

**COMMUNICATIONS FROM
CITIZENS**

**UNFINISHED
BUSINESS
NONE**

REGULAR BUSINESS

**REPORTS OF
BOARDS AND
COMMISSION**

**REPORTS OF
CITY
MANAGER**

R-1



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

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

Order of Business:

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

Action:

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

COUNCIL AGENDA ITEM TITLE: Consider a request by **LUMOS NETWORKS** (a telecommunications company located in Virginia) to place fiber optic cables, equipment cabinets, and associated switch gear on the City's road section Public Rights-of-Way (PROW).

ISSUE: The subject fiber optics backbone network will bring to the defined network corridors additional modern-day communication systems. This includes improved phone services, higher quality cable vision service and high speed internet services. The City of Hopewell owns the all subject properties. The switch gear (R/T) cabinets will be located on the poles or underground or in safe screened off areas. The Route 36 and Route 10 corridors are the proposed locations at this time.

RECOMMENDATION: The City Administration recommends approving the request.

TIMING: City Council action is requested on the night of July 21st 2015

BACKGROUND: **LOMUS NETWORKS** is the 2nd oldest continually active telecom company (Phone Companies) in Virginia. They're headquarters are in Waynesboro. LOMUS is presently building a fiber system network all throughout Virginia. This backbone branch is to put the City of Hopewell in their service network.

FISCAL IMPACT: **No budgetary expense to the City.** Encroachment Fee can be considered a small revenue generator.

ENCLOSED DOCUMENTS: Handout #1: A vicinity map depicting the chosen location. If necessary a staff presentation/report can be provided by Johnnie Butler, City Engineer.

STAFF: Mark Haley, City Manager; Edward Watson DPW Director; Johnnie Butler, City Engineer

Council action form 06-23-2015

SUMMARY:

Y N

- Councilor Christina J. Luman-Bailey, Ward #1
- Councilor Arlene Holloway, Ward #2
- Councilor Tony Zevgolis, Ward #3
- Councilor Jasmine Gore, Ward #4

Y N

- Councilor K. Wayne Walton, Ward #5
- Councilor Brenda S. Pelham, Ward #6
- Councilor Jackie M. Shornak, Ward #7

R-1 7.21.2015

R-2



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

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

Order of Business:

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

Action:

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

COUNCIL AGENDA ITEM TITLE: Police Station Exterior Design Approval

ISSUE: The design of the police station is approximately 70 percent complete. It is now time to present the exterior design to the Downtown Design Review Committee (DDRC) for approval. Prior to presenting these plans to the DDRC, City staff is requesting general comments from Council on this design. Council will be asked to grant final approval of the design once DDRC approval is received, and any necessary changes are made.

RECOMMENDATION: It is recommended that Council consent to staff advancing this exterior design to the Downtown Design Review Committee for their approval.

TIMING: Immediate

BACKGROUND: The design of a new police station has progressed to a point that the design is roughly 70% complete. Now that the floor plan is established, the design of the exterior can be finalized. Attached are 5 different, progressive versions of an exterior design that have been developed throughout the process. The most recent exterior design is one that the architect and City Design Team believe is consistent with the appearances of the surrounding buildings. Staff has compiled a progressive set of drawings for Council to review and discuss.

FISCAL IMPACT: The estimated cost to construct the new police station and renovate the first floor of City Hall is \$3,300,000

ENCLOSED DOCUMENTS: Five renderings for the police station

STAFF: Edward Watson, Director of Public Works
John Keohane, Police Chief

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 Zevgois, Ward #3 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Jackie Shornak, Ward #7 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Jasmine Gore, Ward #4 | | | |



R-3



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

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

Order of Business:

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

Action:

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

COUNCIL AGENDA ITEM TITLE: Request to accept grant funding from John Randolph Foundation for summer camp programs offered by the Department of Recreation and Parks.

ISSUE: The Department of Recreation and Parks has been awarded a \$25,000 grant from the John Randolph Foundation in support youth summer camp programs for the period July 1, 2015 through June 30, 2016.

RECOMMENDATION: The City Administration recommends that City Council appropriate grant funding from the John Randolph Foundation in the amount of \$25,000 to the Department of Recreation and Parks to use for youth summer camp program expenses. There is no matching requirement from the City for this grant program.

TIMING: Action is requested at the July 21, 2015 City Council meeting.

BACKGROUND: None.

FISCAL IMPACT: The grant funding will assist the Department of Recreation and Parks with increasing the quality and quantity of programs offered, and by reducing expenditures that directly impact the department's operating budget.

ENCLOSED DOCUMENTS: Grant award letter from John Randolph Foundation

STAFF: Aaron Reidmiller, Director of Recreation and Parks

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-Bauiley, 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"/> |





JOHN RANDOLPH FOUNDATION

LETTER OF AGREEMENT

July 1, 2015

Ms. Serita Jennings
Hopewell Recreation and Parks
Summer Camp Programs
100 W. City Point Road
Hopewell, VA. 23860

Dear Ms. Jennings:

Congratulations! The John Randolph Foundation (JRF) has awarded Hopewell Recreation and Parks a Spring 2015 grant in the amount of **\$25,000** to support summer camps, cultural enrichment, and other recreational activity offerings through the Rainbow Summer Program.

