Director of Media and Community Relations

SUFFOLK CITY COUNCIL

MEETING OF FEBRUARY 4, 2015

WORK SESSION

Begins at 4:00 p.m.

REGULAR SESSION

Begins at 7:00 p.m.

SUFFOLK CITY COUNCIL
WORK SESSION
February 4, 2015
4:00 p.m.
City Council Chamber

1. Fiscal Year 2016 - 2025 Capital Improvements Plan

   - Utility Fund Overview
   - Solid Waste Overview (Southeastern Public Service Authority Post 2018, Refuse Enterprise Fund)

2. Tourism Update

3.* Appointments

4.* General Report

* Proposed Items for Closed Session

AGENDA: **February 4, 2015, Work Session**

ITEM: **Fiscal Year 2016-2025 Capital Improvements Plan**

The Finance Director will present the proposed Fiscal Year 2016-2025 Capital Improvements Plan (CIP) as recommended by the Planning Commission to City Council. Attached for Council's review is the Planning Commission Proposed Fiscal Year 2016-2025 CIP.

It is recommended that a public hearing on the proposed CIP be set for February 18, 2015, to facilitate inclusion of the first year in the Fiscal Year 2015-16 Operating and Capital Budget. A motion to schedule a public hearing has been placed on Council's regular session agenda.

ATTACHMENT:

Planning Commission Proposed FY 2016-2025 Capital Improvements Plan (Provided Under Separate Cover)

AGENDA: **February 4, 2015, Work Session**

ITEM: **Tourism Update**

Staff will present the upcoming events and happenings for the winter and spring season.

SUFFOLK CITY COUNCIL AGENDA
February 4, 2015
7:00 p.m.
City Council Chamber

1. **Call to Order**

2. **Nonsectarian Invocation**

3. **Approval of the Minutes**

4. **Special Presentation**

5. **Removal of Items from the Consent Agenda and Adoption of the Agenda**

6. **Agenda Speakers**

7. **Consent Agenda** – An ordinance to accept and appropriate funds from the Hampton Roads Sanitation District for the Nansemond Parkway & Shoulders Hill Road Intersection Improvement Project

8. **Consent Agenda –** An ordinance to accept and appropriate funds from the Commonwealth of Virginia Department of Aviation for the Suffolk Executive Airport

9. **Consent Agenda** – An ordinance to accept and appropriate funds from the American Library Association's Libraries Transforming Communities Grant for the City of Suffolk Public Library

10. **Public Hearings**

11. **Ordinance** – An ordinance repealing Section 2-91 of the Code of the City of Suffolk concerning council member voting

12. **Ordinance** – An ordinance amending Section 2-39 of the Code of the City of Suffolk related to the code of ethics for members of City Council

13. **Resolutions**

14. **Staff Reports**

15. **Motion -** A motion to schedule a public hearing to be held on February 18, 2015, to receive public comment on the proposed Fiscal Year 2016-2025 Capital Improvements Plan

16. **Motion** – A motion to schedule a Work Session for February 18, 2015, at 4:00 p.m., unless cancelled

17. **Non-Agenda Speakers**

18. **New Business**

19. **Announcements and Comments**

20. **Adjournment**

Reorganizational Meeting of the Suffolk City Council was held in the City Council Chamber, 442 West Washington Street on Monday, January 5, 2015, at 1:00 p.m.

PRESENT
Council Members -
Linda T. Johnson, Mayor, presiding
Leroy Bennett
Michael D. Duman
Roger W. Fawcett
Donald Z. Goldberg
Timothy J. Johnson
Curtis R. Milteer, Sr.
Lue R. Ward, Jr.

Selena Cuffee-Glenn, City Manager
Helivi L. Holland, City Attorney
Erika S. Dawley, City Clerk

ABSENT
None

CALL TO ORDER

Mayor Johnson called the meeting to order.

ELECTION OF THE VICE MAYOR

Mayor Johnson advised City Council that at this time, the floor was open for nominations for the position of Vice Mayor.

