

City Council Work Session

Tuesday, March 26, 2013

6:00 p.m.

Council Chambers – Rouss City Hall

AGENDA

Call to Order

2.0 Public Comments: (Each person will be allowed 3 minutes to address Council with a maximum of 10 minutes allowed for everyone.)

3.0 Items for Discussion:

- 3.1** Annual Report Presentation – Amy Simmons (pages 3-27)
- 3.2** Proposed MOUs for the JJC and CVB funding and termination of shared funding for the Museums as recommended by the Joint Finance Committee – Mary Blowe (pages 28-42)
- 3.3 R-2013-21:** Resolution – Approval of Consolidated and Annual Action Plan – Mary Blowe (pages 43-70)
- 3.4 R-2013-20:** Resolution – Approval to reimburse expenditures with proceeds of a borrowing – Mary Blowe (pages 71-73)
- 3.5 R-2013-17:** Resolution – Approval to execute grant and cooperative agreements with the Federal Transit Administration on behalf of the Winchester Transit – Perry Eisenach (pages 74-77)
- 3.6 R-2013-22:** Resolution – Approval to execute and file an application to the Virginia Department of Rail and Public Transportation for a grant of financial assistance – Perry Eisenach (pages 78-79)
- 3.7 R-2013-18:** Resolution – Authorization to submit an application for up to \$10,000 in recycling grant funds through the Virginia Department of Environmental Quality – Perry Eisenach (pages 80-83)
- 3.8 R-2013-19:** Resolution – Approval of the revised Winchester Transit Title VI Program – Perry Eisenach (pages 84-119)
- 3.9 CU-13-85:** Conditional Use Permit - Request of Glaise Properties for conversion of ground floor nonresidential use to residential use at 110 East Fairfax Lane (*Map Number 173-01-S-1*) zoned Central Business (B-1) District

with Historic Winchester (HW) District overlay. – Tim Youmans (pages 120-127)

3.10 Racey Meadows Rezoning Update (O-2013-07) – Tim Youmans (pages 128-145)

4.0 Liaison Reports

5.0 Executive Session

5.1 MOTION TO CONVENE IN EXECUTIVE SESSION PURSUANT TO §2.2-3711(A)(7) OF THE CODE OF VIRGINIA FOR THE PURPOSE OF RECEIVING LEGAL ADVICE AND STATUS UPDATE FROM THE CITY ATTORNEY AND LEGAL CONSULTATION REGARDING THE SUBJECT OF SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE BY THE CITY ATTORNEY AND MATTERS OF ACTUAL OR PROBABLE LITIGATION AND PURSUANT TO §2.2-3711(A)(1) OF THE CODE OF VIRGINIA FOR THE PURPOSE OF DISCUSSION PERTAINING TO THE SUBJECT OF APPOINTMENT OF SPECIFIC PUBLIC OFFICERS AND APPOINTEES INCLUDING THE APPOINTMENT OF OR PROSPECTIVE APPOINTMENT OF MEMBERS TO CERTAIN BOARDS AND COMMISSIONS BY COMMON COUNCIL.

6.0 Monthly Reports

6.1 Finance Department (pages 146-158)

7.0 Adjourn

CITY COUNCIL ACTION MEMO

To: Mayor and Members of City Council
From: Amy Simmons, Marketing Coordinator
Date: March 26, 2013
Re: 2012 Annual Report

THE ISSUE:

Keeping our community informed of progress made by the City of Winchester.

RELATIONSHIP TO STRATEGIC PLAN:

Goal 2. Objective 5 – Maintain a high level of customer satisfaction with City services.

BACKGROUND:

In October 2011, the City's Public Information Officer presented several public communications options to Council for consideration. One option was to produce an annual report. After Mr. Iman was hired, he also wanted to produce an annual report. The first annual report for the City has been created and outlines our accomplishments and other statistics for calendar year 2012. The 28-page booklet will be available online and at various City facilities for distribution.

BUDGET IMPACT:

Funding for this activity is available in the Human Resources printing and binding budget.

OPTIONS:

N/A

RECOMMENDATIONS:

N/A

Looking back with pride...



2012 ANNUAL REPORT



...Moving forward with purpose

a look inside



4 | Public Safety



9 | Public Services



16 | Social Services

Strategic Plan 2013-2014

ROAD MAP



GOAL 1

Grow the Economy

ECONOMY

- Wards Plaza
- Conference Center
- Career Training Center
- Meadow Branch Avenue
- South Pleasant Valley Road
- Winchester Towers
- Amphitheater (Jim Barnett Park)
- Major Employer Attraction
- Enterprise Zone

GOAL 2

Develop a High Performing City Organization

ORGANIZATION

- School Funding
- Community Events Policy
- Fire Facilities Master Plan
- Succession Planning
- Social Services
- Municipal Service Center
- Comprehensive Capital Improvement Plan
- IT Master Plan
- Communications/Marketing Plan
- Student Internship Program

OLD TOWN

- Taylor Hotel
- Gateway Enhancements
- National Historic District Expansion
- Downtown Trolley
- Public Art Policy
- Arts and Cultural District
- Public Safety Strategy
- Community Events
- Branding
- Market Rate Housing
- Parking Garage Maintenance

LIVABLE

- John Kerr Elementary School
- City Gateway Beautification
- North End Redevelopment
- Zoning Ordinance Rewrite
- Sidewalk and Street Master Plan
- Stormwater Management Plan
- Substandard Properties

GOAL 3

Continue the Revitalization of Historic Old Town

GOAL 4

Create a more Livable City for All



Looking Back With Pride...

- 2 City Council
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- 9 Old Town Winchester, Parking & Tourism

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- 16 Social Services
- 18 Parks & Recreation
- 20 Citizen's Academy





From Your Mayor



January starts another new and challenging year for city government. Not only are we beginning another exciting year with many new goals, projects and ideas, but we also have the opportunity to reflect on what we've accomplished the previous year. It wasn't always easy, but I know that 2012 was a year we should all be proud of as we embark on a new journey together in 2013. The accomplishments mentioned in this report are only a fraction of what the City has achieved over the past year. We could never cover everything, but I am excited about the future and I can't wait to get started on another positive year as we tackle our new strategic plan. It gives me great pleasure to have been your Mayor over the past year and I'm looking forward to working with our community, City Council, and staff to continue moving Winchester forward.

Elizabeth Minor
Mayor

From Your City Manager

As I round out my first full year with the City of Winchester and look back on all we've accomplished, I couldn't be more proud of the organization we were last year and the high-performing organization we are creating. Our dedicated team has worked hard during tough economic times, stepped out of their routine to help others, and pulled together during emergencies. After I was hired, I challenged our work force to be innovative and calculated risk takers, to work together as a team and to accomplish goals for our community. As you will find in this annual report, they've delivered. From cleaning up after the derecho in June to the utility infrastructure projects, the City has been hard at work improving the quality of life for our residents and to make Winchester a welcoming place to visit. We have an ambitious strategic plan to accomplish over the next 12-18 months, but I have complete faith that significant goals will be achieved and you will see a stronger city as a result. We hope that you make the time to get more involved in your local government this year, and please feel free to contact me any time to talk about our City, our vision and the services we provide.



Dale Iman
City Manager

YOUR Representatives



OPEN TO THE PUBLIC:

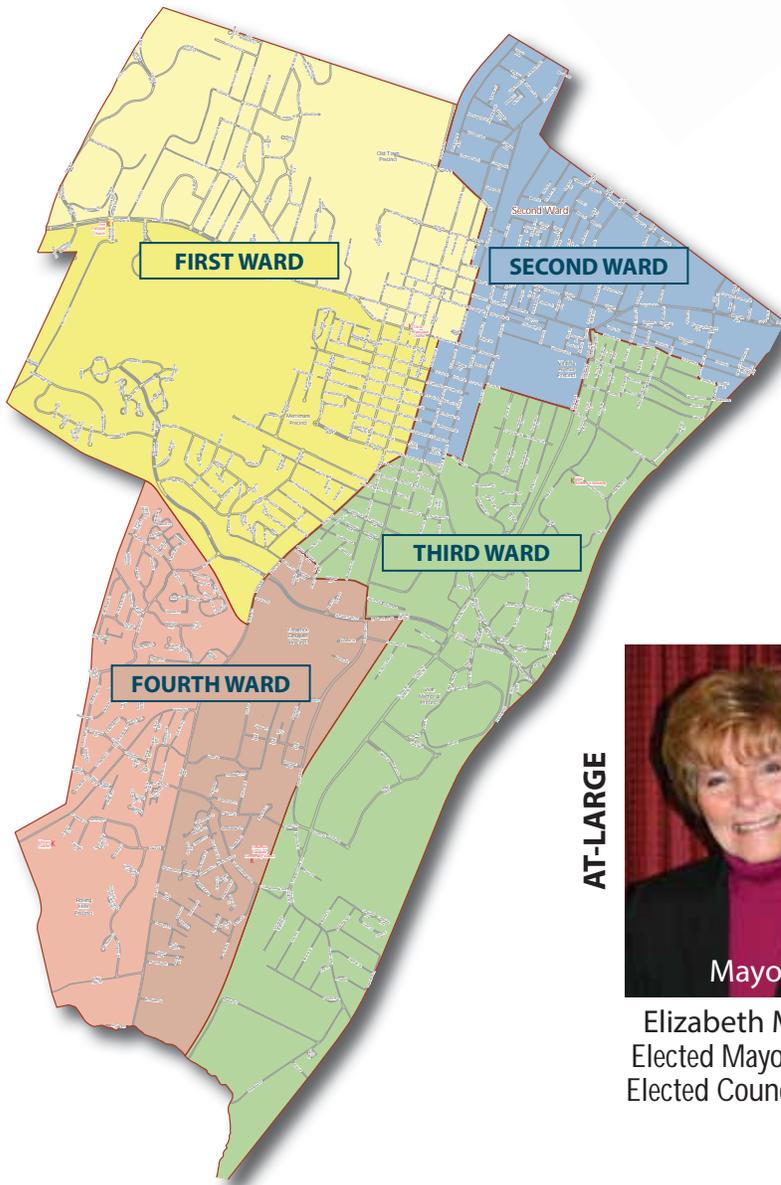
Regular Council Meetings

2nd Tuesday of each month - 7:00 pm

Council Work Sessions

3rd & 4th Tuesday of each month - 6:00 pm

Rouss City Hall, Council Chambers



AT-LARGE



Mayor

Elizabeth Minor
Elected Mayor 2004
Elected Council 1980

Watch Council Meetings on TV

As of December 2012, you can watch all Council meetings and Work Sessions live on the City's cable channel 6. Or you can catch the replay at 7:00 pm on the Thursday following each meeting.