This *Letter of Agreement* sets forth the terms and conditions of your grant. Please read the terms carefully to ensure that you, as the grantee, fully understand and accept the terms prior to signing. Questions regarding any portion of this binding agreement should be directed to Charles Faison at (804) 458-2239 or cfaison@johnrandolphfoundation.org.

Terms of Agreement

Grant Period

The grant shall be effective for one year, July 1, 2015 through June 30, 2016. **Any modification or amendment to this agreement shall be made only in writing, approved by JRF and signed by authorized representatives of both parties.**

Acceptance and Payment

After you have signed this letter indicating your acceptance, make a copy for your records and **please return all three pages of the original to JRF as soon as possible, but no later than 4pm on Thursday, July 9, 2015.**

Grantee will receive a payment at an awards reception to be held on Thursday, July 23, from 3pm-5pm at our offices, 112 N. Main Street in Hopewell, VA. An invitation will be mailed separately. **Please RSVP as requested for no more than two representatives of your organization.** Also, in the interest of time, we ask that you have only one designee to accept the award and speak on your behalf.

Use of Funds

This grant award is designated for the purpose(s) stated and may be used only in accordance with the specific project referenced herein and described in your proposal, as revised or amended. The funds may not be used for any other purpose without advanced written request from the grantee and approval by JRF.

Violation of this term could result in revocation of the entire grant award.

Reporting Requirements

Grantee will be required to complete a JRF Grant Progress Report assessing the status of your project at the six-month (*interim*) and the twelve-month (*final*) intervals. Grantee's reports should focus on quantitative and qualitative indicators of the following specific performance objectives provided in your application for this grant period.

- Provide ten weeks of low-cost, high-quality programs for youth ages 3 – 18.
- Promote physically active lifestyles through games, group fitness, sports, etc.
- Introduce participants to arts and historic cultural enrichment activities within the community through field trips, site visits, and guest speakers.
- Continue to engage community stakeholders in collaborative partnerships.
- Include a detailed budget reconciliation in progress reports delineating the use of JRF funds.
- The funds provided are not to be used towards preparing and providing meals.

The reporting schedule is delineated below. You may download the grant reporting forms via our website at: <http://johnrandolphfoundation.org>.

<u>Reporting Interval</u>	<u>Grant Period</u>	<u>Due Date</u>
Final	07/01/15 – 12/31/15	02/01/16

* If your project will conclude prior to the end of the final reporting period above, then you may forego the interim report and only submit a final report at the time of completion.

Grantee is solely responsible for monitoring the reporting schedule. Failure to adhere to these requirements may result in disqualification from any future consideration for JRF funding.

Public Relations, Communications, and Acknowledgement

JRF requires citation indicating that we are a source of support for your project. Therefore, all press releases, interviews, exhibits, radio or television announcements, flyers, posters or other means of communication regarding the activities or achievements of this grant shall acknowledge JRF's support. Please also invite JRF to any public or special events highlighting achievements related to the grant.

Grantee's signature below permits JRF to use any photographs, motion pictures, recordings or other media related to this grant for any legitimate purpose.

Limit of Commitment

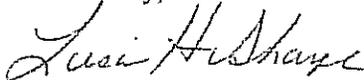
Unless otherwise stipulated in writing, this grant is awarded with the understanding that JRF has no obligation to provide other or additional support to Grantee.

Applicable Law

All grant funds are awarded and must be used in accordance with current and applicable laws and pursuant to the Internal Revenue Code, as amended, and the regulations issued there under.

I trust this *Letter of Agreement* reflects your understanding of the terms of your JRF grant. We look forward to seeing you on July 23rd!

Sincerely,



Lisa H. Sharpe
Executive Director

Acceptance

I understand and agree to all the terms and conditions set forth in *this Letter of Agreement*. I also understand that the funds will be disbursed only in accordance with the terms described herein.

Serita Jennings, Community Program Specialist
Hopewell Recreation and Parks

Date

R-4



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
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- 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:

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COUNCIL AGENDA ITEM TITLE: Stormwater Utility Position Approval (4)

ISSUE: The operational and programmatic demands of the newly created stormwater utility requires a minimum staff of 5 people to meet the Federal, State and local regulatory requirements. The City currently has one of these positions established and filled. It is time to establish and fill 4 more positions for this new program.

RECOMMENDATION: It is recommended that City Council approve the creation of 4 positions to adequately staff the new stormwater program. The recommended positions are: Stormwater Program Manager, Senior Stormwater Quality Analyst, Ground Maintenance Specialist II – Stormwater, Ground Maintenance Specialist III – Stormwater.

TIMING: Immediately

BACKGROUND: For the past several years, the City of Hopewell has been working to develop a program that will comply with Federal and State requirements. These requirements have been evolving as all agencies and localities across the country have worked to be in compliance of the EPA regulations.

The stormwater program/utility was created to support the management of the various permit requirements for the MS4 Program Plan; that was developed to reduce the discharge of pollutants, to the maximum extent practicable, through the adoption of six minimum control measures. This program also addresses the Chesapeake Bay Total Maximum Daily Load (TMDL) standards issued by the EPA in 2010.