Council Member Goldberg, on a motion seconded by Council Member Milteer, moved to nominate and appoint Leroy Bennett to the position of Vice Mayor, by the following roll call vote:

AYES:	Mayor Johnson and Council Members Bennett, Duman, Fawcett, Goldberg, Johnson, T., Milteer and Ward	8
NAYS:	None	0

Leroy Bennett was appointed as the Vice Mayor of the City of Suffolk, for a term beginning January 5, 2015, and ending December 31, 2017.

ADJOURNMENT

There was no further business to come before City Council, and the meeting was adjourned by unanimous consent of City Council at 1:34 p.m.

Teste: _____
Erika S. Dawley, CMC, City Clerk

Approved: _____
Linda T. Johnson, Mayor

Special Presentations

Removal of Items from the Consent Agenda and Adoption of the Agenda

Agenda Speakers

AGENDA: **February 4, 2015, Regular Session**

ITEM: **Consent Agenda** – An ordinance to accept and appropriate funds from the Hampton Roads Sanitation District for the Nansemond Parkway & Shoulders Hill Road Intersection Improvement Project

The City of Suffolk previously entered into a cost participation agreement with the Hampton Roads Sanitation District (HRSD) to address cost responsibilities in the required relocation of a portion of HRSD's 30-inch force main located within the Nansemond Parkway & Shoulders Hill Road Intersection Improvements project limits. Based upon percentages outlined in the cost participation agreement, and upon actual project expenditures, HRSD has provided payment in the amount of $208,556.99 to the City of Suffolk.

Adoption of the attached ordinance is necessary to accept and appropriate these funds to the appropriate line item in the Capital Projects Fund for Fiscal Year 2014-15.

BUDGET IMPACT:

Adoption of the attached ordinance will increase the planned revenues and expenditures of the Capital Projects Fund budget by $208,556.99 for the above noted purpose and requires no local fund support.

RECOMMENDATION:

Adopt the attached ordinance

ATTACHMENTS:

Ordinance
Agreement
Invoice

ORDINANCE NO. _____

AN ORDINANCE TO ACCEPT AND APPROPRIATE FUNDS FROM THE HAMPTON ROADS SANITATION DISTRICT FOR THE NANSEMOND PARKWAY & SHOULDERS HILL ROAD INTERSECTION IMPROVEMENT PROJECT

WHEREAS, The City has received funds in the amount of $208,556.99 from the Hampton Roads Sanitation District (HRSD) in support of the relocation of a 30" sanitary sewer force main located within the limits of the Nansemond Parkway & Shoulders Hill Road Intersection Improvement project, and,

WHEREAS, the funds received must be accepted and appropriated to the Capital Fund budget for Fiscal Year 2014-15 for the Nansemond Parkway & Shoulders Hill Road Intersection Improvement project.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

1. The sum of $208,556.99 shall be reflected as budget in the following accounts in the Fiscal Year 2014-15 Capital Projects Fund budget:

Revenue		
310-41100-3050_418050.115	Gifts, Donations & Contributions Local Funds	$208,556.99
Expense		
310-41100-3050_ 53850.115	Construction Contracts Local Funds	$208,556.99

2. The fund amount totaling $208,556.99 is hereby appropriated for use as referenced in this ordinance and the budget approved by Ordinance Number 14-O-037, as amended. The City Manager be, and is hereby authorized and directed to do all things necessary to effectuate this action.

3. This ordinance shall be effective upon passage and shall not be published.

READ AND PASSED: _____

TESTE: _____
Erika S. Dawley, City Clerk

Approved as to Form:

_____
Helivi L. Holland, City Attorney

HAMPTON ROADS SANITATION DISTRICT
CITY OF SUFFOLK
NANSEMOND PARKWAY WIDENING
VDOT #0337-133-101, C502
UPC# 17568

COST SHARING AGREEMENT

THIS AGREEMENT, between the CITY OF SUFFOLK (the "CITY") and the HAMPTON ROADS SANITATION DISTRICT ("HRSD"), entered this 30th day of March, 2012.