2012 Council Officers

Mayor	Elizabeth Minor
Vice-Mayor	Milt McInturff
President	Jeff Buettner
Vice-President	John Willingham

2013 Council Officers

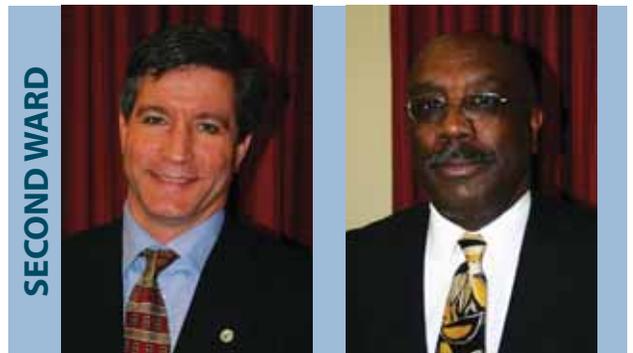
Mayor	Elizabeth Minor
Vice-Mayor	Les Veach
President	John Willingham
Vice-President	Milt McInturff



FIRST WARD

Jeff Buettner
Elected 1998

Les Veach
Elected 2008



SECOND WARD

Evan Clark
Elected 2006

John Hill
Elected 2008



THIRD WARD

Ben Weber
Elected 2012

Milt McInturff
Elected 2008



FOURTH WARD

John Willingham
Elected 2008

John Tagnesi
Elected 2010



Budget - Being Fiscally Responsible

FY13 Total General Fund Revenue: \$79,876,000

General Property Taxes	\$36,620,000
Other Local Taxes	26,191,100
Fees, Fines & Permits	579,400
Charges for Services	943,500
Interest & Misc. Revenue	2,041,500
State Aid	5,804,000
Federal Aid	750,500
Transfers & Reserves	6,946,000
Total	\$79,876,000

Percentage of
general fund
revenue provided
by sales tax

11.2%

Total General Fund Expenditures: \$79,876,000

General Government Admin.	\$ 5,358,700
Judicial Administration	3,059,800
Public Safety	17,934,160
Public Works	4,501,500
Health & Welfare	3,293,261
Education	26,689,093
Parks, Recreation, Cultural	3,016,459
Debt	9,529,500
Community Development	2,173,527
Capital Projects	4,320,000
Total	\$79,876,000

Aa2
Moody's

AA+
S&P

The ratings represent the strength of the City's credit and allow the City to borrow from investors at low interest rates.

Other Local Taxes:

State Sales Tax	\$8,500,000
Utility	1,962,000
Business Licenses	5,659,000
Franchise	770,000
Decals	600,000
Cigarettes	530,000
Admissions	30,000
Meals	5,115,600
Motel	600,000
Short Term Rental	14,500
Communications Tax	2,200,000
Other	210,000
Total	\$26,191,100

General Fund Balance

Sound fiscal management requires that the City establish healthy fund balances, frequently referred to as "reserves." The City's Fund Balance Policy is to maintain at least 20% of the budget in unrestricted fund balance.

Fiscal Year	Amount	% of GF Expenditures
FY08	\$26,842,432	36.7%
FY09	\$20,577,901	26.7%
FY10	\$17,267,157	26.3%
FY11	\$20,986,321	27.7%
FY12	\$22,339,899	22.3%

The City's Funds

The accounts of the City are organized into funds. A fund is a group of related accounts used to control money that has been earmarked for specific activities or objectives. By keeping revenue in its appropriate funds, the City is able to obey laws that require certain money to be spent on specific uses. Most of the City's core services are funded by the general fund.

General Fund

The fund where the City has the most discretion is the General Fund. The two major sources of funding (78.64%) for the General Fund are general property taxes and other local taxes combined.

Capital Improvement Plan (CIP)

Every year, the City adopts a plan for capital improvements for the next five years. Capital improvements include projects such as street construction, public buildings, traffic systems, park improvements, sewers, water infrastructure, sidewalks, etc.

Fiscal Year = June 1 - July 31



Public Safety - Police

2012 Accomplishments

- Promoted first female Deputy Chief: Major Kelly Rice
- The first year of fitness testing declared 100% of WPD's sworn employees are "fit for duty"
- The Community Response Team (CRT) held two alcohol education programs for bar owners and managers, which has reduced the number of calls for service in and around local bars and restaurants
- Thanks to a grant, the WPD was able to create a defensive tactics training room and a fitness room
- The Regional Gang Task Force investigated and arrested a group of gang members responsible for a number of assaults and since the arrests, no further gang-related incidents have occurred



Volunteers in Policing

The Volunteers in Policing (VIP) program was formed in 1998 to assist the Police Department with the many special activities and community events that request police assistance. With the VIPs helping with or taking over these events it allows officers to perform other duties.

1,860 volunteer hours in 2012:

- Attended 37 community events
- Spent 72 hours on patrol
- Fingerprinted many children
- Issued 20 handicap parking tickets
- Participated in several community service activities
- Helped with crowd and traffic control
- Assisted with the WPD's Citizen's Academy
- Answered phones



2012 Police Activity

Enforcement	'11	'12
Felony Arrests	348	272
Misdemeanor Arrests	1968	1774
Legal Docs:		
- Felony	300	456
- Misdem.	1610	1824
DUI Arrests	311	249
Incident Reports	3914	4092
Speeding	1770	1002
Traffic Violations	4514	2725
Vehicle Crash Investigations	716	669
Parking Violations	2330	1564

2012 Crime Report



Become a VIP

Sign up for the Winchester Police Department's Citizen's Academy or get more information about the VIPs, please contact Detective William Griffith at (540) 545-7591 or email wgriffith@ci.winchester.va.us.

Crime	2011	2012
Shoplifting	327	329
Theft	452	489
Grand Theft	182	228
Motor Vehicle Theft	26	24
Felony Assault	40	44
Rape*	2	10
Homicide	0	0
Breaking & Entering	113	168
Robbery	29	17

* Reported but not all verified

Emergency

9-1-1 Center Calls*

- **Total # Calls:** 170,780
- **Total 9-1-1 Calls:** 20,684
- **Incoming Administrative Calls:** 105,813
- **Outgoing Calls:** 44,283

* Reflects 11 months as a computer glitch did not record calls in April '12



Follow WPD on Facebook & Twitter



Public Safety - Fire & Rescue

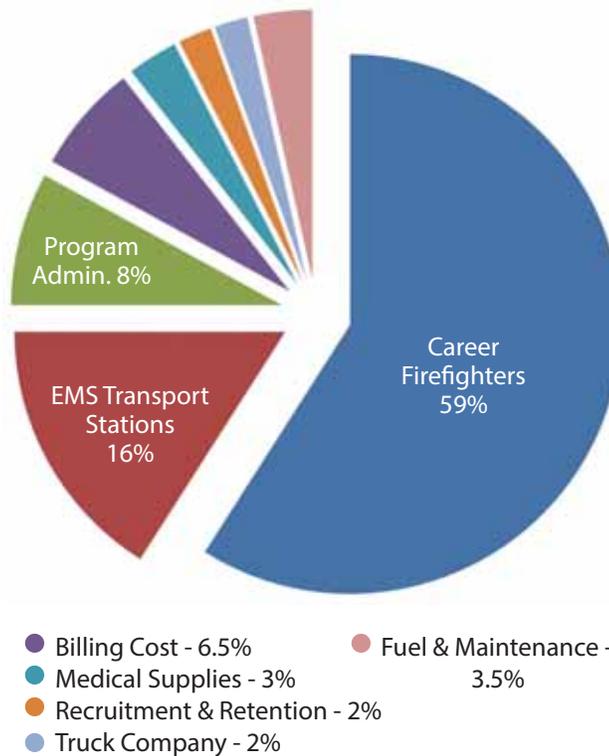
WFRD is a combination system comprised of career and volunteer firefighters and EMS personnel. These brave members respond from our four volunteer stations and provide around-the-clock fire protection, advanced medical life support and hazardous materials services.

Funding

Funding Source	Amount
Hazmat Grant	\$22,000
"Aid to Locality" Fund	\$70,046
"Four-for-Life" Fund	\$22,812
Assistance for Firefighters Grant (South End)	\$88,500
Revenue from plan reviews & inspections	\$5,358
EMS Revenue Recovery	\$915,530
TOTAL	\$1,124,316

EMS Fund Allocation

During 2012, Winchester Fire & Rescue utilized the revenue earned from Emergency Management Service (EMS) fees in the following ways:



2012 Emergency Activity

	Total
EMS Incidents	4,438
Fire Incidents	1,318
Mutual Aid to Frederick County	449 Calls
Mutual Aid Received from Frederick County	346 Calls
Property Lost	\$575,576
Property Saved	\$2.7 M
Civilian Casualties	4 (2 fatalities)

2012 Fundraising Efforts

\$21,900 for MDA
"Fill the Boot" Campaign

\$2,000 for Wellspring
"Give Cancer the Boot" T-shirt Sales

2012 ISO Rating

The Winchester Fire & Rescue Department was evaluated by the Insurance Services Office, Inc. (ISO) in 2012 for our fire protection capability. The ISO evaluation looks at three general areas with each area having a maximum credit available, including: 1) receiving and handling fire alarms, 2) fire department suppression capabilities, and 3) city's water supply.

1-10 Rating Scale:

Class 1 = Exemplary fire suppression program

Class 10 = Fire suppression program does not meet minimum criteria



PPC = Public Protection Classification





Public Safety - Emergency Management



New Communications System Coming Soon

A contract with Motorola Solutions for the design, purchase, construction, and implementation of a new communications system was approved and executed after an RFP process. Expected completion: March 2014



Responding to Emergencies

The Emergency Operations Center (EOC) was activated on several occasions during 2012 in order to coordinate various events and emergent situations in Winchester:

- Winter Storms
- Derecho (June 29th)
- Hurricane Sandy (October)

Be prepared to help yourself, your family, and your community in an emergency. Visit the Emergency Management section of the City's website for details about becoming a CERT member.



Hazard Mitigation Plan

The City's Emergency Management division coordinated with the Northern Valley Regional Commission to develop and update the Plan for each jurisdiction. The plan has been reviewed by the VA Department of Emergency Management and is awaiting approval by the Federal government prior to presentation to City Council.

NOTE: Hazard mitigation is "any action taken to reduce or eliminate the long-term risk to human life and property from natural hazards." (As defined in 44 Code of Federal Regulations (CFR), Subpart M, Section 206.401.)

Pet Sheltering Grant

The City in conjunction with Frederick and Clarke Counties received a grant in the amount of \$22,000 for the purchase of a 20-trailer and the activation of a pet sheltering program that can be utilized during disasters or emergencies.



2012 Public Safety Awards/Recognitions



Corporal Wayne Monse
Exchange Club
Officer of the Year

Major David White

Colonel James Wood II Chapter-Sons of the American Revolution Law Enforcement Commendation

Corporal Andrea Enke

VA Animal Control Association
Public Service Award



Officer Patrick Jefferson
Rappahannock Regional Criminal Justice Academy
Sergeant Ricky Timbrook Award

President Karl Liedke & Shawnee Volunteers

Colonel James Wood II Chapter-Sons of the American Revolution Fire Safety Commendation

Battalion Chief Donald Whitacre

Colonel James Wood II Chapter-Sons of the American Revolution Emergency Medical Services Commendation



Erin Elrod
9-1-1 Ctr. Director
Earned prestigious designation of Registered Public Safety Leader



Development - Economic Redevelopment



Rubbermaid Commercial Projects

\$67.3 million expansion created 71 new jobs and \$1.2 million in new taxes to the City over the next five years.