FISCAL IMPACT: The approximate minimum annual cost to fund these 4 new positions is \$255,000

Stormwater Program Manager (minimum salary \$61,712, with fringe \$84,683),
Senior Stormwater Quality Analyst (minimum salary \$48,805 with fringe \$68,419),
Ground Maintenance Specialist II – Stormwater (minimum salary \$30,526 with fringe \$45,387)
Ground Maintenance Specialist III – Stormwater (minimum salary \$38,598 with fringe \$55,558)

ENCLOSED DOCUMENTS: Stormwater Division Organizational Chart

STAFF: Edward Watson, Director of Public Works

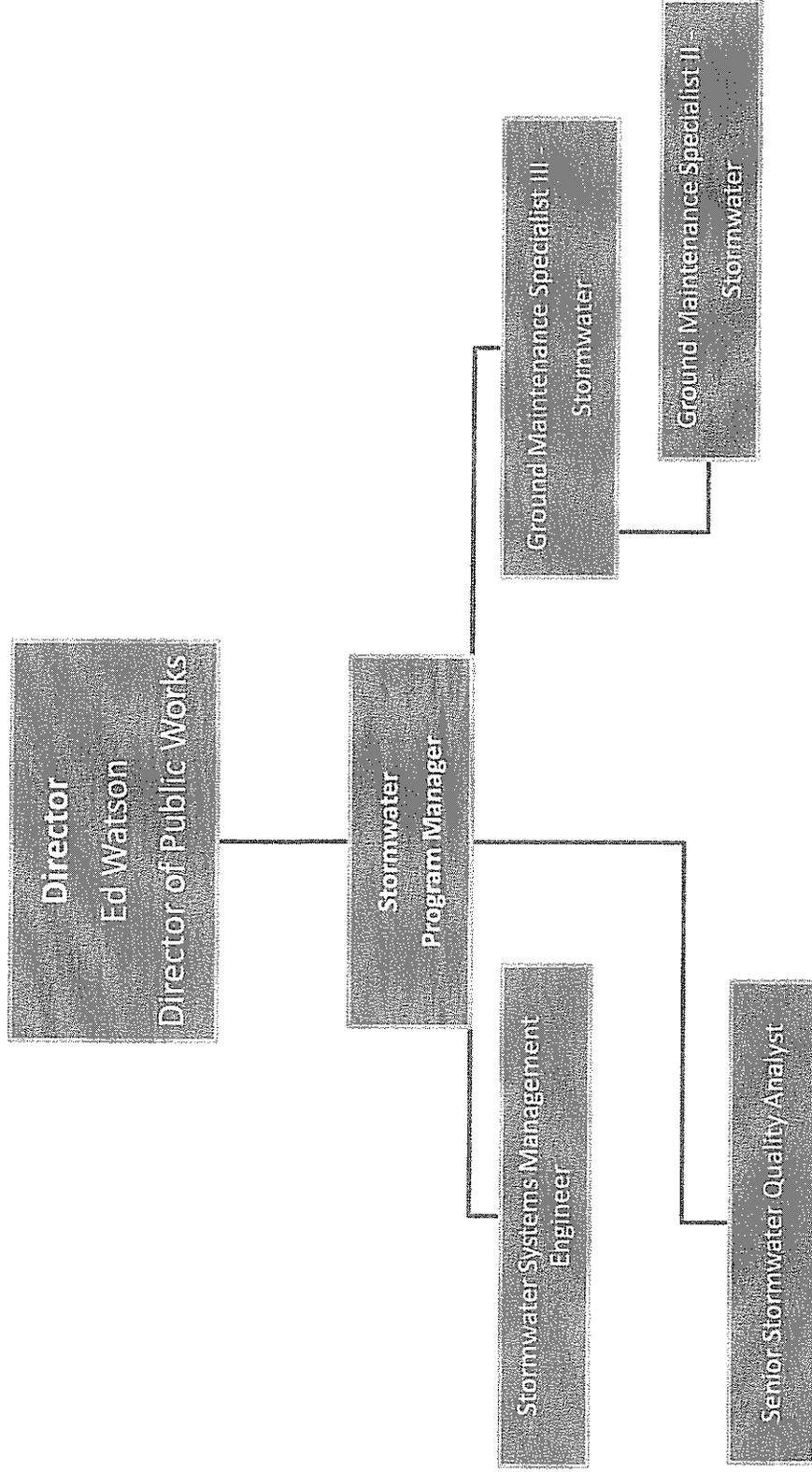
SUMMARY:

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



City of Hopewell:

DPW | Department of Public Works
Stormwater Division



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
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- Reports of Council Committees

Action:

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- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: Refund for \$8,472.75 - Artcraft Riverside L.C.

ISSUE: Treasurer has received a Request for Abatement and/or Refund resulting from a Board of Equalization adjustment for an amount exceeding \$2,500.00. Per State of Virginia Code sections 58.1-3981 and 58.1-3990 and City Ordinance No. 2007-10, Treasurer is required to present requests over \$2,500.00 to Council for authorization.

RECOMMENDATION: Authorize Treasurer to refund \$8,472.75 to Artcraft Riverside L.C. as per State and City code. Interest, if applicable, is to be determined.