WHEREAS, the CITY is constructing the Nansemond Parkway/Shoulders Hill Road Intersection Improvements Project as part of the City's Capital Improvement Program, and partially funded by VDOT (Virginia Department of Transportation) #0337-133-101, C502; UPC # 17568 and

WHEREAS, the proposed CITY improvements will necessitate the realignment and changes in the location of existing HRSD Facilities; and

WHEREAS, HRSD and the CITY agree that it is in the best interest of the parties to have the relocation and/or construction of the Facilities included in the CITY's Project; and

WHEREAS, HRSD agrees to cooperate with CITY to have such Facilities constructed in accordance with the description of the Facilities stated and referenced herein and HRSD agrees to pay for or reimburse CITY for HRSD's cost under the terms and conditions set forth herein;

NOW, THEREFORE, for and in consideration of the premises and the mutual agreements set forth herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

WITNESSETH:

I. DESIGN

A. At the beginning of the Project, HRSD employed HDR Engineering as engineers and experts ("HDR" or "Engineer"), to study and design the relocation and replacement of sanitary sewer force main and all related appurtenances in the vicinity of Shoulders Hill Road and Nansemond Parkway in the City of Suffolk, more particularly described herein on **Exhibit 1** attached.

B. CITY understands and agrees that HRSD will use HDR, as outside consulting engineers for engineering design, review and construction inspection services.

II. DESCRIPTION OF FACILITIES

CITY will construct or have constructed for HRSD:

Approximately 79 LF of 30" FM relocation, including 33 LF of 42" Casing Pipe, Line Stops and Bypass Piping. Within project limits, valve adjustments and protection of the 30" FM at a proposed storm drainage crossing are also included in the work. The general location of the Facilities is shown on **Exhibit 1**, attached hereto and incorporated herein.

III. CONSTRUCTION OF FACILITIES

A. Cost of Construction:

The total cost of the Facilities will be as set forth in the final plans and specifications for the work, prepared for HRSD by HDR and approved by the CITY, VDOT and HRSD.

1. Cost of construction of the Facilities shall be as set forth in the construction contract approved by City, VDOT and HRSD, together with any change orders approved by City, VDOT and HRSD.

2. CITY shall have the right to review the details of such costs upon reasonable notice at a mutually convenient time.

B. The approved budget for the entire project is currently $18,718,295, see **Exhibit 2** attached. These costs shall be split based on the contribution being applied to this project by VDOT. VDOT is compensating CITY 54.9% of the value of the Project. Therefore, HRSD would reimburse the CITY at the rate of 45.1% for the cost of relocating the HRSD force main. HRSD's portion is currently estimated to be $27,516 for CA/CI ($61,011 x 45.1% = $27,516). Construction costs are estimated to be $$215,731 x 45.1% = $97,295. Therefore, HRSD would reimburse the CITY $124,811. HRSD will also reimburse the CITY for any betterments requested by HRSD. The above figures are preliminary only and subject to final approval by CITY, VDOT and HRSD.

C. Approvals

HRSD and the CITY agree that before any construction work is begun under this Agreement, the CITY and HRSD will review and approve shop drawings and any change orders during construction related to the HRSD facilities.

IV. OBLIGATIONS OF HRSD AND/OR CITY

A. Inspection

The inspector(s) shall have the authority to assure the Project is constructed in accordance with the approved plans and specifications. CITY agrees to review all shop drawing submittals and provide written comments or approval. All inspections shall meet current City and HRSD standards and practices.

B. Payment of Costs

Upon completion of the Project and receipt and approval of invoices showing costs and final inspection, HRSD shall pay to CITY the entire cost set forth in Section IIIB above.