Monticello Street Extension

Thanks to a \$5 million Transportation Opportunity Grant received in 2012, this extension will provide access from Valley Avenue to Battaile Drive (additional east/west connector through city) when complete.



150 Commercial Street

Acquired and redeveloped property creating 7,500 square feet of taxable commercial office space.



146-148 N. Loudoun Street

Acquired and redeveloped existing building to create a 2,500 square foot restaurant and eight upper level apartments on the Loudoun Street Mall.



29-33 Boscawen Street

Acquired and sold to a private developer who will create nine upper level apartments and 1,200 square feet of City office space, including a downtown information center. Estimated completion date: July 2013



Former Solenberger building

Facilitated the acquisition and rehabilitation of the former Solenberger Building on the Loudoun Street Mall by Shenandoah University. Created a taxable housing center housing approx. 30 graduate students.

Economic Development Authority (EDA)

The EDA, a non-profit political subdivision of the state of Virginia, is appointed by the City of Winchester to facilitate, encourage and carry out economic development projects while minimizing burdens on taxpayers. The EDA has the authority to acquire and sell property and obtain and provide financing and incentives to other organizations to spur commercial activity.

Objectives

- Identify properties and areas with underutilized potential
- Identify and facilitate commercial development
- Identify and solicit interest in the community by prospective new businesses
- Make property owners, developers and prospective new businesses aware of financing options available
- Develop property where needed to achieve maximum potential

Monthly Meetings

Third Tuesday at 8:00 am in Rouss City Hall Council Chambers



Development - Economic Redevelopment

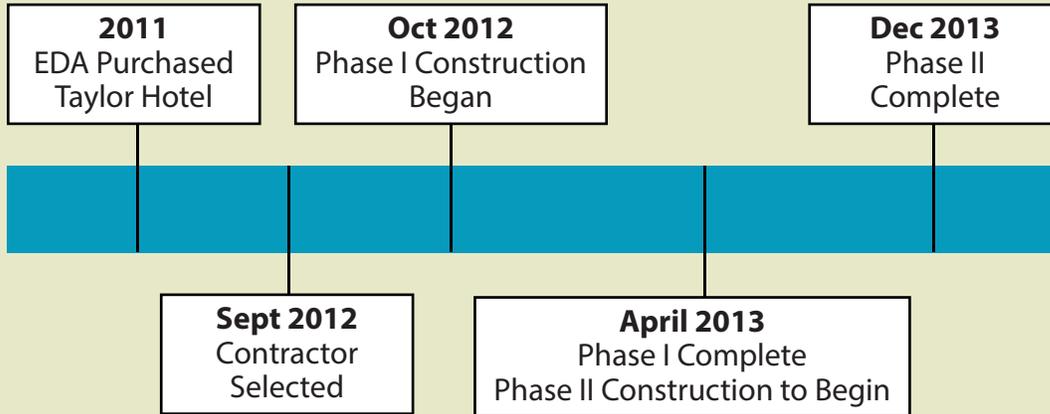
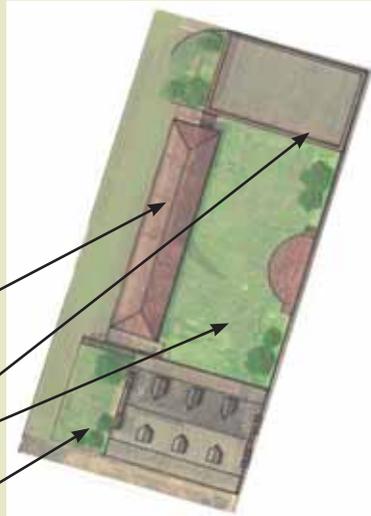
Taylor Hotel

Phase I: Partial demolition of old theatre one-story addition on the south side of the building

- Structural stabilization – Secure the structural integrity of the original hotel (front) and fly tower (rear)
- Improve shell – The Taylor Hotel will receive a new roof and three, first-floor exterior walls
- Recreate English basement – The original building included an English basement which was removed in the 1980s.

Phase II: Complete renovation

- 5,000 sq. ft. restaurant
- Five market rate apartments
- Farmer's market area
- 2,000-4,000 sq. ft. of retail space in flytower
- Outside entertainment area (400 people)
- Public pocket park



Funding Sources

Currently, the Taylor Hotel is owned by the Economic Development Authority.

Project Cost: \$3.6 million

Community Development Block Grant	\$1 million
EDA	\$650,000
Historic Tax Credits	\$775,000
Private investor contributions	\$225,000
Loans secured by the EDA	\$950,000



More Information

Get details about the building's history as well as the renovation by visiting the City's website.



Old Town Winchester, Parking & Tourism



For 2012, Old Town Winchester was hard at work getting ready for the Utility Infrastructure Improvement Project currently underway on the Loudoun Street Mall.
Expected completion: May 2013

Also, a new Downtown Manager was hired as well as an events coordinator to bring more events and activity into the downtown area.



2012 Accomplishments - Tourism

- Served 20,000 visitors at the Winchester-Frederick Co. Visitors Center (17% increase)
- Spearheaded improvements to the I-81 signage to better direct travelers off the highway to see local attractions
- Published and distributed 65,000 copies of the 56-page 2012 Winchester-Frederick County Visitors Guide
- Sponsored the Civil War Walking Tours in Old Town Winchester
- Developed an "Apples on Parade" rack card

Winchester Frederick-County Convention & Visitors Bureau
www.VisitWinchesterVA.com

Since its inception as a Main Street Program in 1985, Winchester recognizes more than \$110 million dollars in private investment toward preserving the historic character of downtown Winchester.

www.OldTownWinchesterVA.com

Follow Old Town on Facebook & Twitter



Winchester Parking Authority (WPA)

The Authority was created in 1964 by the General Assembly of VA. The Authority is authorized and empowered to acquire, construct, reconstruct, equip, improve, extend, enlarge, maintain, repair and operate public off-street parking facilities and issue revenue bonds to pay all or any part of the cost of these parking facilities.

Mission: To offer adequate parking that is safe, affordable, convenient, clean and close to your downtown destination by providing four parking garages, six off-street surface lots and 400 metered on-street parking spaces for a fee.

All four parking garages are open 24/7, 365 days a year with a staff of 6 employees.

Honors

- One of top 4 places to retire in VA (*Wall St. Journal's Smart Money*)
- One of 20 top sites to visit in relation to the Civil War and the Sesquicentennial (*Trail Blazer Magazine*)
- One of top 10 most livable bargain markets in the U.S. (*MSN Real Estate*)





Public Services - Public Utilities & Transportation

The City's Public Utilities division is responsible for providing water and wastewater services to all City residences and businesses and a portion of Frederick County consumers. Water from the North Fork of the Shenandoah River is collected at the City's water treatment plant in Middletown, Virginia, treated with a six-step process and pumped through 125 miles of pipe to customers.

Wastewater is treated in the Service Authority's water reclamation facility on Route 7. At this location, wastewater is processed and treated water is released into the Opequon Creek.



Winchester's Water Distribution System



- Consists of over 125 miles of pipeline ranging in size from 2" to 30"
- Over 11,500 connections to the system
- Water plant treats an average of 6.5 million gallons of water per day
- Average person uses 30 to 40 gallons of water per day year-round
- Public Utilities maintains over 1,200 fire hydrants throughout the City and County
- City's Utility Maintenance repairs on average one water main leak and one sewer stoppage per week

Winchester's Wastewater Collection System



- Consists of over 100 miles of pipeline ranging in size from 4" to 36"
- Opequon Water Reclamation Facility (OWRF) is jointly owned by the City of Winchester and Frederick County
- OWRF removes 99% of the contaminants in the water before returning the treated water to the Opequon Creek (pictured on left)
- Wastewater in the City mainly flows to the treatment plant by gravity
- Approximately 15,000 tons of sludge is hauled to the landfill each year
- OWRF treats on average 6.5 million gallons of water per day

WinTran

WinTran is the City of Winchester's public transportation system.

2012 Ridership: 135,886 passengers

Accomplishments:

- Installed a visual and audio stop announcement system on all buses (ADA accessibility upgrade)
- Completed installation of new route signs with maps at all stops





Public Services - Infrastructure Improvements

Amherst Street Project



- Underground water, sewer and storm infrastructure replacement
- Sidewalk and curb and gutter installation where none existed or replacement where in poor condition
- Existing traffic signal upgrade at Meadow Branch and Westside intersections
- Street repaving
- Fox Drive/Frederick County School entrance reconfiguration and new traffic signal
- Turn restrictions added (right turn only) from Myrtle Avenue for increased safety
- Six new right turn lanes and eight new left turn lanes constructed
- 200 new trees planted
- Winchester Green Circle trail extended from CVS to the Museum of the Shenandoah Valley

Project Cost: \$7 million	
Water & sewer revenue bonds	\$1 million
VDOT	\$1.6 million
Frederick Co. Schools	\$300,000

If you're wondering why the City is replacing such a large amount of water and sewer infrastructure, consider this:

- Winchester has the third oldest water distribution system in the United States
- Many existing pipes are over 180 years old
- The older a pipe, the more likely it is to leak or break causing disruptions in service



Wood pipes discovered during 2004 water main replacement project

North End Project



- Streets included:
- Highland Avenue
 - Freemont Street
 - Virginia Avenue
 - Smithfield Avenue
 - Fairfax Lane
 - Gray Avenue
 - Baker Street
 - North Kent Street
 - Kern Street
- Improvements:
- 9,600 linear feet of water main replacement
 - 3,190 linear feet of sewer main replacement
 - 8,500 square yards of new sidewalks
 - New paving on all streets within the project

Project Cost: \$6 million	
Water & sewer revenue bonds	\$3 million
Federal grant	\$1.5 million
Federal low interest loan	\$1.5 million

Mileage

Winchester's water system includes 120 miles of pipe. The City has prioritized infrastructure replacement based on the most need and is currently replacing an average of two miles per year.

Benefits

- Improved reliability for customers and firefighters
- Increased water pressure
- Reduction in number of main breaks and leaks
- Lower operational costs



Indian Alley Project

- Underground water and sewer infrastructure replacement
- Stormwater inlet replacement
- New brick sidewalks
- New decorative streetlights
- New trees and streetscaping

Project Cost: \$1.2 million

Funding: Water and sewer revenue bonds



Water Plant Upgrade

- New chemical feed systems
- New water storage tanks
- New solids handling system
- New high service pump station
- New raw water pumps
- Upgraded laboratory
- Controls and computer system improvements

Project Cost: \$25 million

Funding: Water and sewer revenue bonds

Improvements to the Water Plant were necessary to replace much of the original equipment which was over 50 years old. These upgrades will help meet more stringent environmental and water quality regulations, and improve the overall reliability of the facility.

