva.gov> wrote:

. Citizen/Councilor Requests - Councilor Gore - Quarterly Meetings- EDA, HDP, School Board, (staff counts as strategic plan)

CCR-3

Cynthia Ames

From: Jasmine Gore <goreje@mymail.vcu.edu>
Sent: Sunday, February 01, 2015 6:55 PM
To: Cynthia Ames
Subject: Re: CCRS NEED HELP...

Yes. This is perfect.

On Feb 1, 2015 6:51 PM, "Cynthia Ames" <comes@hopewellva.gov> wrote:

Citizen/Councilor Requests - Councilor Gore - Action List- Where are we with what has been requested? Suggested planned out work sessions at least 4mo in advance.

Cynthia Y. Ames
City Clerk
300 N Main Street
Hopewell, VA 23860
[804.541.2249](tel:804.541.2249)

"Success is not final; failure is not fatal: it is the courage to continue that counts."
Winston Churchill

CCR-4

TO: C. Ames

FROM: B. Pelham

DATE: Jan. 22, 2015

Add: Changes to Talent Bank
Resume to exclude
the question referencing
litigation.

B. Pelham
Mayor, City of Hopewell



CITY OF HOPEWELL
300 North Main Street
Hopewell, Virginia 23860
TALENT BANK RESUME
BOARDS, COMMISSIONS, & AUTHORITIES

Board of Architectural Review (BAR)
 Board of Bldg. Code & Fire Prevention Code Appeals
 Board of Zoning Appeals (BZA)
 Central Virginia Film Office Board
 Central Virginia Waste Management Authority (CWWMA)
 Crater District Area Agency on Aging
 Crater Health Local Advisory Board
 Disability Services Board/Crater Planning District
 + Economic Development Authority
 District 19 Community Services Board (DCSB)
 Dock Commission
 Downtown Design Review Committee
 Friends of the Appomattox River (FOLAR)
 Historic Preservation Committee
 + Housing Authority, Hopewell Redevelopment & (HRHA)
 Keep Hopewell Beautiful (Formerly Clean City Commission)

Law Library Committee
 Library Board (Appomattox Regional)
 Planning Commission/Wetlands Board
 Resource Conservation and Development (RC&D) Council of the South Centre Corridors
 Recreation Commission
 Regional Wastewater Treatment Commission (HRWTF)
 School Board
 Senior Citizens Advisory Commission
 Sesquicentennial Committee
 Social Services Advisory Board
 Technology Fund Committee
 Telecommunications Regulation Committee
 Transportation Safety Board (TSB)
 John Tyler Community College Board (JTCC)
 Virginia's Gateway Region

First Choice

Second Choice

Third Choice

Date Submitted: _____ (Please note this resume will become void after one year.)

Name: _____ Home Address: _____

Mailing Address (if different from above): _____ Occupation: _____

Business Name & Address: _____

Home Phone: () _____ Business Phone: () _____ Cell Phone: () _____ Email Address(es): _____

Education, Training or Special Skills: _____

Professional and/or Community Activities/Interests/Involvement: _____

What are your specific qualifications, skills and abilities as they relate to the Boards, Commissions or Committees on which you have requested to serve, and how will they help make that Board, Commission or Committee serve the City of Hopewell's citizens better: _____

Have you ever been convicted of a felony? If so, please provide details (including date of conviction, court, crime and sentence). (Any admission of conviction will not automatically exclude you from consideration for appointment.): _____

Are you currently involved in litigation or quasi-legal proceeding (i.e. lawsuit, administrative claim, etc.) with the City of Hopewell or any of its agencies? If so, what is the nature of the proceeding? (If you have engaged the services of an attorney regarding the claim, you may want to consult your attorney before responding to this question.) (Any admission of involvement in litigation or quasi-legal proceeding will not automatically exclude you from consideration for appointment.): _____

Additional Comments: _____

In what ward in the City of Hopewell do you reside? Ward 1 ; 2 ; 3 ; 4 ; 5 ; 6 ; or 7 .

Do you have relatives who are employed by the City of Hopewell, serve as a member of the agencies to which you wish to be appointed, or who serve on the Hopewell City Council? Yes No If so, whom? _____ Which agency? _____

I, the undersigned applicant, do hereby certify that the information given by me for the purposes stated herein, is correct to the best of my knowledge.