C. Correction of Construction Defects of Facilities

CITY shall require the construction contractor to provide a performance and payment bond for the full amount of the construction of the Facilities. The construction contract shall also provide for a Warranty of the Work against construction defects of Facilities and shall require the contractor to correct such defects that are reported by HRSD or CITY within one year of the acceptance of the Facilities.

D. Conveyance of Facilities

The ENGINEER shall provide HRSD and CITY with approved construction record drawings in accordance with HRSD Standards and Preferences for use in Engineered Construction Projects, latest edition and CITY's Public Facilities Manual for restoration work.

V. NOTICES

All notices given between parties shall be in writing and shall be considered properly sent by postage prepaid United States Mail or Country of Origin Mail to the persons identified below:

For: HRSD

Steve Richendollar
Right of Way Administrator
P. O. Box 5911
Virginia Beach, VA 23471-0911

Additional Information:

Telephone: (757) 460-7027
Facsimile: (757) 363-7917

And to:

William A. Cox, III, Esq.
Kellam, Pickrell, Cox & Tayloe, PC
2102 Mediterranean Avenue
Virginia Beach, VA 23451

Additional Information:

Telephone: (757) 425-1230
Facsimile: (757) 425-3585

For: City of Suffolk

Sherry B. Earley, P.E.
Public Works Engineering Manager
440 Market Street, 2nd Floor
Suffolk, VA 23434

Additional Information:

Telephone: (757) 514-7703
Facsimile: (757) 514-7727

VI. GENERAL

A. Applicable Law and Venue

This Agreement is made in and shall be governed by the laws of the Commonwealth of Virginia. In the event of litigation, venue shall be in the Circuit Court of the City of Suffolk, Virginia.

B. Severability

If any provisions of this Agreement are held to be unenforceable, this Agreement shall be construed without such provisions.

C. Waiver

The failure by a party to exercise any right hereunder shall not operate as a waiver of such party's right to exercise such right or any other right in the future.

D. Changes

This Agreement may be amended only by a written document executed by duly authorized representative of each of the parties.

(THIS SIGNATURE PAGE IS PART OF THE COST SHARING AGREEMENT BETWEEN HRSD AND THE CITY OF SUFFOLK)

IN WITNESS WHEREOF, the City of Suffolk has caused this Agreement to be signed by the City Manager in its behalf pursuant to resolution adopted by the City Council on May 2, 2012, and the Hampton Roads Sanitation District Commission has caused this Agreement to be signed in its behalf by its General Manager in accordance with authorization granted at its regular meeting held on March 27, 2012.

CITY OF SUFFOLK

By _____
City Manager

ATTEST:

_____
City Clerk

Approved as to Form and Correctness:

_____
City Attorney

Approved as to Content:

_____ 3/19/12
Director of Public Works

STATE OF VIRGINIA,
CITY OF SUFFOLK, to-wit:

The foregoing Agreement was acknowledged before me this 9th day of May, 2012, by Selena Cuffee-Glenn, City Manager, City of Suffolk, Virginia.

_____
Notary Public

My commission expires: My Commission Expires July 31, 2012

Registration No.: 7221489

DEBORAH R. MINNICK
COMMONWEALTH OF VIRGINIA
NOTARY PUBLIC

City of Suffolk, Virginia

441 Market Street
Suffolk, Virginia 23434

Finance Invoice

(757) 514-7500

HRSD
PO BOX 5911
VIRGINIA BEACH, VA 23471
Case Number: 632968

Account Number: 23587

Due By: 12/22/2014
Invoice Date: 11/20/2014
Total Amount Due: $208,556.99

Item ID	Item Description		Charges This Bill	Total Amt
MS001	MISCELLANEOUS ITEMS BILLED HRSD FORCE MAIN CONTRACT WORK: $195,879.60*45.1%= $88,341.69 CHANGE ORDER: $150,974.30 INSPECTION TIME (48HRS @ $57/HR): $2,736.00 HDR COST TO HRSD: $(33,495.00)	1	$208,556.99	$208,556.99

Prior Balance	
Other Fees	
Charges	$208,556.99
Penalty	
Interest	
Payments	$0.00
Amount Due	$208,556.99