15,000 Square Yards of New Sidewalks & New Trees

- Valley Avenue
- South Loudoun Street
- Millwood Avenue
- Purcell Avenue
- Woodstock Lane
- Cork Street
- 85 new trees were planted

Project Cost: \$2 million

General Fund	\$1 million
VDOT	\$1 million



BEFORE



AFTER



Public Services - Public Works

The City's Public Works division serves the community in a variety of ways, including:

- Refuse and recycling collection
- City tree maintenance
- Street maintenance
 - Sidewalk repair
 - Pothole repair
 - Snow removal
 - Street signs maintenance
 - Mowing and yard waste collection
 - Traffic signal management



2012 Street Maintenance Totals

Work	Totals
Sidewalks Replaced/Planed	122.5 cubic yards
Concrete Sidewalks Replaced with Rubber	167 cubic yards
Streets Swept	4,417 miles
Medians/Rows Mowed	245 acres
Leaves Collected	1,249 tons
Storm Drains Cleaned	1,032
Potholes Repaired	228

June 29, 2012 Derecho Cleanup

Public Works

- 92 = number of downed or damaged trees removed from right-of-way
- 1,320 = tons of debris hauled to the landfill
- 3,100+ = hours employees spent on storm cleanup
- 2,100+ = hours Regional Jail inmates assisted with cleanup

2012 Tree Maintenance

133 = Trees planted 149 = Trees removed
566 = Trees trimmed

In 2012, the City Arborist, Winchester Parks and Recreation and the Winchester Parks Foundation teamed up to create the Adopt-A-Tree, Watch It Grow program to help replant trees lost during the derecho. Visit the City's website for details.



Parks & Recreation

- 139 = number of downed or damaged trees in the Winchester Parks system (mainly Jim Barnett Park)
- 158 = tons of debris removed from the parks
- 1,185+ = hours Winchester Parks & Recreation staff spent on storm clean up



In 2012, the City of Winchester celebrated 30 years as a Tree City!





Public Services - Refuse & Recycling

2012 Refuse & Recycling Totals

Work	Totals
Recycling Collected (Percentage of Total)	3,322 tons (33.77%)
Refuse Collected	6,516 tons
FREE Recycling Bins Delivered	1,303
Presentations/Tours (Attendance)	13 (814 people)
Refuse Collection Services	16,469 miles
Recycling Collection Services	17,281 miles
Yard Waste Collection Services	8,157 miles

Thank you for recycling! Together we can make a difference.



Aluminum Cans

20 Tons



Mixed Paper

1,374 Tons



Plastics

166 Tons

Recycling Saves!

In 2012, Winchester residents and businesses recycled over 3,320 tons of materials which saved money, landfill space, energy, trees and electricity.

Recycling 3,322 tons of materials saved:

- Over \$39,840 in landfill costs
- Over 9,960 cubic yards of landfill space

Did you know?

- Recycling 20 tons of aluminum cans saves energy equivalent to 62,500 gallons of gasoline or over 14 kilowatt hours of electricity
- Recycling 1,374 tons of mixed paper saved over 23,358 trees



Help us save more. Start recycling today!

Request a free blue bin by contacting Michael Neese, Recycling Coordinator, at (540) 667-1815, ext. 1452.





Public Information

The City greatly values transparency in government and public communication. To keep the public informed, the City uses several different tools including:

- Website: www.WinchesterVA.gov
- Electronic newsletters: CitE-News (weekly) & Parks ActivitE-News (monthly)
- Social Media: Facebook and Twitter
- Informational cable channel 6: Winchester Community Television
- Community Alert System: CodeRed (formerly known as DeltAlert)
- Online job application service: NeoGov
- INSIGHT Citizen's Academy (see page 20)

Channel 6

Launched in November 2011, Channel 6 is a tool the City uses to promote the following:

- public services
- meetings
- events
- Council meetings
- programs
- deadlines
- Old Town Winchester
- facility closings
- and much more!

For years, Winchester City Council regular meetings were broadcast live on the channel. In 2012, Work Sessions were added to the schedule.

Live Meeting Schedule:

- Regular Council Meeting 7:00 pm, 2nd Tuesday
- Council Work Sessions 6:00 pm, 3rd & 4th Tuesdays

Replay Schedule:

As of December 2012, all meetings are replayed at 7:00 pm the following Thursday.



Community ALERT System

In 2012, the City of Winchester implemented a community alert system, called DeltAlert. This new system allows the City to send emergency notifications and public service announcements to subscribers via a variety of devices (mobile phone, text, email, landline, etc.). In 2013, the City will switch to the CodeRed system.

NeoGov

Job seekers can apply for City of Winchester jobs online as well as monitor the status of their application from any computer with an internet connection. Two computers are also available in City Hall (3rd floor).





Winchester Department of Social Services

Child Care Services

Provides funding to enhance the quality, affordability, and supply of child care available to families. Child care programs are child-centered, family-focused services that support the family goals of economic self-sufficiency and child development by providing substitute parental care, protection, guidance and early childhood education.

Funding:

4% Local • 46% State • 50% Federal

	FY11	FY12
Families Served (Avg. Monthly)	86	75
Children Served (Avg. Monthly)	150	130
Total Childcare Subsidy Provided	\$231,015	\$379,260

Child Protective Services

Investigates reports and provides services to treat and prevent child abuse and neglect.

	2011	2012
Intakes	622	601
Investigations	60	45
Founded Cases	22	11
Ongoing Cases	19	26
Family Assessments	229	206
Family Services Cases	19	61

SNAP

Supplements the food budgets of low-income households to help provide a nutritional diet.

Funding: 100% Federal

	2011	2012
Applications	2,154	2,063
Average Cases/Month	2,176	2,320
\$ Issued	\$6.7 M	\$7.0M

VIEW

Offers employment-related activities, education, training and needed support services to TANF recipients while providing the opportunity to achieve economic independence, opportunities and work skills necessary for self-sufficiency.

Funding:

15.5% Local • 34.11% State • 50.39% Federal

	2011	2012
Individuals Referred	150	134
Total Enrolled	178	164
# Involved in Work Activity (% of total)	150 (84%)	144 (88%)
# Employed (% of total)	102 (57%)	99 (60%)
Average Hourly Wage	\$8.04	\$8.16
Average Monthly Earnings	\$1,013	\$1,073
Supportive Services Expenditures	\$91,390	\$102,485



WINCHESTER DEPARTMENT OF SOCIAL SERVICES MISSION:

People helping people TRIUMPH over poverty, abuse, and neglect; to shape STRONG futures for themselves, their families and communities.



TANF

Provides time-limited financial assistance and employment-related services to enable families with children to become self-supporting.

Funding: 100% Federal

	2011	2012
Applications	370	325
Average Cases/Month	170	155
Total Issued	\$569,771	\$476,606

Energy Assistance

Assists low-income households in meeting their immediate home energy needs. **Fuel Assistance** purchases home heating fuel; **Crisis Assistance** assists with an emergency heating need; and **Cooling Assistance** assists with payment to operate or repair/replace cooling equipment.

Funding: 100% Federal (\$238,113)

	2011	2012
Fuel Applications	588	550
Crisis Applications	144	139
Cooling Applications	379	384

Adoption & Foster Care

Funding: 50% State • 50% Federal

	2011	2012
Adoptions	1	5
Adoption Subsidy & Special Needs Adoption (# people/\$)	38/ \$517,503	40/ \$490,467
Children in Foster Care	33	25

Medicaid

Makes direct payments to health care service providers for eligible individuals and families who are unable to pay for needed medical services such as prescription drugs, doctor visits, nursing facility care, and hospital care.

Funding: 50% State • 50% Federal

	2011	2012
Applications	1,237	1,479
Average Monthly	103	123
Average Cases/Month	3,134	3,165
\$ Issued	\$24.4M	\$24.6M

Adult Services

Provides services to impaired adults age 18+ years and to adults age 60+. These services are designed to assist the adult in remaining in the least restrictive setting and functioning as independently as possible, to establish or strengthen appropriate family and social support systems, and to support the adult in self-determination.

Funding: 20% Local • 80% Federal

	2011	2012
Adult Protective Investigations	45	59
Ongoing Cases	54	51
Companion Care	3	3
Companion Care Expenditures	\$9,628	\$4,332
Guardianships	38	42
Auxiliary Grant (pp served)	34	30
Auxiliary Grant Expenditures	\$180,459	\$152,795

2012

Accomplishments

- Selected as a member of the Innovators of Success Council by the Virginia Department of Social Services
- Selected as a community for the Strengthening Families Initiative by the Virginia Department of Social Services
- Expanded Family Services Prevention programs
- Created the Fatherhood Program



Fundraisers:

- Heater Fund – 30 donated heaters and \$1,631. The funds are to be used to purchase additional heaters or help with primary heat security deposits or alleviate disconnects/no heat situations.
- Food Pantry – \$450 in grocery gift cards were given to individuals/families. This employee supported project was established to provide immediate help to those who have applied for SNAP or are affected by a delay in receiving SNAP benefits.



Parks & Recreation



ADA Improvements

Efforts continued to improve access to existing facilities in Winchester's park system to meet ADA requirements. Improvements made in 2012 include accessible routes from handicap park spaces to the fields and accessible seating areas at FOE #824 Eagles Field, the T-ball field and Bridgeforth Field. More improvements at the BMX Track and Bridgeforth Field are planned for 2013.

Field Renovations

In 2012, the City of Winchester invested \$200,000 toward athletic field improvements at Friendship and Jim Barnett Parks. Improvements include grading, irrigation repairs and new Bermuda grass sod at the soccer field in Friendship Park and Bodie Grim and Rotary baseball fields in Jim Barnett Park. These improvements will result in reduced maintenance costs and better playing surfaces for recreational play.



Local Youth Receive Free Swim Lessons

Winchester Parks & Recreation teamed up with the Winchester Swim Team to offer free swimming and water safety lessons to youth involved with the local Boys and Girls Club during the summer of 2012.

Dog Park Upgrades

Thanks to an unsolicited private grant from the Elizabeth C. Clark Foundation to the Winchester Parks Foundation, several upgrades to the Dog Park in Jim Barnett Park were made in 2012. A small dog area, waterline and fountain was added.

The Dog Park continues to be a very popular amenity with 294 members (246 in 2011).

Obstacle Course Recognized

The Park's World Explorer Obstacle Course held in June 2012 was recognized by a national recreation-related magazine as an innovative way to raise funds to other support park programs and events.

Money raised at the inaugural obstacle course was designated for the 2012 International Children's Festival and the Winchester Parks Foundation's financial aid fund.

International Children's Festival and the Winchester Parks Foundation's financial aid fund.





Winchester Green Circle

The Winchester Green Circle project, when completed, will provide safe facilities and accommodations for both bicyclists and pedestrians, connecting major destinations for citizens and tourists. The circle connects areas of historic, recreational, educational, and natural interest. Some of those attractions include:

- Jim Barnett Park
- Old Town Winchester
- Abrams Creek Wetlands Preserve
- Shenandoah University
- Glen Burnie Historic House & Gardens/Museum of the Shenandoah Valley

2012 Highlights:

- A portion of the trail along Amherst Street was completed as part of the City's Utility Infrastructure Improvement Project on Amherst Street
- Design work began on Phase II of the Town Run Linear Park (Pall Mall to Cecil Street).



Review the new Green Circle brochure online or pick up a copy at Winchester Parks & Recreation.



INSIGHT Citizen's Academy



“If I were Emperor of Winchester, I'd make this program mandatory.”

- *INSIGHT Graduate*



The City has offered the INSIGHT Citizen's Academy since 2004. Over 175 people have graduated from the program and many have gone on to serve on an advisory board or Council (i.e. Les Veach, John Tagnesi, Milt McInturff, and John Hill).