TIMING: City Council action is requested on July 21, 2015.

BACKGROUND: Artcraft Riverside L.C. appealed two 2015 real estate assessments related to 310 Woodbine Street and was heard by the Board of Equalization (BOE) on June 15, 2015. The BOE determined that the value of these two parcels should be adjusted, resulting in a total annual abatement of \$16,945.50 for both parcels with \$8,472.75 to be refunded as an overpayment for first half 2015.

FISCAL IMPACT: Negative impact due to loss of revenue (0.11% of 2015 real estate levy)

ENCLOSED DOCUMENTS: (Two) Requests for Abatement and/or Refund
Attachment 1: Virginia Code Section 58.1-3981
Attachment 2: Virginia Code Section 58.1-3990
City Ordinance N. 2007-10

STAFF: Terri Batton, City Treasurer
Patrizia Waggoner, Real Estate Assessor

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-Bauley, 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"/> |
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| | | | <input type="checkbox"/> | <input type="checkbox"/> |



**CITY OF HOPEWELL, VIRGINIA
OFFICE OF ASSESSOR OF REAL ESTATE
NOTICE TO CITY TREASURER
REQUEST FOR ABATEMENT AND/OR REFUND**

ARTCRAFT RIVERSIDE L.C.
6722 PATTERSON AVENUE, SUITE A
RICHMOND VA 23226

PROPERTY CODE 6427
BILL NUMBER 1354
TAX ACCOUNT 117439
EXONERATIONS 53118, 53119
TAX YEAR 2015
EFFECTIVE DATE 01-JAN-2015
GPIN/MAP: 15/A/ 15
PARCEL ID: 0610431

LEGAL DESC: 4.185 + ACRES
PROPERTY ADDRESS: 310 WOODBINE

BILLING PERIOD: 01-JAN-2015 THRU 31-DEC-2015

OPERATOR: PWAGG

DATE CHANGED: 18-JUN-2015

Note: BOE 6-15-2015 ADJUSTMENT

	LAND VALUE	IMP VALUE	TOTAL VALUE	INSTALLMENT1	INSTALLMENT2	ANNUAL TAX
ORIGINAL ASSESSMENT	640,000.00	4,355,700.00	4,995,700.00	28,248.31	28,248.31	56,496.62
ABATEMENT	.00	999,700.00	999,700.00	5,648.31	5,648.31	11,296.62
CORRECTED ASSESSMENT	640,000.00	3,350,000.00	4,000,000.00	22,600.00	22,600.00	45,200.00

INSTALLMENT 1 REFUND APPLICATION AMT: \$5648.31
REFUND APPLICATION #: 24763
FINAL REFUND AMOUNTS DETERMINED BY THE TREASURER

REAL ESTATE LEVY COMPUTED USING TOTAL TAX RATE OF 1.13 PER \$100 OF ASSESSED VALUE

YOUR ASSESSMENT HAS BEEN CHANGED FOR THE REASON STATED ABOVE.
IN ACCORDANCE WITH THIS ORDER THE REAL ESTATE ASSESSOR WILL CORRECT YOUR ACCOUNT BY THE AMOUNTS SHOWN.

THE TOTAL REDUCTION IN TAXES IS \$11296.62.

Patrizia Waggoner

6-18-15

REAL ESTATE ASSESSOR
HOPEWELL, VIRGINIA

DATE: 18-JUN-2015

**CITY OF HOPEWELL, VIRGINIA
OFFICE OF ASSESSOR OF REAL ESTATE
NOTICE TO CITY TREASURER
REQUEST FOR ABATEMENT AND/OR REFUND**

ARTCRAFT RIVERSIDE L.C.
6722 PATTERSON AVENUE, SUITE A
RICHMOND VA 23226

PROPERTY CODE 6428
BILL NUMBER 1355
TAX ACCOUNT 117442
EXONERATIONS 53120, 53121
TAX YEAR 2015
EFFECTIVE DATE 01-JAN-2015
GPIN/MAP: 15/17 /1A
PARCEL ID: 0610432

LEGAL DESC: 1.5819 AC
PROPERTY ADDRESS: 310 WOODBINE

BILLING PERIOD: 01-JAN-2015 THRU 31-DEC-2015 OPERATOR: PWAGG DATE CHANGED: 18-JUN-2015

Note: BOE 6-15-2015 ADJUSTMENT

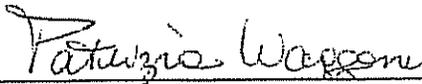
	LAND VALUE	IMP VALUE	TOTAL VALUE	INSTALLMENT1	INSTALLMENT2	ANNUAL TAX
ORIGINAL ASSESSMENT	320,000.00	2,179,900.00	2,499,900.00	14,124.44	14,124.44	28,248.88
ABATEMENT	.00	499,900.00	499,900.00	2,824.44	2,824.44	5,648.88
CORRECTED ASSESSMENT	320,000.00	1,680,000.00	2,000,000.00	11,300.00	11,300.00	22,600.00

INSTALLMENT 1 REFUND APPLICATION AMT: \$2824.44
REFUND APPLICATION #: 24764
FINAL REFUND AMOUNTS DETERMINED BY THE TREASURER

REAL ESTATE LEVY COMPUTED USING TOTAL TAX RATE OF 1.13 PER \$100 OF ASSESSED VALUE

YOUR ASSESSMENT HAS BEEN CHANGED FOR THE REASON STATED ABOVE.
IN ACCORDANCE WITH THIS ORDER THE REAL ESTATE ASSESSOR WILL CORRECT YOUR ACCOUNT BY THE AMOUNTS SHOWN.