IF PAYING BY MAIL, DETACH AT PERFORATION AND RETURN THIS PORTION FOR PROPER CREDIT. IF PAYING IN PERSON, BRING ENTIRE BILL

IF PAYMENT IS NOT RECEIVED BY DUE DATE, A FINANCE CHARGE OF .833% PER MONTH (10% PER ANNUM) OF THE UNPAID BALANCE WILL BE APPLIED

Due By: 12/22/2014

Print Date: 12/03/2014

Prior Balance	Charges	Penalty	Interest	Sub Total
				$0.00

Credits	$0.00
Amount Due	$208,556.99

Account Number: 23587
Case No: 632968

34075

HRSD
PO BOX 5911
VIRGINIA BEACH, VA 23471

REMIT TO:

TREASURER'S OFFICE
City of Suffolk
P.O. BOX 1583
Suffolk, Virginia 23439

MAKE CHECKS PAYABLE TO: RONALD H. WILLIAMS, TREASURER

(THIS SIGNATURE PAGE IS PART OF THE COST SHARING AGREEMENT BETWEEN HRSD AND THE CITY OF SUFFOLK)

HAMPTON ROADS SANITATION DISTRICT

By _____
Edward G. Henifin, P.E., General Manager

ATTEST:

_____
Jennifer Heilman, Secretary

STATE OF VIRGINIA,
CITY OF VIRGINIA BEACH, to-wit:

The foregoing agreement was acknowledged before me this 30th day of May, 2012, by Edward G. Henifin, P.E., General Manager, Hampton Roads Sanitation District.

_____
Notary Public

My commission expires: August 31, 2015

Registration No.: 7130322

Amy Yvonne Seron
Commonwealth of Virginia
Notary Public
Commission No. 7130322
Expires 8/31/2015

DOC\HRSD\AGREEMENT\COST SHARING AGMT SUFFOLK 3-14-12

ORDINANCE NUMBER _____

AN ORDINANCE TO ACCEPT AND APPROPRIATE FUNDS FROM THE COMMONWEALTH OF VIRGINIA DEPARTMENT OF AVIATION FOR THE SUFFOLK EXECUTIVE AIRPORT

WHEREAS, the City has received funds in the amount of $6,642 from the Commonwealth of Virginia Department of Aviation in support of the Suffolk Executive Airport; and,

WHEREAS, the funds received need to be accepted and appropriated to the Aviation Facilities Fund budget for Fiscal Year 2014-15 for the Stormater Pollution Prevention Plan Update at the Suffolk Executive Airport.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

1. The sum of $6,642 shall be reflected as budget in the following accounts in the Fiscal Year 2014-15 Aviation Facilities Fund budget:

Revenue		
220_424140.110	Categorical Aid-State Airport Maintenance Funds	$6,642
Expenditure		
220-150000_53300.110	Maintenance Service – State	$6,642

2. The fund amount totaling $6,642 is hereby appropriated for use as referenced in this ordinance and the budget approved by Ordinance Number 14-O-037, as amended. The City Manager be, and is hereby authorized and directed to do all things necessary to effectuate this action.

3. This ordinance shall be effective upon passage and shall not be published.

READ AND PASSED: _____

TESTE: _____
Erika S. Dawley, City Clerk

Approved as to Form:

_____
Helivi L. Holland, City Attorney

Commonwealth of Virginia
Department of Aviation
5702 Gulfstream Road
Richmond, Virginia 23250-2422

Grant Agreement

Part I - Offer

Project Number: **CS0050-34**
Date of Approval: **November 20, 2014**
Date of Offer: **December 15, 2014**
Date of Offer Expiration: **February 13, 2015**

WHEREAS, by executing a *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources* (hereinafter referred to as the "Master Agreement"), effective on October 21, 2010, the **City of Suffolk** (hereinafter referred to as the "Sponsor") agreed to the terms and conditions for accepting state aviation funding from the Commonwealth of Virginia (hereinafter referred to as the "Commonwealth"); and