The program is offered in the fall each year allowing local residents to get to know how their government operates on a daily basis and why decisions are made through interactive discussions and interesting facility tours.

Benefits

- Gain a deeper understanding of how local government works from the people in the government who directly serve you
- Get to know government leaders and staff members and visit various government facilities
- Understand how you can become engaged in public affairs
- Participate in dialogues with City staff about successes and challenges, as well as the City's past, present and future
- Serve as a role model for other community residents interested in social change
- Help foster an environment that contributes to the quality of life for all residents
- Gain the knowledge needed to become a member of a City advisory board or commission

2013 Schedule

One evening per week
 6:30 - 6:45 pm - Dinner
 6:45 - 9:00 pm - Program
 \$25 per person

- August 1** - Welcome Reception & Guided Historical Tour of Rouss City Hall
- August 8** - City Council & City Manager
- August 13** - Observe Council Meeting
- August 22** - Budget Process
- August 29** - Economic Redevelopment, Old Town Winchester & Parking Authority
- September 5** - Utilities & Tour of Water Treatment Plant
- September 12** - Public Works & Tour of City Yards
- September 17** - Attend Council Work Session & Observe
- September 26** - Planning, Zoning & Inspections
- October 3** - Police, E-9-1-1 & Tour of Timbrook Public Safety Center
- October 10** - Fire & Rescue & Tour of Fire Station
- October 17** - Parks and Recreation & Tourism
- October 24** - Winchester Public Schools & Tour of John Handley High School
- October 29** - Constitutional Officers
- November 7** - Social Services
- November 14** - Graduation

Visit the City's website for details & a registration form.



**We need
your help!**

The City of
Winchester's
various boards and
commissions have
vacancies that only
YOU can fill.

**MAKE A
DIFFERENCE!
APPLY
TODAY!**

For descriptions and to
download an application, visit
WinchesterVA.gov/government
or
call or stop by the
City Manager's office
in Rouss City Hall
(3rd floor)



Winchester
Virginia

Rouss City Hall
15 N. Cameron Street
Winchester, VA 22601
(540) 667-1815



(540) 667-1815 • www.WinchesterVA.gov



City Services Contact List

Rouss City Hall: (540) 667-1815

- City Manager’s Office
- Commissioner of the Revenue
- Planning & Zoning
- Human Resources
- Economic Redevelopment
- Public Information
- Geographic Info. Systems (GIS)
- Finance
- Permits
- Inspections
- Treasurer
- Public Works
- Transit
- Public Utilities

Police

- Non-Emergency: (540) 662-4131
- Administration: (540) 545-4700
- Emergency Management: (540) 545-4721

Fire & Rescue

- Non-Emergency/Administration: (540) 662-2298

Social Services: (540) 662-3807

Parks & Recreation: (540) 662-4946

Old Town Winchester & Parking: (540) 722-7575

Joint Judicial Center: (540) 667-5770



VISION 2028

- The City of Winchester is a beautiful, historic city and a hometown for families.
- Winchester has a vibrant downtown, a growing economy, great neighborhoods with a range of housing choices, and easy movement.

MISSION

The City of Winchester’s mission is to be a financially sound city providing top quality municipal services while focusing on the customer and engaging our community.

GOALS

- Grow the economy
- Develop a high performing organization
- Continue revitalization of Historic Old Town
- Create a more livable city for all

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL/COMMITTEE MEETING OF: March 26, 2013 CUT OFF DATE:

RESOLUTION ORDINANCE PUBLIC HEARING
 MOU ADOPTION X

ITEM TITLE:

Adoption of Various MOU's pertaining to Joint operations between the City and County of Frederick

STAFF RECOMMENDATION:

Approve as recommended

PUBLIC NOTICE AND HEARING:

N/A

ADVISORY BOARD RECOMMENDATION:

N/A

FUNDING DATA:

Funding appropriated as needed.

INSURANCE:

No liability assumed.

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

<u>DEPARTMENT</u>	<u>INITIALS FOR APPROVAL</u>	<u>INITIALS FOR DISAPPROVAL</u>	<u>DATE</u>
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. City Attorney		_____	<u>3/20/2013</u>
6. City Manager		_____	<u>3-21-13</u>
7. Clerk of Council	_____	_____	_____

Initiating Department Director's Signature:  3-15-13
Date

Mary Blowe, Finance Director



APPROVED AS TO FORM:

3/20/2013
 CITY ATTORNEY

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council
From: Mary Blowe, Finance Director
Date: March 26, 2013
Re: Adoption of Joint agreement MOU's with Frederick County

THE ISSUE: Frederick County has drafted MOU's that pertain to operations that the City and County are currently abiding to, but this would formalize the process and give both the City and County clarity and documentation on the processes.

RELATIONSHIP TO STRATEGIC PLAN: With this resolution, City administration can work within our budget to maintain services and reallocate funds to accomplish *a more liveable City for all. And support of our mission of a financially sound City providing top quality municipal services while focusing on the customer and engaging our Community.*

BACKGROUND: The City and County through the joint finance committee process have in the past created operational procedures for the following purposes:

- Joint Judicial Center
- Winchester-Frederick County Convention and Visitors Bureau
- Museums

In the following MOU's our current operating procedures are documented.

BUDGET IMPACT: The City of Winchester serves as the fiscal agent for the Joint Judicial Center and each entity pays expenditures on a 50/50 split. The City of Winchester is the fiscal agent for the Winchester-Frederick County Convention and Visitors Bureau. Each locality contributes \$100,500 each fiscal year to this bureau. Other contributions mutually agreed upon to go to this entity would be funded on a 50/50 basis between the City and County. The purpose of the MOU regarding the museums states that the City will fund the City owned museums and the County will fund their museums. Each locality will serve as the fiscal agent for the respective museums.

OPTIONS: City Council can review the MOU's and decide to make changes to either the funding or fiscal agent responsibilities.

RECOMMENDATIONS: Staff recommends the approval of MOU's as recommend through the joint finance committee process.



COUNTY of FREDERICK

John R. Riley, Jr.
County Administrator

540/665-5666
Fax 540/667-0370
E-mail:

jriley@co.frederick.va.us

TO: Board of Supervisors
FROM: John R. Riley, Jr., County Administrator
DATE: March 4, 2013
RE: Joint Finance Committee Meeting

The Joint Finance Committee met on Wednesday, February 27, 2013 at 8:00 A.M., in the First Floor Conference Room, County Administration Building, 107 North Kent Street, Winchester, Virginia. Present were Chairman Richard Shickle and Bill M. Ewing, Frederick County representatives; and John Willingham, and Milt McInturff, City of Winchester representatives. Others present: John R. Riley, Jr., County Administrator; Jay E. Tibbs, Deputy County Administrator; Dale Iman, City Manager; Roderick B. Williams, County Attorney, Anthony Williams, City Attorney; Mary Blowe, Finance Director, City of Winchester; Cheryl Shiffler, Finance Director, Frederick County; Douglas Hewett, Assistant City Manager; and Matt Armstrong, *The Winchester Star*.

Mr. Shickle called the meeting to order.

*****For Board Action*****

MEMORANDUMS OF UNDERSTANDING FOR JOINT PROJECTS

The committee reviewed the draft Memorandums of Understanding regarding the Joint Judicial Center, Economic Development Commission, and the Convention and Visitors' Bureau (a.k.a. Tourism Board). It was noted the annual contribution amount contained in the Convention and Visitors' Bureau should be \$100,500 per locality.

Mr. Iman noted the Memorandum of Understanding for the Economic Development Commission needed to provide for the recognition of the Winchester EDA and the EDA Director. A revised Memorandum of Understanding will be brought back to the Joint Finance Committee for consideration.

In addition, the committee reviewed a Memorandum of Understanding terminating the joint funding relationship as it relates to the funding allocation for the Old Frederick County Courthouse Civil War Museum, George Washington's Headquarters, Stonewall Jackson's Headquarters, and Abrams Delight. Under the termination MOU, each locality shall serve as the fiscal agent for the respective museum(s) for which it owns the real property, which reflects the current practice.

Upon a motion by Mr. Willingham, seconded by Mr. Ewing, the committee recommended approval of the Memorandums of Understanding for the Joint Judicial Center, the Convention and Visitors' Bureau, with the noted amendment, and Museums. **(See attached.)**

*****For Information Only*****

COURTHOUSE RENOVATIONS/RFP UPDATE/SPACE NEEDS

Winchester City Manager Dale Iman provided a brief overview of the January 2, 2013 meeting with Judge Wetsel regarding the project and the actions taken to date to get staff input regarding space needs, etc. He advised a draft RFP would be provided to Mr. Riley for his review next week. If both localities were in agreement with the RFP then funding would be solicited.

GENERAL DISTRICT AND JUVENILE & DOMESTIC RELATIONS COURTS EMPLOYEE SUBSIDY REQUEST

The committee received a request from the clerks of the Winchester/Frederick County General District Courts and Juvenile Domestic Relations Court for salary supplements for their staff. The clerks noted there were positions within the departments that were behind the city and county employee with regard to salary. They noted both courts were understaffed. The General District Court has a total of 11 full-time employees and the Juvenile District Relations Court has 8 full-time employees. The joint request totaled \$45,600 or \$22,800 per locality.

The committee discussed this request at length. There were numerous issues:

- What is the fiscal impact to the localities?
- The City currently does not currently subsidize the salaries of court employees.
- Which locality would administer this subsidy, if it were to be approved?
- Would the employees become county or city employees?

The committee had compassion for the employees, but needed additional information.

Upon a motion by Mr. Ewing, seconded by Mr. Willingham, the committee denied the request and asked that it be resubmitted next year for reconsideration. **(See attached.)**

LIBRARY FUNDING FOR FY 2014

City Manager Iman stated the library director advised him that the City fully funded the library in the current fiscal year, but Frederick County and Clarke County did not and the City was not notified. He asked what the county's intent was for the upcoming fiscal year regarding library funding.

County Administrator John R. Riley, Jr. responded that the county level funded based on the Board of Supervisors' policy over the past few years of no operating increase. He noted this year the library requested \$850,000, which is more than they were funded in FY 2013.

Finance Director Cheryl Shiffler stated Frederick County would know in March the amount of funding for the library.

City Manager Iman asked that the information be communicated when that decision is made.

OUTSIDE AGENCY FUNDING DISCUSSIONS

The committee discussed how each locality addresses funding requests from outside agencies.

Administrator Riley advised that Frederick County provides funding through the General Fund. He went on to say the county has not funded any new agencies.

City Manager Iman advised that Winchester was reviewing its process for funding outside agencies. One avenue included the possible use of Community Development Block Grant funding to serve as seed money for a few years, after which time, the funding would be reduced and the agencies should be self-sustaining. **(See attached.)**

There being no further business, the meeting was adjourned at 9:00 a.m.

MEMORANDUM OF UNDERSTANDING

**FREDERICK COUNTY AND CITY OF WINCHESTER
JOINT AGREEMENT RE: JUDICIAL CENTER**

I. PURPOSE

The County of Frederick and the City of Winchester are entering into this Memorandum of Understanding (MOU) to determine the funding allocation for the Winchester-Frederick County Joint Judicial Center.