THE TOTAL REDUCTION IN TAXES IS \$5648.88.

 6-18-15
REAL ESTATE ASSESSOR DATE: 18-JUN-2015
HOPEWELL, VIRGINIA

§ 58.1-3981. Correction by commissioner or other official performing his duties.

A. If the commissioner of the revenue, or other official performing the duties imposed on commissioners of the revenue under this title, is satisfied that he has erroneously assessed such applicant with any such tax, he shall correct such assessment. If the assessment exceeds the proper amount, he shall exonerate the applicant from the payment of so much as is erroneously charged if not paid into the treasury of the county or city. If the assessment has been paid, the governing body of the county or city shall, upon the certificate of the commissioner with the consent of the town, city or county attorney, or if none, the attorney for the Commonwealth, that such assessment was erroneous, direct the treasurer of the county, city or town to refund the excess to the taxpayer, with interest if authorized pursuant to § 58.1-3918 or in the ordinance authorized by § 58.1-3916, or as otherwise authorized in that section. However, the governing body of the county, city or town may authorize the treasurer to approve and issue any refund up to \$2,500 as a result of an erroneous assessment.

B. If the assessment is less than the proper amount, the commissioner shall assess such applicant with the proper amount. If any assessment is erroneous because of a mere clerical error or calculation, the same may be corrected as herein provided and with or without petition from the taxpayer. If such error or calculation was made in work performed by others in connection with conducting general assessments, such mistake may be corrected by the commissioner of the revenue.

C. If the commissioner of the revenue, or other official performing the duties imposed on commissioners of the revenue under this title, is satisfied that any assessment is erroneous because of a factual error made in work performed by others in connection with conducting general reassessments, he shall correct such assessment as herein provided and with or without petition from the taxpayer.

D. An error in the valuation of property subject to the rollback tax imposed under § 58.1-3237 for those years to which such tax is applicable may be corrected within three years of the assessment of the rollback tax.

E. A copy of any correction made under this section shall be certified by the commissioner or such other official to the treasurer of his county, city or town. When an unpaid erroneous assessment of real estate is corrected under this section and such real estate has been sold at a delinquent land sale, the commissioner or such other official making such correction shall certify a copy of such correction to the clerk of the circuit court of his county or city; and such clerk shall note such correction in the delinquent land book opposite the entry of the tract or lot for the year or years for which such correction is made.

F. In any action on application for correction under § 58.1-3980, if so requested by the applicant, the commissioner or other such official shall state in writing the facts and law

supporting the action on such application and mail a copy of such writing to the applicant at his last known address.

(Code 1950, § 58-1142; 1956, c. 598; 1958, c. 585; 1960, c. 547; 1974, c. 362; 1975, c. 257; 1977, c. 99; 1980, c. 657; 1982, c. 332; 1984, c. 675; 1995, c. 108; 1998, c. 529; 1999, cc. 624, 631, 677.)

§ 58.1-3990. Refunds of local taxes erroneously paid.

The governing body of any city or county may provide by ordinance for the refund of any local taxes or classes of taxes erroneously paid. If such ordinance be passed, and the commissioner of the revenue is satisfied that he has erroneously assessed any applicant with any local taxes, he shall certify to the tax-collecting officer the amount erroneously assessed. If the taxes have not been paid, the applicant shall be exonerated from payment of so much thereof as is erroneous, and if such taxes have been paid, the tax-collecting officer or his successor in office shall refund to the applicant the amount erroneously paid, together with any penalties and interest paid thereon.

When the commissioner of the revenue who made the erroneous assessment has been succeeded by another person, such person shall have the same authority as the commissioner making the original erroneous assessment provided he makes diligent investigation to determine that the original assessment was erroneously made and certifies thereto to the local tax-collecting officer and to his local governing body.

No refund shall be made in any case when application therefor was made more than three years after the last day of the tax year for which such taxes were assessed; that however, if any tax is declared to be unconstitutional by a court of competent jurisdiction, the governing body may grant a refund of such tax hereunder to all taxpayers, for those years to which the court proceeding was applicable.

(Code 1950, § 58-1152.1; 1958, c. 71; 1960, c. 547; 1974, c. 362; 1976, c. 690; 1977, c. 99; 1978, c. 789; 1979, c. 517; 1984, c. 675.)

Virginia bounded on its northerly side by Lot 1, Parcel F, South B Village; on its easterly side by the westerly right-of-way line of South 1st Avenue; on its northerly side by Lot 1, Parcel I, South B. Village; and on its westerly side by the easterly right-of-way line of South 2nd Avenue.