WHEREAS, the Sponsor has submitted a request for a grant of state funds to assist in the development of **Suffolk Executive Airport** (hereinafter referred to as the "Airport") together with the appropriate supporting documentation; and

WHEREAS, the Commonwealth acting by and through the Virginia Aviation Board (hereinafter referred to as the "Board") and/or the Department of Aviation (hereinafter referred to as the "Department"), has approved a project for development of the Airport which consists of the following (hereafter referred to as the "Project"):

Stormwater Pollution Prevention Plan Update

NOW, THEREFORE, pursuant to the authority granted to the Department by §5.1-2.2 of the *Code of Virginia* (1950), as amended, and in consideration of: (a) the authority granted to the Sponsor to operate and maintain the Airport, (b) the Sponsor's adoption and ratification of the assurances provided in the Master Agreement, and (c) the benefits to accrue to the Commonwealth and the public from the accomplishment of this Project, the Department offers to pay, as the Commonwealth's share, **eighty (80)** percent of all eligible Project costs.

This offer is made on and subject to the following terms and conditions:

1. The Master Agreement is incorporated by reference herein, and this offer is subject to the terms and conditions of said Master Agreement.

2. The maximum obligation of the Commonwealth payable under this Grant Agreement shall not exceed **$6,642.00.**

3. If the Federal Aviation Administration (hereinafter referred to as the "FAA") will be participating in the funding of this Project, the Sponsor has, at the time of the execution of this Grant Agreement, a commitment from FAA for federal funds in the amount of $ **NA.**

4. This Grant Payment Term will expire on **March 31, 2017.**

5. The Grant Obligation Term is **20 years.**

1,660.50
Local match

Grant Agreement, Project Number CS0050-34

The Sponsor's acceptance of this Grant Offer with its terms and conditions shall be evidenced by execution of this Grant Offer by, or on behalf of, the Sponsor, as hereinafter provided, and said Grant Offer and acceptance shall comprise a Grant Agreement for the distribution of funds by the Department as authorized under §5.1-2.2 *Code of Virginia* (1950), as amended. This Grant Agreement shall become effective upon the Sponsor's acceptance and shall remain in full force as provided herein.

Commonwealth of Virginia
Department of Aviation

Randall P Burdette
Executive Director

Date DEC 19 2014

Part II - Acceptance

The **City of Suffolk** does hereby accept and agree all the terms, conditions and assurances contained in this Grant Agreement.

Executed this _____ day of _____, 20____

City of Suffolk

By _____

Title City Manager

Attest _____
Eluka J. Dawley

Title City Clerk

Certification of Sponsor's Attorney

I, Solomon H. Ashby JR,
acting as Attorney for the Sponsor do hereby certify that I have examined the foregoing Grant Agreement and find that the Sponsor has been duly authorized and is fully capable under the laws of the Commonwealth of Virginia of fulfilling all obligations under this Grant Agreement and that this Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms and conditions thereof.

Dated at Suffolk, Virginia this 14th day of January, 20 15

By _____

Title ASSISTANT CITY ATTORNEY

AGENDA: **February 4, 2015, Regular Session**

ITEM: **Consent Agenda** – An ordinance to accept and appropriate funds from the American Library Association's Libraries Transforming Communities Grant for the City of Suffolk Public Library

The City has received $1,900 in funding from the American Library Association to assist with the City of Suffolk Public Libraries Transforming Communities initiative. The funding will be used to continue the community engagement training and facilitation process.

Adoption of the attached ordinance is necessary to accept and appropriate these funds to the appropriate line item in the consolidated Grants Fund for Fiscal Year 2014-2015.

BUDGET IMPACT:

Adoption of the ordinance will increase the planned revenues and expenditures of the Consolidated Grants Fund by $1,900 for the above noted purpose and requires no local fund support.