This MOU shall supersede all existing agreements effective July 1, 2012.

II. FUNDING

Funding contributions shall be on a 50%-50% basis between Frederick County and the City of Winchester, subject to annual appropriation.

Funding requests for the ensuing fiscal year shall be submitted to each jurisdiction no later than December 1st of each year.

Notification of proposed appropriation shall be given to each jurisdiction no later than May 1st of each year.

III. FISCAL AGENT

The City of Winchester shall serve as the fiscal agent for the undertaking(s) covered by this MOU.

IV. TERM

The term of this MOU shall be July 1 through June 30 of each fiscal year. Unless otherwise terminated as herein provided, this agreement shall automatically renew and continue in full force and effect from year to year unless terminated by either party in such manner and at such time as hereinafter provided for terminations.

V. TERMINATION

This MOU may be terminated by either party only upon written notice to the other party by certified or registered mail, return receipt requested, at least 90 days prior to the expiration of the initial term or any renewal term; otherwise this MOU shall renew and continue as provided.

Upon termination of this MOU, the parties shall mutually agree as to the disposition of the personal property of the operation and of any jointly owned real property of the operation.

IX. EVIDENCE OF AUTHORITY TO EXECUTE

In accordance with the provisions of the attached Resolutions (incorporated by reference as if set forth fully herein) duly adopted by the parties to this Memorandum of Understanding, the undersigned individuals are hereby authorized and directed to execute this Memorandum of Understanding on behalf of the respective governing bodies, and do hereby acknowledge and agree to abide its terms.

Given under my hand this _____ day of _____, 2013 on behalf of the City of Winchester, Virginia.

Dale Iman, City Manager for the City of Winchester, VA

Given under my hand this _____ day of _____, 2013 on behalf of the County of Frederick, VA

John R. Riley, Jr., County Administrator for the County of Frederick, VA

DRAFT

MEMORANDUM OF UNDERSTANDING

**FREDERICK COUNTY AND CITY OF WINCHESTER
JOINT AGREEMENT RE: WINCHESTER-FREDERICK COUNTY
CONVENTION AND VISITORS' BUREAU**

I. PURPOSE

The County of Frederick and the City of Winchester are entering into this Memorandum of Understanding (MOU) to determine the funding allocation for the Winchester-Frederick County Convention and Visitors' Bureau.

This MOU shall supersede all existing agreements effective July 1, 2012.

II. FUNDING

Each jurisdiction shall contribute \$100,500.00 each to fund the operations of the Convention and Visitors' Bureau. Contributions shall be on a 50%-50% basis between Frederick County and the City of Winchester, subject to annual appropriation, based on the smaller appropriation of each locality.

Funding requests for the ensuing fiscal year shall be submitted to each jurisdiction no later than December 1st of each year.

Notification of proposed appropriation shall be given to each jurisdiction no later than May 1st of each year.

III. FISCAL AGENT

The City of Winchester shall serve as the fiscal agent for the undertaking(s) covered by this MOU.

IV. REPRESENTATION

Representation on the Winchester-Frederick County Convention and Visitors' Bureau shall be apportioned as stated in the Bureau's by-laws. Members shall be appointed jointly by the Frederick County Board of Supervisors and the Winchester City Council.

V. TERM

The term of this MOU shall be July 1 through June 30 of each fiscal year. Unless otherwise terminated as herein provided, this agreement shall automatically renew and continue in full

force and effect from year to year unless terminated by either party in such manner and at such time as hereinafter provided for terminations.

VI. TERMINATION

This MOU may be terminated by either party only upon written notice to the other party by certified or registered mail, return receipt requested, at least 90 days prior to the expiration of the initial term or any renewal term; otherwise this MOU shall renew and continue as provided.

Upon termination of this MOU, the parties shall mutually agree as to the disposition of the personal property of the operation and of any jointly owned real property of the operation.

VII. EVIDENCE OF AUTHORITY TO EXECUTE

In accordance with the provisions of the attached Resolutions (incorporated by reference as if set forth fully herein) duly adopted by the parties to this Memorandum of Understanding, the undersigned individuals are hereby authorized and directed to execute this Memorandum of Understanding on behalf of the respective governing bodies, and do hereby acknowledge and agree to abide its terms.

Given under my hand this _____ day of _____, 2012 on behalf of the City of Winchester, Virginia.

Dale Iman, City Manager for the City of Winchester, VA

Given under my hand this _____ day of _____, 2012 on behalf of the County of Frederick, VA

John R. Riley, Jr., County Administrator for the County of Frederick, VA

MEMORANDUM OF UNDERSTANDING

**FREDERICK COUNTY AND CITY OF WINCHESTER
JOINT AGREEMENT RE: MUSEUMS**

I. PURPOSE

The County of Frederick and the City of Winchester are entering into this Memorandum of Understanding (MOU) to terminate the Memorandum of Understanding between the County of Frederick (the "County") and the City of Winchester (the "City") approved by the City on December 13, 1994 and by the County on December 14, 1994 as it relates to the funding allocation for the Old Frederick County Courthouse Civil War Museum, George Washington's Headquarters, Stonewall Jackson's Headquarters, and Abrams Delight.

This MOU shall supersede all existing agreements effective July 1, 2011.

II. FUNDING

Commencing July 1, 2011, funding for the museums shall no longer be on a shared funding basis. Each of the museums shall be subject to such funding as is made available by the entity that owns the respective museum's real property.

III. FISCAL AGENT

Each locality shall serve as the fiscal agent for the respective museum(s) for which it owns the real property.

IX. EVIDENCE OF AUTHORITY TO EXECUTE

In accordance with the provisions of the attached Resolutions (incorporated by reference as if set forth fully herein) duly adopted by the parties to this Memorandum of Understanding, the undersigned individuals are hereby authorized and directed to execute this Memorandum of Understanding on behalf of the respective governing bodies, and do hereby acknowledge and agree to abide its terms.

Given under my hand this _____ day of _____, 2013 on behalf of the City of Winchester, Virginia.

Dale Iman, City Manager for the City of Winchester, VA

Given under my hand this _____ day of _____, 2013 on behalf of the County of Frederick, VA

John R. Riley, Jr., County Administrator for the County of Frederick, VA

DRAFT



COMMONWEALTH of VIRGINIA

William W. Sharp
Judge

JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT CITY OF WINCHESTER — COUNTY OF FREDERICK

Ann B. Lloyd
Court Clerk

Elizabeth Kellas
Judge

JUDICIAL CENTER
5 North Kent Street
Winchester, Virginia 22601
(540) 667-5770
(For TDD Users - Call VRC 1-800-828-1120)
FAX Number: (540) 723-8886

December 12, 2012

To: City of Winchester Finance
County of Frederick Finance

From: Brenda L. Vance, Clerk-General District Courts for Winchester/Frederick Co.
Ann B. Lloyd, Clerk-JDR Courts for Winchester/Frederick County

Re: Budget Requests for Supplements to staff salaries

On behalf of the district court clerk staff for the City of Winchester and County of Frederick we are asking that the localities consider supplementing staff salaries for the following reasons.

- Information provided by Karl Hade, Executive Secretary of the Supreme Court of Virginia, indicates that studies they have performed reflect that 92.3 percent of district court employees earn less than the state average for state employees.
The General Assembly only changed the statute in the past year or so that allowed courts to request staff supplements. That code section is 16.1-69.45.
16.1-69.45. Salaries of clerks and personnel.
The Committee on District Courts shall fix the salaries for the clerks and personnel of the district courts. Any county or city may supplement the salaries of the clerks and other personnel of the district court wholly out of local funds. However, no supplements may be paid to full-time district court judges or substitute judges.
- Comparisons made with jobs descriptions for the City of Winchester and County of Frederick employees compared to those of the district court show we are behind in

salaries in a range from several thousand to 10,000 dollars or more for different positions within the clerk's office.

- The localities currently support and supplement, in various ways, other state funded offices such as the Office of the Commonwealth's Attorney for both City and County and the Circuit Courts by staffing positions and other means. For example, a recent decision was made in Frederick County to fund a full time assistant commonwealth attorney with the local paper reflecting a cost of approximately \$80,000.
- The localities have added additional sheriff deputies and police officers/city deputies, which have, in turn, increased work loads for the courts who have not received staffing to support the increase in caseload. Both courts have shown increases in caseload, with the General District Court having an increase of almost 7,000 new cases from 2010 to 2011, alone. At this time, both courts have the highest caseloads in the 26th District, exceeding Harrisonburg/Rockingham who have a larger population.
- Both courts are understaffed by 2011 figures at 2.2 staff members in the JDR court and 3.2 staff members in the GD Court. This understaffing places additional workload and expectations on staff members who are already underpaid. Employing and retaining competent, loyal staff is difficult at the current salaries and turnover is problematic.
- In further support of our request we note that local collections for our courts is approximately as follows for 2012 thus far (11 months).
 - City of Winchester: \$390,000.00
 - County of Frederick \$555,000.00

Our joint proposal is to ask for a supplement to be paid, quarterly, in the amount of \$600 per employee for a total of \$2,400 per employee per year, Shared between the City and County. The General District has a total of 11 full time employees and the Juvenile/Domestic District Court has 8. That would equal a total of \$45,600 or ~~\$22,800 per locality~~. That would equal out to about .4 percent of what we collect for the County and around 5.75 for the City.

We feel this amount would boost morale and be an encouragement to staff to stay in these positions, a win-win situation for both the City, the County and the courts.

At the request of the City Manager we will, in January, have a listing of courts who are now receiving supplements from their localities as well as courts like ours' who are in the process of making the request.



COMMONWEALTH of VIRGINIA

William W. Sharp
Judge

JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT
CITY OF WINCHESTER — COUNTY OF FREDERICK

Ann B. Lloyd
Court Clerk

Elizabeth Kellas
Judge

JUDICIAL CENTER
5 North Kent Street
Winchester, Virginia 22601
(540) 667-5770
(For TDD Users - Call VRC 1-800-828-1120)
FAX Number: (540) 723-8886

January 14, 2013

To: Mary Blowe, Finance Director, City of Winchester

From: Ann B. Lloyd, Clerk-JDR Court
Brenda L. Vance, Clerk-GD Court

Re: Courts receiving supplements

Mary,

The statute changed a year or so ago allowing courts to ask their localities for supplements. As explained in our request for same, we are asking for this as our salaries are far below the state average and the courts do generate funds that come back to the localities.

The following courts are ones that we are aware of that have requested and received supplements:

Arlington County
Dickenson County
Washington County
City of Hopewell

Courts now requesting, or preparing to ask for supplements **that we are personally aware of** are:

Loudoun County
Staunton-Augusta
Waynesboro
Shenandoah County

Supplements range from 15 percent of employee salaries (Arlington) to quarterly pay outs received by Washington County.

Please let us know if you have any further questions. Thank you.