WHEREAS, the Planning Commission of the City of Hopewell has recommended granting the requested vacation;

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOPEWELL that the following described rights-of-way located in the City of Hopewell, Virginia:

a portion of the right-of-way known as Lavindale Street (also known as Lavendale Street and also known as Lovendale Street) that lies between South 1st Avenue and South 2nd Avenue, South B Village, Hopewell, Virginia bounded on its northerly side by Lot 1, Parcel F, South B Village; on its easterly side by the westerly right-of-way line of South 1st Avenue; on its northerly side by Lot 1, Parcel I, South B. Village; and on its westerly side by the easterly right-of-way line of South 2nd Avenue, as shown on the attached plat dated May 23, 2007, attached hereto and made a part hereof.

be vacated and abandoned, and doth hereby authorize the Mayor to execute, on behalf of the City of Hopewell, Deed(s) of Vacation after review of said deed(s) by the City Attorney.

This Ordinance shall become null and void and of no effect if it is not recorded together with all deed(s) of vacation in the Clerk's Office of the Circuit Court of the City of Hopewell within 30 days from passage of this Ordinance, or if the involved property owner(s) do not meet all costs. The party or parties requesting this vacation are responsible for preparing the appropriate deed(s) to effect vacation, and submission of said deed(s) to the City Attorney for approval prior to execution and recordation. The vacated parcels shall be assimilated into, and become a part of, the abutting property. The party or parties requesting this vacation are responsible for effecting any resubdivision process necessary to accomplish assimilation. A copy of this Ordinance shall be sent to said parties by the Clerk of the City of Hopewell.

--ooOoo--

Adopted by City Council on July 10, 2007.

ORDINANCE NO. 2007-10

An Ordinance authorizing the Treasurer of the City of Hopewell, Virginia, to approve and issue refunds up to \$2500.00 each of erroneously assessed taxes.

WHEREAS, Virginia Code § 58.1-3981 (1950) permits the governing bodies of localities in the Commonwealth to authorize their respective Treasurers to approve and issue refunds, up to \$2500.00 each, of erroneously assessed taxes in their respective jurisdictions; and

WHEREAS, without such authorization, the issuance of refunds in amounts less than \$2500.00 requires participation and processing of such refunds by the Commissioner of the Revenue and the City Attorney, in addition to the Treasurer; and

WHEREAS, authorization for the Treasurer to issue such refunds would result in savings of the additional time and expense required to issue small refunds.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOPEWELL, that, pursuant to Va. Code § 58.1-3981 (1950), and all amendments thereto, the Treasurer of the City of Hopewell, Virginia, is hereby authorized to approve and issue any refund of up to \$2500.00 resulting from an erroneous tax assessment. This ordinance shall become effective beginning July 1, 2007, following passage on second and final reading.



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: Refund for \$31,464.29 - Columbia/HCA John Randolph Inc.

ISSUE: Treasurer has received a Request for Abatement and/or Refund resulting from a Board of Equalization adjustment for an amount exceeding \$2,500.00. Per State of Virginia Code sections 58.1-3981 and 58.1-3990 and City Ordinance No. 2007-10, Treasurer is required to present requests over \$2,500.00 to Council for authorization.

RECOMMENDATION: Authorize Treasurer to refund \$31,464.29 to Columbia/HCA John Randolph Inc. as per State and City code. Interest, if applicable, is to be determined.

TIMING: City Council action is requested on July 21, 2015.

BACKGROUND: Columbia/HCA John Randolph Inc. appealed the 2015 real estate assessment for 411 West Randolph Road and was heard by the Board of Equalization (BOE) on June 29, 2015. The BOE determined that the value of this parcel should be adjusted, resulting in an annual abatement of \$62,928.58 with \$31,464.29 to be refunded as an overpayment for first half 2015.

FISCAL IMPACT: Negative impact due to loss of revenue (0.42% of 2015 real estate levy).

ENCLOSED DOCUMENTS: Request for Abatement and/or Refund
Attachment 1: Virginia Code Section 58.1-3981
Attachment 2: Virginia Code Section 58.1-3990
City Ordinance No. 2007-10

STAFF: Terri Batton, City Treasurer
Patrizia Waggoner, Real Estate Assessor

SUMMARY:

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



**CITY OF HOPEWELL, VIRGINIA
OFFICE OF ASSESSOR OF REAL ESTATE
NOTICE TO CITY TREASURER
REQUEST FOR ABATEMENT AND/OR REFUND**

COLUMBIA/HCA JOHN RANDOLPH INC
C/O DUCHARME, MCMILLEN & ASSOC
P O BOX 80610
INDIANAPOLIS IN 46280

PROPERTY CODE 1808
BILL NUMBER 2839
TAX ACCOUNT 123922
EXONERATIONS 53178, 53179
TAX YEAR 2015
EFFECTIVE DATE 01-JAN-2015
GPIN/MAP: 17/1/28/H.A,B,C
PARCEL ID: 0111386

LEGAL DESC: TRACTS 2 & 3 BLK 34 & PARCEL H & VACATED STREETS & ALLEYS 13.7 AC
PROPERTY ADDRESS: 411 RANDOLPH RD W

BILLING PERIOD: 01-JAN-2015 THRU 31-DEC-2015 OPERATOR: PWAGG DATE CHANGED: 01-JUL-2015

Note: BOE 6/29/2015 ADJUSTMENT

	LAND VALUE	IMP VALUE	TOTAL VALUE	INSTALLMENT1	INSTALLMENT2	ANNUAL TAX
ORIGINAL ASSESSMENT	355,400.00	19,568,900.00	19,924,300.00	112,572.39	112,572.39	225,144.60
ABATEMENT	.00	5,568,900.00	5,568,900.00	31,464.29	31,464.29	62,928.58
CORRECTED ASSESSMENT	355,400.00	14,000,000.00	14,355,400.00	81,108.01	81,108.01	162,216.02