RECOMMENDATION:

Adopt the attached ordinance

ATTACHMENTS:

Ordinance
Award Notification

ORDINANCE NUMBER _____

AN ORDINANCE TO ACCEPT AND APPROPRIATE FUNDS FROM THE AMERICAN LIBRARY ASSOCIATION'S LIBRARIES TRANSFORMING COMMUNITIES GRANT FOR THE CITY OF SUFFOLK PUBLIC LIBRARY

WHEREAS, the City has received funds in the amount of $1,900 from the American Library Association in support of the City of Suffolk Public Libraries Transforming Communities initiative; and

WHEREAS, the funds received need to be accepted and appropriated to the Consolidated Grants Fund Budget for the fiscal year 2014-15 to assist with continuing engagement training and facilitation process for City of Suffolk Public Library.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia that:

1. The sum of $1,900 shall be reflected as budget in the following accounts in the Fiscal Year 2014-15 Consolidated Grants Fund Budget:

Revenue		
211-73100-1562-418990	AmericanLibraryAssoc;07/15	$1,900
Expenditure	AmericanLibraryAssoc;07/15	
211-73100-1562-55000	Travel & Training	$1,900

2. The fund amount totaling $1,900 is hereby appropriated for use as referenced in this ordinance and the budget approved by Ordinance Number 14-O-037, as amended. The City Manager be, and is hereby authorized and directed to do all things necessary to effectuate this action.

3. This ordinance shall be effective upon passage and shall not be published.

READ AND PASSED:_____

TESTE:_____
Erika S. Dawley, City Clerk

Approved as to Form:

_____
Helivi L. Holland, City Attorney

From: Clint S. Rudy
Sent: Tuesday, January 13, 2015 6:42 PM
To: Carolyn W. Phelps
Cc: Sarah Townsend
Subject: Libraries Transforming Communities additional stipend

Begin forwarded message:

From: Mary Davis Fournier <mfournier@ala.org>
Date: January 13, 2015 at 4:55:03 PM EST
To: "Clint S. Rudy" <crudy@suffolkva.us>
Subject: Libraries Transforming Communities additional stipend

Dear Clint,

The American Library Association is pleased to award an additional stipend of $1,900 to the Suffolk Public Library. These supplemental funds are to support Suffolk Public Library's participation in the Libraries Transforming Communities initiative. We look forward to seeing you and the Suffolk PL team in person at the January 30, 2015 Libraries Transforming Communities In-person Work Space meeting in Chicago.

Libraries Transforming Communities is an initiative of the American Library Association, made possible through a grant from the Bill & Melinda Gates Foundation.

Thank you and please let me know if you have any questions.

My best,

Mary

Mary Davis Fournier
Deputy Director
Public Programs Office
American Library Association
(312) 280-5056
1-800-545-2433, ext 5056
www.ala.org/publicprograms
www.ProgrammingLibrarian.org

Public Hearings

AGENDA: **February 4, 2015, Regular Session**

ITEM: **Ordinance** – An ordinance repealing Section 2-91 of the Code of the City of Suffolk concerning council member voting

Attached for Council's consideration and approval is an ordinance to repeal City Code § 2-91 concerning council member voting.

RECOMMENDATION:

Adopt the attached ordinance

ATTACHMENT:

Ordinance

ORDINANCE NUMBER

AN ORDINANCE REPEALING, SECTION 2-91 OF THE CODE OF THE CITY OF SUFFOLK CONCERNING COUNCIL MEMBER VOTING

BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that Section 2-91 of Chapter 2, "Administration" of the Code of the City of Suffolk, Virginia, is hereby repealed.

BE IT FURTHER ORDAINED that this ordinance shall be effective upon passage.

READ AND PASSED:

TESTE:_____
Erika S. Dawley, City Clerk

Approved as to Form:

_____
Helivi L. Holland, City Attorney

AGENDA: **February 4, 2015, Regular Session**

ITEM: **Ordinance** – An ordinance amending Section 2-39 of the Code of the City of Suffolk related to the code of ethics for members of City Council

Attached for Council's consideration and approval is an ordinance amending City Code Chapter 2, Section 2-39, Code of ethics for members of City Council by adding subsections (h) and (i).