Joint Project Summary

Project	Frederick						Winchester					
	2012 Request	2012 Allocated	2013 Request	2013 Allocated	2014 Request	2014 Allocated	2012 Request	2012 Allocated	2013 Request	2013 Allocated	2014 Request	2014 Allocated
Library	801,050	801,050	801,050	801,050	851,389		385,026	385,026	390,334	390,334	390,334	-
Clean	10,519	10,519	10,519	10,519	15,000		0	0	0	0	10,000	-
Early Act Comp	0	0	0	0	0		0	0	0	0	0	0
Literacy Volunteers	0	0	0	0	0		5,000	0	10,000	0	10,000	-
LFCC	56,493	56,493	56,493	56,493	76,936		31,255	31,255	37,391	37,391	48,946	-
Soil & Water Dist	7,650	7,650	7,650	7,650	11,250		4,500	1,000	4,500	1,000	4,500	-
Northwestern Comm. Svc.	318,263	318,263	318,263	318,263	318,263		183,307	183,307	183,307	183,307	183,307	-
Disability Serv Bd	0	0	0	0	0		0	0	0	0	-	-
Reg Commission	26,365	26,365	43,622	43,622	44,085		15,078	15,078	15,198	15,198	50,177	-
Courthouse Museum	25,000	25,000	25,000	25,000	25,000		0	0	0	0	-	-
Our Health	20,655	20,655	20,655	20,655	25,000		25,000	20,188	25,000	20,188	25,000	-
Area Agency on Aging	60,930	60,930	60,930	60,930	100,215		60,000	20,000	45,000	20,000	35,000	-
Compassionate Pharmacy	0	0	0	0	0		0	0	0	0	0	0
Health Dept	301,959	301,959	301,959	301,959	354,205		257,884	257,884	258,766	258,766	266,701	-
Museums (Historical Society)*	0	0	0	0	0		79,156	79,525	79,156	79,525	128,750	-
M P O	8,220	8,220	8,220	8,220	20,000		22,000	22,000	20,000	20,000	20,000	-
JJC	339,000	339,000	339,000	339,000	453,600		391,325	391,325	495,150	495,150	453,600	-
Airport (Oper. & Capital)**	16,874	16,874	16,874	16,874	45,785		58,413	58,412	53,329	53,329	106,866	-
Jail	3,733,510	3,733,510	4,199,498	4,199,498	5,754,532		3,495,106	3,495,106	3,383,564	3,474,064	3,996,427	-
JDC	364,979	364,979	395,456	395,456	395,276		255,957	255,957	267,090	267,090	299,751	-
Tourism	100,500	100,500	100,500	100,500	100,500		100,500	100,500	100,500	100,500	100,500	-
Win/Fred Co EDC	395,949	395,949	401,151	401,151	437,624		72,000	72,000	72,000	72,000	99,756	-
Detox	13,350	0	0	0	0		0	0	0	0	0	0
CSA Early Intervention	0	0	0	0	0		0	0	0	0	0	0
Magistrate's Office	8,819	8,819	8,819	8,819	5,375		4,000	4,000	4,000	4,000	5,375	-
Youth Development Center	22,950	22,950	22,950	22,950	30,000		10,000	10,000	10,000	10,000	10,000	-
Discovery Museum	19,125	19,125	19,125	19,125	25,000		25,000	10,000	25,000	10,000	50,000	-
Patsy Cline Museum	0	0	0	0	0		0	0	0	0	0	0
Northwestern VA Health Sys.	0	0	0	0	0		0	0	0	0	0	0
Apple Country Head Start	0	0	0	0	0		0	0	0	0	0	0
Boys & Girls Club	0	0	0	0	0		20,000	10,000	20,000	10,000	20,000	-
Healthy Families	0	0	0	0	0		10,000	10,000	10,000	10,000	10,000	-
Winchester Day Nursery	0	0	0	0	0		10,000	10,000	20,000	10,000	12,500	-
The Laurel Center*	6503	6503	6503	6503	58,000		5,000	3,000	5,000	3,000	55,000	-
Fremont Street Nursery	0	0	0	0	0		10,000	10,000	10,000	10,000	15,000	-
Winc/Fred Child Advocacy	0	0	0	0	0		0	0	12,600	0	-	-
Blue Ridge Legal Services	2851	2851	2851	2851	5,756		3,000	0	4,873	0	4,873	-
Concern Hotline	0	0	0	0	0		5,000	0	5,000	0	2,000	-
Access Independence	11475	11475	11475	11475	12,000		0	0	0	0	10,000	-
Child Safe Center	0	0	0	0	0		0	0	0	0	12,600	-
Help with Housing	0	0	0	0	10,000		0	0	0	0	5,000	-
LF EMS Council	16420	16420	16420	16420	16,420		0	0	0	8,306	8,306	-
Shen Apple Blossom Festival	3825	3825	3825	3825	5,000		0	0	0	0	5,000	-
VA Comm of the Arts Grant	0	0	0	0	0		0	0	0	10,000	12,000	-
SPCA	0	0	0	0	0		0	0	0	115,000	490,844	-

* Operating and Capital

**Approved amount is for Airport Operating only. Airport Capital is approved by supplemental appropriation after budget adoption

R-2013-21

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL/COMMITTEE MEETING OF: March 26, 2013 CUT OFF DATE: __

RESOLUTION X ORDINANCE ___ PUBLIC HEARING ___

ITEM TITLE: Approval of Consolidated and Annual Action Plan

STAFF RECOMMENDATION: Provisional Approval Pending Future Public Comment

PUBLIC NOTICE AND HEARING: Authorize advertisement of proposed use of CDBG and HOME funds for Consolidated and Annual Action Plan for purposes of receiving public comment and hold public hearing April 9th, 2013.

ADVISORY BOARD RECOMMENDATION: The City's Community Development Committee and Northern Shenandoah Valley Regional Commission's Housing & Community Services Policy Board have discussed and recommend the attached proposal

FUNDING DATA: CDBG and HOME Allocation

INSURANCE: N/A

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

<u>DEPARTMENT</u>	<u>INITIALS FOR APPROVAL</u>	<u>INITIALS FOR DISAPPROVAL</u>	<u>DATE</u>
1. Finance	<i>[Signature]</i>		<u>3-15-13</u>
2. _____			
3. _____			
4. _____			
5. City Attorney	<i>[Signature]</i>		<u>3/18/2013</u>
6. City Manager	<i>[Signature]</i>		
7. Clerk of Council			

Initiating Department Director's Signature: *[Signature]* 3-15-13
Date



APPROVED AS TO FORM:
[Signature] 3/15/2013
CITY ATTORNEY

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council
From: Tyler Schenck, Grants Coordinator and Project Specialist
Date: March 26, 2013
Re: The City of Winchester's Adoption of the New Consolidated Plan and Annual Action Plan

THE ISSUE: Recipient jurisdictions of Community Development Block Grant, HOME Investment Partnership, Emergency Shelter or Housing for Persons with AIDS/HIV program funding must submit to the US Department of Housing and Urban Development (HUD) a Consolidated Plan for use of federal funds on a 3, 4, or 5-year frequency as well as an Annual Action Plan for use of specific allocations in a given fiscal year.

RELATIONSHIP TO STRATEGIC PLAN: Allocations will be used to help create a more livable City for all.

BACKGROUND: FY14 allocations from HUD have not been announced at this time, and the CDBG and HOME proposed activities are subject to the availability of funding and subject to revisions. The Consolidated and Annual Action Plans are awaiting provisional Council approval and will be final upon the conclusion of the public comment period. The Plans are subject to final revisions by staff and public comment after Council approval until the conclusion of the public comment period at 11:59PM on April 9th, 2013. The proposed breakdown of this year's Annual Action Plan for CDBG and HOME funding is displayed below:

- 100% to repayment of Section 108 Loan for the Taylor Hotel Rehabilitation Project
- In the Northern Shenandoah Valley Region the Policy Board recommended the following allocation of HOME funds for FY14:
 - Up to 25% to Homeownership Activities
 - Up to 30% to Homeowner Rehabilitation Activities
 - Up to 20% to Tenant Based Rental Assistance
 - Minimum of 15% to local CHDO's as the eligible set-aside
 - Maximum of 10% to Administrative Activities

The proposed allocation of CDBG and HOME funds over the life of the Consolidated Plan (five years) is listed below:

- 100% to repayment of Section 108 Loan for the Taylor Hotel Rehabilitation Project
- In the NSV Region, the Policy Board recommended the following allocation of HOME funds over the life of the Consolidated Plan (5 years):
 - 20% to Homeownership Activities
 - 30% to Homeowner Rehabilitation Activities

- 25% to Rental Housing Development and/or Tenant Based Rental Assistance
- 10% to local CHDO's as the eligible set-aside
- 5% to local CHDO's as the eligible seed funding
- 10% to Administrative Activities

BUDGET IMPACT: The adoption of the Consolidated and Annual Action Plan dictates how CDBG and HOME funds will be allocated for the duration of the Plans.

OPTIONS: Council may approve or disapprove either of the Plans

RESOLUTION

WHEREAS, agencies that receive U.S. Department of Housing and Urban Development (HUD) funds must prepare and submit a five year Consolidated Plan and an annual Action Plan; and

WHEREAS, the City of Winchester desires to receive HUD funds to develop a viable urban community and to expand economic opportunities; and

WHEREAS, the City of Winchester has developed a Consolidated Plan and an Action Plan and has satisfactorily followed HUD requirements for the creation of each.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINCHESTER, AS FOLLOWS:

SECTION 1. The adoption of this Resolution shall serve as provisional approval of the Consolidated Plan and the Annual Action Plan pending final public comment.

SECTION 2. The Mayor, or presiding officer, is hereby authorized to affix his or her signature to this Resolution signifying its adoption by the City Council of the City of Winchester, and the City Clerk, or her duly appointed deputy, is directed to attest thereto.

SECTION 3. The City Manager, or his designee, is directed to submit the Consolidated Plan and Annual Action Plan to the U.S. Department of Housing and Urban Development.



Executive Summary

ES-05 Executive Summary

1. Introduction

This Consolidated Plan covers program years 2013-2017 (fiscal years 2014-2018). The Plan was developed through a comprehensive planning process involving a cross section of citizens, local government staff and representatives of low and moderate income individuals. Input was solicited through a series of public meetings scheduled specifically to discuss priority needs in the service area. This Plan will serve as the blueprint for affordable housing and community development activities funded through the CDBG and HOME programs in the City of Winchester and Northern Shenandoah Valley Region, respectively. It will also hopefully serve as a guide to private sector involvement in affordable housing and community development and provide helpful information to local community

organizations partnering with the City of Winchester and HOME Consortium. The Northern Shenandoah Valley Region consists of the City of Winchester, and Counties of Clarke, Frederick, Page, Shenandoah and Warren as well as all of the Towns located therein.

The purpose of the Consolidated Plan is to identify a community's housing and community development needs, priorities, goals and strategies, and to stipulate how funds will be allocated to housing and community development activities.

2. Summary of the objectives and outcomes identified in the Plan Needs Assessment Overview

The Consolidated Plan has three parts: a Needs Assessment, Market Analysis and Strategic Plan. On an annual basis, an Action Plan is submitted to HUD which details specific goals, objectives and measurable outcomes for the program year. Below is a summary of each section of the Consolidated Plan.