INSTALLMENT 1 REFUND APPLICATION AMT: \$31464.29
REFUND APPLICATION #: 24813
FINAL REFUND AMOUNTS DETERMINED BY THE TREASURER

REAL ESTATE LEVY COMPUTED USING TOTAL TAX RATE OF 1.13 PER \$100 OF ASSESSED VALUE

YOUR ASSESSMENT HAS BEEN CHANGED FOR THE REASON STATED ABOVE.
IN ACCORDANCE WITH THIS ORDER THE REAL ESTATE ASSESSOR WILL CORRECT YOUR ACCOUNT BY THE AMOUNTS SHOWN.

THE TOTAL REDUCTION IN TAXES IS \$62928.58.

Patricia Wagoner
REAL ESTATE ASSESSOR DATE: 1-JUL-2015
HOPEWELL, VIRGINIA

RECEIVED

JUL - 2 2015

HOPEWELL
TREASURER OFFICE

§ 58.1-3981. Correction by commissioner or other official performing his duties.

A. If the commissioner of the revenue, or other official performing the duties imposed on commissioners of the revenue under this title, is satisfied that he has erroneously assessed such applicant with any such tax, he shall correct such assessment. If the assessment exceeds the proper amount, he shall exonerate the applicant from the payment of so much as is erroneously charged if not paid into the treasury of the county or city. If the assessment has been paid, the governing body of the county or city shall, upon the certificate of the commissioner with the consent of the town, city or county attorney, or if none, the attorney for the Commonwealth, that such assessment was erroneous, direct the treasurer of the county, city or town to refund the excess to the taxpayer, with interest if authorized pursuant to § 58.1-3918 or in the ordinance authorized by § 58.1-3916, or as otherwise authorized in that section. However, the governing body of the county, city or town may authorize the treasurer to approve and issue any refund up to \$2,500 as a result of an erroneous assessment.

B. If the assessment is less than the proper amount, the commissioner shall assess such applicant with the proper amount. If any assessment is erroneous because of a mere clerical error or calculation, the same may be corrected as herein provided and with or without petition from the taxpayer. If such error or calculation was made in work performed by others in connection with conducting general assessments, such mistake may be corrected by the commissioner of the revenue.

C. If the commissioner of the revenue, or other official performing the duties imposed on commissioners of the revenue under this title, is satisfied that any assessment is erroneous because of a factual error made in work performed by others in connection with conducting general reassessments, he shall correct such assessment as herein provided and with or without petition from the taxpayer.

D. An error in the valuation of property subject to the rollback tax imposed under § 58.1-3237 for those years to which such tax is applicable may be corrected within three years of the assessment of the rollback tax.

E. A copy of any correction made under this section shall be certified by the commissioner or such other official to the treasurer of his county, city or town. When an unpaid erroneous assessment of real estate is corrected under this section and such real estate has been sold at a delinquent land sale, the commissioner or such other official making such correction shall certify a copy of such correction to the clerk of the circuit court of his county or city; and such clerk shall note such correction in the delinquent land book opposite the entry of the tract or lot for the year or years for which such correction is made.

F. In any action on application for correction under § 58.1-3980, if so requested by the applicant, the commissioner or other such official shall state in writing the facts and law

supporting the action on such application and mail a copy of such writing to the applicant at his last known address.

(Code 1950, § 58-1142; 1956, c. 598; 1958, c. 585; 1960, c. 547; 1974, c. 362; 1975, c. 257; 1977, c. 99; 1980, c. 657; 1982, c. 332; 1984, c. 675; 1995, c. 108; 1998, c. 529; 1999, cc. 624, 631, 677.)

§ 58.1-3990. Refunds of local taxes erroneously paid.

The governing body of any city or county may provide by ordinance for the refund of any local taxes or classes of taxes erroneously paid. If such ordinance be passed, and the commissioner of the revenue is satisfied that he has erroneously assessed any applicant with any local taxes, he shall certify to the tax-collecting officer the amount erroneously assessed. If the taxes have not been paid, the applicant shall be exonerated from payment of so much thereof as is erroneous, and if such taxes have been paid, the tax-collecting officer or his successor in office shall refund to the applicant the amount erroneously paid, together with any penalties and interest paid thereon.

When the commissioner of the revenue who made the erroneous assessment has been succeeded by another person, such person shall have the same authority as the commissioner making the original erroneous assessment provided he makes diligent investigation to determine that the original assessment was erroneously made and certifies thereto to the local tax-collecting officer and to his local governing body.

No refund shall be made in any case when application therefor was made more than three years after the last day of the tax year for which such taxes were assessed; that however, if any tax is declared to be unconstitutional by a court of competent jurisdiction, the governing body may grant a refund of such tax hereunder to all taxpayers, for those years to which the court proceeding was applicable.