RECOMMENDATION:

Adopt the attached ordinance

ATTACHMENT:

Ordinance

ORDINANCE NUMBER

AN ORDINANCE AMENDING CHAPTER 2, SECTION 2-39 OF THE CODE OF THE CITY OF SUFFOLK CONCERNING THE CODE OF ETHICS FOR MEMBERS OF CITY COUNCIL

BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that Section 2-39 of Chapter 2, "Administration" of the Code of the City of Suffolk, Virginia, is hereby amended to read as follows:

Sec. 2-39. - Code of ethics for the members of the city council.

(a) All members of the city council and the city manager, city attorney, city assessor and city clerk, who are appointed by the city council, shall comply fully with the provisions of the State and Local Government Conflict of Interests Act, Code of Virginia, §§ 2.2-3100—2.2-3131.

(b) The members of the city council shall neither seek nor accept more favorable treatment from other city officers or city employees than would be given to other members of the city council. A member of the city council shall not attempt to influence the decisions or recommendations of council appointees, city officers, or city employees but may share information with city staff. A member of the city council shall not attempt to influence a council appointee, city officer, or city employee on behalf of a particular constituent or organization on a pending matter, but may assist in this communication with city government. The members of the city council shall not attempt to give orders or direction to council appointees, city officers, or city employees, except through their participation on the city council at a meeting of the city council.

(c) A member of the city council's concerns about the performance of a council appointee shall be brought to the entire council. A member of the city council's concerns about the performance of a city employee shall be discussed privately with the city manager.

(d) A direction or order that certain actions be taken by council appointees, city officers, or city employees, or that city funds be expended, shall receive prior approval by the entire council, by recorded roll-call vote during a meeting of the city council. Individual members of the city council shall not give public assurances, guarantees, or otherwise commit city council as a whole to any action or expenditure without having the item discussed and a vote taken during a meeting of the city council.

(e) The members of the city council should direct significant requests for information or discussions concerning city business to the city manager, who directs the day-to-day operations of city employees. The members of the city council may communicate with city employees about routine matters; however, such communications should be with department heads whenever possible. Department heads shall report all communications with the members of the city council to the city manager.

(f) The members of the city council shall publicly share substantive information that is relevant to a matter under consideration or a matter that may be considered by the city council that they may have received from sources outside of the public decision-making process.

(g) The members of the city council shall at all times refrain from abusive conduct, threatening or intimidating language or gestures, personal charges, or verbal attacks concerning the character or motives of other members of the city council, city boards, city commissions, city authorities, city staff, or the public.

(h) The members of the city council shall refrain from publicly disclosing matters that are discussed in closed session.

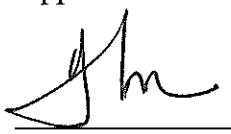
(i) The members of the city council may not vote on matters involving the consideration of their own official conduct, where their financial interests are involved, or where the council member feels there may be an appearance of impropriety.

BE IT FURTHER ORDAINED that this Ordinance shall be in effect upon its passage.

READ AND PASSED:

TESTE:_____
Erika S. Dawley, City Clerk

Approved as to Form:



Helivi L. Holland, City Attorney

Resolutions

Staff Reports

AGENDA: **February 4, 2015, Regular Session**

ITEM: **Motion** - A motion to schedule a public hearing to be held on February 18, 2015, to receive public comment on the proposed Fiscal Year 2016-2025 Capital Improvements Plan

A public hearing is required to receive public comment on the proposed FY 2016-2025 Capital Improvements Plan (CIP).

RECOMMENDATION:

Schedule a public hearing for February 18, 2015, to obtain public comment on the proposed FY 2016-2025 CIP.

Motion to Schedule a Work Session

Non-Agenda Speakers

New Business

Announcements and Comments