Signature

Date

Please return to: Office of the City Clerk, Room 217; Municipal Building, 300 North Main Street, Hopewell, Virginia 23860
(IF AVAILABLE, PLEASE ATTACH YOUR RESUME)

† Requires annual filing of Financial Disclosure Statements.

Ⓢ Requires annual filing of Real Estate Disclosure Statements.

The members of the Hopewell City Council appreciate your interest in serving the Citizens of the City in this capacity.

CCR-5

Cynthia Ames

From: Jackie Shornak <jshornak@hotmail.com>
Sent: Monday, February 02, 2015 8:44 PM
To: Cynthia Ames
Cc: Mark Haley; Jerry Whitaker
Subject: CCR for February's meeting

Cindy, I would like to add a CCR to the Agenda at our February meeting:

Instruct City Manager to engage appropriate staff to put into place a procedural guide for those ~~citizens and/or~~ organizations that request funds from the City.

Mark and Jerry, I have spoken to you about this, but if you have any questions, please let me know. Thanks for your help.

Jackie

Councilor Jackie M. Shornak
City of Hopewell
Cell: 804-731-7339
Home: 804-458-0995

CCR-6

Cynthia Ames

From: zandzinc@juno.com
Sent: Monday, February 02, 2015 5:23 PM
To: Cynthia Ames
Cc: pelhamward6councilor@gmail.com; Christina Bailey; Wayne Walton; Jackie Shornak; Jasmine j. Gore; Arlene Holloway; Mark Haley
Subject: CCR's for next regular schedule council meetings

Good Afternoon Cindy,

I have four (4) items to be placed by me under CCR at our next scheduled regular council meeting.

(1) Establishing as authorized by Charter the City Council Ethics Committee.

Anthony J Zevgolis
Councilor Ward 3

CCR-7

Cynthia Ames

From: zandzinc@juno.com
Sent: Monday, February 02, 2015 5:23 PM
To: Cynthia Ames
Cc: pelhamward6councilor@gmail.com; Christina Bailey; Wayne Walton; Jackie Shornak; Jasmine j. Gore; Arlene Holloway; Mark Haley
Subject: CCR's for next regular schedule council meetings

Good Afternoon Cindy,

I have four (4) items to be placed by me under CCR at our next scheduled regular council meeting.

(2) Requiring two regular council meetings a month, with summer exceptions as in the past.

Anthony J Zevgolis
Councilor Ward 3

CCR-8

Cynthia Ames

From: zandzinc@juno.com
Sent: Monday, February 02, 2015 5:23 PM
To: Cynthia Ames
Cc: pelhamward6councilor@gmail.com; Christina Bailey; Wayne Walton; Jackie Shornak; Jasmine j. Gore; Arlene Holloway; Mark Haley
Subject: CCR's for next regular schedule council meetings

Good Afternoon Cindy,

Hope you a feeling well, and are recovering nicely.

I have four (4) items to be placed by me under CCR at our next scheduled regular council meeting.

(3) Revision of out Council Rules and Procedures Manual

Anthony J Zevgolis
Councilor Ward 3

CCR-9

Cynthia Ames

From: zandzinc@juno.com
Sent: Monday, February 02, 2015 5:23 PM
To: Cynthia Ames
Cc: pelhamward6councilor@gmail.com; Christina Bailey; Wayne Walton; Jackie Shornak; Jasmine j. Gore; Arlene Holloway; Mark Haley
Subject: CCR's for next regular schedule council meetings

Good Afternoon Cindy,

I have four (4) items to be placed by me under CCR at our next scheduled regular council meeting.

(4) Revision of our inoperative vehicle ordinances

Anthony J Zevgolis
Councilor Ward 3

CCR-10

Cynthia Ames

From: Wayne Walton <wwalton534@aol.com>
Sent: Tuesday, February 03, 2015 2:09 PM
To: Cynthia Ames
Subject: CCR's

1-Update on City taking over Mallonee Gym. Cost to do so?

CCR-11

Cynthia Ames

From: Wayne Walton <wwalton534@aol.com>
Sent: Tuesday, February 03, 2015 2:09 PM
To: Cynthia Ames
Subject: CCR's

2. Put together a cost to build track at High School and practice football field inside of it. (update existing location)

COUNCIL COMMUNICATIONS

ADJOURNMENT