(Code 1950, § 58-1152.1; 1958, c. 71; 1960, c. 547; 1974, c. 362; 1976, c. 690; 1977, c. 99; 1978, c. 789; 1979, c. 517; 1984, c. 675.)

Virginia bounded on its northerly side by Lot 1, Parcel F, South B Village; on its easterly side by the westerly right-of-way line of South 1st Avenue; on its northerly side by Lot 1, Parcel I, South B. Village; and on its westerly side by the easterly right-of-way line of South 2nd Avenue.

WHEREAS, the Planning Commission of the City of Hopewell has recommended granting the requested vacation;

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOPEWELL that the following described rights-of-way located in the City of Hopewell, Virginia:

a portion of the right-of-way known as Lavindale Street (also known as Lavendale Street and also known as Lovendale Street) that lies between South 1st Avenue and South 2nd Avenue, South B Village, Hopewell, Virginia bounded on its northerly side by Lot 1, Parcel F, South B Village; on its easterly side by the westerly right-of-way line of South 1st Avenue; on its northerly side by Lot 1, Parcel I, South B. Village; and on its westerly side by the easterly right-of-way line of South 2nd Avenue, as shown on the attached plat dated May 23, 2007, attached hereto and made a part hereof,

be vacated and abandoned, and doth hereby authorize the Mayor to execute, on behalf of the City of Hopewell, Deed(s) of Vacation after review of said deed(s) by the City Attorney.

This Ordinance shall become null and void and of no effect if it is not recorded together with all deed(s) of vacation in the Clerk's Office of the Circuit Court of the City of Hopewell within 30 days from passage of this Ordinance, or if the involved property owner(s) do not meet all costs. The party or parties requesting this vacation are responsible for preparing the appropriate deed(s) to effect vacation, and submission of said deed(s) to the City Attorney for approval prior to execution and recordation. The vacated parcels shall be assimilated into, and become a part of, the abutting property. The party or parties requesting this vacation are responsible for effecting any resubdivision process necessary to accomplish assimilation. A copy of this Ordinance shall be sent to said parties by the Clerk of the City of Hopewell.

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Adopted by City Council on July 10, 2007.

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WHEREAS, without such authorization, the issuance of refunds in amounts less than \$2500.00 requires participation and processing of such refunds by the Commissioner of the Revenue and the City Attorney, in addition to the Treasurer; and

WHEREAS, authorization for the Treasurer to issue such refunds would result in savings of the additional time and expense required to issue small refunds.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOPEWELL, that, pursuant to Va. Code § 58.1-3981 (1950), and all amendments thereto, the Treasurer of the City of Hopewell, Virginia, is hereby authorized to approve and issue any refund of up to \$2500.00 resulting from an erroneous tax assessment. This ordinance shall become effective beginning July 1, 2007, following passage on second and final reading.

R-6

**REPORTS OF
CITY
ATTORNEY**

REPORTS OF CITY CLERK

Appointments/Reappointments to Boards and Commissions
JULY 21, 2015
VACANCIES

Talent Bank Resumes on File

Board of Building Code and Fire Prevention Code of Appeals No TBRs on file
1 vacancy (engineer)

John Tyler Community College Board 2 TBRs on file
1 vacancy
1 term 7.1.2015 through 6.30.2019

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

Recreation Commission No TBRs on file
1 vacancy
1 term 9.2015 through 6.2016 for a senior high school student

Senior Citizen Advisory Commission (2 year term) No TBRs on file
1 vacancy
1 unexpired term through 10.31.2015

**REPORTS OF
CITY
COUNCIL**

COMMITTEES

INDIVIDUAL REQUESTS

ANY OTHER COUNCILOR

**CITIZEN/
COUNCILOR
REQUESTS**

CCR-1

Cynthia Ames

From: Jasmine Gore <goreje@mymail.vcu.edu>
Sent: Thursday, July 09, 2015 10:45 PM
To: Mark Haley; Jerry Whitaker; Debbie Pershing; Cynthia Ames
Subject: July 21, 2015 CCR'S

Hello guys,

I have 5 CCR's for the next meeting.

1. Review City Council CleanUp document e-mailed to Council 7/9/15 to finalize pending items
2. Request to for City to enter Startup in a Day White House initiative. Request to be point person and take pledge n behalf of city. Joint initiative with NLC.
3. Request to City Council to authorize Best of Hopewell competition & LOVE sign competition with Councilor Shornack
4. Request to book 2 days at Beacon to host "Put Hopewell on the Map" event (Add Mayor Pelham's name to CCR; contact her to verify)
5. Request city to join the "End Veterans Homelessness" initiative; recive updated facts and figures about Warming Shelter Stats and homeless veteran stats and those relocated to homes.

Thank you,
Councilor Gore

CCR-2

Cynthia Ames

From: Jasmine Gore <goreje@mymail.vcu.edu>
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CCR-3

Cynthia Ames

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Councilor Gore

CCR-4

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Councilor Gore

CCR-5

Cynthia Ames

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Thank you,
Councilor Gore

**PRESENTATIONS
FROM BOARDS
AND
COMMISSIONS**

COUNCIL COMMUNICATIONS

ADJOURNMENT