This Needs Assessment is a tool for organizing and analyzing information specific to the Northern Shenandoah Valley region relating to housing, homelessness and other community development needs. The purpose of this assessment is to identify any outstanding gaps or needs for housing and how, when, and where to address local housing issues. Needs identified include: the cost burden of housing, prevalence of substandard housing and units lacking complete plumbing, need for services and facilities to support homeless and nearly homeless persons and a overall need to improve community infrastructure and services especially in the most dense areas of the region.

The Market Analysis outlined the current market conditions that have resulted in a change in the supply of housing stock in the area. The downturn in the homebuyer market has resulted in a more relaxed rental market. Especially in the case of units converted from owner to rental, prices are falling. However, the reality still remains that there is a need for affordable housing in the area.

While income levels within the Northern Shenandoah Valley region have risen consistently over the past several decades, income has not kept pace with increases in the region's housing supply costs. As such, a substantial housing cost burden has appeared as described below, even for those individual and families above the defined poverty level.

The purpose of the Market Analysis section is to provide a snapshot of the environment in which the region will administer its programs over the course of the Consolidated Plan.

The Strategic Plan represents a coordinated effort to meet needs of low and moderate income individuals and families throughout the region. In order to efficiently develop strategies to meet identified priority needs, two advisory groups were initiated to steer the planning process. In the City of Winchester, the Community Development Committee is a City Council appointed body of Winchester Citizens responsible for oversight of the CDBG program; the Housing and Community Services Policy Board is comprised of appointed representatives from each of the HOME Consortium member

jurisdictions. Both advisory bodies are charged with evaluating data, citizen input and community characteristics to determine priority needs and most appropriate strategies to meet those needs.

This Strategic Plan articulates application of percentage of anticipated funding for eligible activity areas in each of the HUD funded programs. In Winchester City, the Community Development Committee recommended the following allocation of funds over the life of the Consolidated Plan (5 years):

- 100% to repayment of Section 108 Loan for the Taylor Hotel Rehabilitation Project

In the NSV Region, the Policy Board recommended the following allocation of HOME funds over the life of the Consolidated Plan (5 years):

- 20% to Homeownership Activities
- 30% to Homeowner Rehabilitation Activities
- 25% to Rental Housing Development and/or Tenant Based Rental Assistance
- 10% to local CHDO's as the eligible set-aside
- 5% to local CHDO's as the eligible seed funding
- 10% to Administrative Activities

3. Evaluation of past performance

The 2008-2012 Consolidated Plan was the Region's first Strategic Plan for identifying and addressing community development and housing needs. Over the course of the Plan, the City of Winchester (CDBG program) and the Northern Shenandoah Valley Regional Commission (HOME program) were able to successfully implement a diverse range of program and projects including: community infrastructure improvement, homeless prevention, neighborhood improvements, homeownership development, development of new rental units, revitalization of substandard rent and single-family housing, rental assistance and foreclosure mitigation. The program and projects reached all five (5) counties and towns in the Northern Shenandoah Valley.

4. Summary of citizen participation process and consultation process

The Plan was developed through a comprehensive planning process involving a cross section of citizens, local government staff and representatives of low and moderate income individuals. Input was solicited through a series of public meetings scheduled specifically to discuss priority needs in the service area.

The Northern Shenandoah Valley Regional Commission (NSVRC) in its role as a local body for regional collaboration has actively solicited input from public and private entities to enhance its consolidated

planning activates. The NSVRC has a regional Housing & Community Services Policy Board (HCSPB) that meet's bi-monthly and is composed of local leaders representing the health care, education, social services, real estate, workforce investment, economic development, special interest, government and planning sectors. This body serves as the principle group for the evaluation for the consortiums effort to undertake housing and development activities with federal funds (primarily HOME). Advising the process is a stakeholder Technical Advisory Network (TAN) comprise of regional housing, homelessness and other service providers. This regional forum meets bi-monthly and advises the HCSPB on housing and community development activities. This coordination creates a comprehensive network of local experts providing input, outreach and feedback on HOME funded activities to meet the local market conditions.

The City of Winchester utilizes a Community Development Committee (CDC) comprised of City elected officials, key staff, non-profits, and other local stakeholders to inform community development activities, primarily those related to public infrastructure, within the City of Winchester.

5. Summary of public comments

No public comments were received.

6. Summary of comments or views not accepted and the reasons for not accepting them

No public comments were received.

7. Summary

To recap, this Consolidated Plan covers program years 2013-2017 (fiscal years 2014-2018). The Plan was developed through a comprehensive planning process involving a cross section of citizens, local government staff and representatives of low and moderate income individuals. Input was solicited through a series of public meetings scheduled specifically to discuss priority needs in the service area. This Plan will serve as the blueprint for affordable housing and community development activities funded through the CDBG and HOME programs in the City of Winchester and Northern Shenandoah Valley Region, respectively.

This Strategic Plan articulates application of percentage of anticipated funding for eligible activity areas in each of the HUD funded programs.

The Process

PR-05 Lead & Responsible Agencies

1. Agency/entity responsible for preparing/administering the Consolidated Plan

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
Lead Agency	WINCHESTER	

Table 1 – Responsible Agencies

Narrative

The City of Winchester serves as the grantee for Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) entitlement funds. The City of Winchester has delegated administration of the HOME program through a written agreement to the Northern Shenandoah Valley Regional Commission (NSVRC). NSVRC is responsible for the development of the five-year consolidated plan.

Consolidated Plan Public Contact Information

M. Tyler Klein

Community Development Planner, Northern Shenandoah Valley Regional Commission

400 E Kendrick Lane, Front Royal VA, 22630

Tyler Schenck

City of Winchester

15 South Cameron Street, Winchester VA, 22601

Expected Resources

AP-15 Expected Resources Introduction

Anticipated resources identified below were prorated based on 2012 CDBG and HOME entitlement allocations. All anticipated resources are estimates; leveraged funds will also be necessary to ensure project implementation and meeting Consolidated Plan goals.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services					Anticipated resources for CDBG funds will be utilized over the next five (5) years for the re-payment of the Section 108 Loan awarded to the City of Winchester in 2012.	
HOME	public - federal	Acquisition Homebuyer assistance Homeowner	0	0	0	771,000	Anticipated resources for HOME funds estimated using 2012 allocation prorated at an equal amount of the five (5) year period of the Consolidated Plan.	
			0	0	0	1,760,000		

Annual Action Plan
2013

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1			Expected Amount Available Remainder of ConPlan	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$		
		rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA				\$	

Table 1 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Federal funds will be leverage to supplement resources to achieve goals outlined in the Consolidated Plan. Additional resources (private, state and local funds) will be necessary to implement projects and programs on an annual basis. Subsidy layer analysis will be conducted for all funded projects to ensure that federal funds represent a small percentage of all project funding.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

There is no public owned lane or property located within the appropriate jurisdictions that will be used to address the needs identified in the plan.

Discussion

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
Create and Enhance Economic Opportunities	2013	2017	Non-Housing Community Development	CDBG TARGET AREA			Other: 1 Other

Table 2 – Goals Summary

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.215(b)

Projects

AP-38 Project Summary Project Summary Information

No.	Project	Goals Supported	Geographic Areas	Needs Addressed	Funding
1	TENANT BASED RENTAL ASSISTANCE	Provide Safe, Affordable, and Accessible Housing	HOME TARGET AREA - Other	Creates Stable Housing Situations	
	Description	Tenant Based Rental Assistance program serving: Clarke, Frederick, Warren, Shenandoah & Page Counties. Program provides short-term rental assistance in the form of security deposits and first-months rent to qualified low-income persons (including homeless and nearly homeless persons). Program also will provide security deposits for utilities and first-months payments.			
2	Planned Activities	Program provides short-term rental assistance in the form of security deposits and first-months rent to qualified low-income persons (including homeless and nearly homeless persons). Program also will provide security deposits for utilities and first-months payments.			
	DOWN-PAYMENT ASSISTANCE	Provide Safe, Affordable, and Accessible Housing	HOME TARGET AREA - Other	Creates Stable Housing Situations	
3	DOWN-PAYMENT ASSISTANCE	Program to cover City of Winchester, Clarke, Frederick, Page, Shenandoah & Warren Counties. Program provides down-payment and closing cost assistance to first-time low-income home buyers.			
	Description	Program provides down-payment and closing cost assistance to first-time low-income home buyers.			
4	OWNER-OCCUPIED HOME REPAIR	Provide Safe, Affordable, and Accessible Housing	HOME TARGET AREA - Other	Addressing Substandard Housing	
	Description	Program covers: Clarke, Frederick, Page, Shenandoah & Warren Counties. Program provides funds to cover the cost of rehabilitation of eligible low-income owner-occupied homes in internal and external repairs including: energy efficiency upgrades, accessibility and plumbing improvements. Funds are targeted to elderly and disabled persons and families.			
5	Planned Activities	Program provides funds to cover the cost of rehabilitation of eligible low-income owner-occupied homes in internal and external repairs including: energy efficiency upgrades, accessibility and plumbing improvements. Funds are targeted to elderly and disabled persons and families.			
	CHDO PRE-DEVELOPMENT LOAN	Provide Safe, Affordable, and Accessible Housing	HOME TARGET AREA - Other	Addressing Substandard Housing Create Stable Housing Situations	
6	Description	Pre-development loan to qualified CHDO organization.			
	Planned Activities	Pre-development loan to qualified CHDO organization.			
7	SECTION 108 LOAN RE-PAYMENT	Create and Enhance Economic Opportunities	CDBG TARGET AREA - Local Target area		
	Description	Re-payment of Section 108 Loan for rehabilitation of the Taylor Hotel property in Downtown Winchester, VA.			
8	Planned Activities	Re-payment of Section 108 Loan for rehabilitation of the Taylor Hotel property in Downtown Winchester, VA.			

Table 3 – Project Summary

Annual Action Plan
2013

AP-35 Projects

Introduction

2013 Annual Action Plan priorities are as follows:

CDBG PROGRAM

- 100% to repayment of Section 108 Loan for the Taylor Hotel Rehabilitation Project

HOME PROGRAM

- Up to 25% to Homeownership Activities
- Up to 30% to Homeowner Rehabilitation Activities
- Up to 20% Tenant Based Rental Assistance
- Minimum of 15% to local CHDO's as the eligible set-aside
- Maximum of 10% to Administrative Activities

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

CDBG priorities were identified by the Winchester Community Development Committee. For 2013 this includes the 100% use of funds for the repayment of the Section 108 Loan Repayment. 2013 HOME funding priorities were identified by the Housing & Community Services Policy Board to address: HOME program administration, CHDO eligible activities, homeownership development, tenant based rental assistance, and owner occupied home repair.

AP-50 Geographic Distribution

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

The Taylor Hotel is located in the City's pedestrian mall which is in the historic downtown district. The Taylor Hotel was finished in 1848 and has served as a hotel, Civil War headquarters and hospital, theater, department store and telecom center. The building has been vacant since 2004, and its condition has rapidly deteriorated since then, especially after a partial roof collapse in 2007. The property was condemned by the City in 2010, but a substantial investment has been made in the property by the City and redevelopment efforts began in late 2012.

Geographic Distribution

Target Area	Percentage of Funds
CDBG TARGET AREA	100
HOME TARGET AREA	100

Table 5 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

The Old Town Development Board, Community Development Committee, and Economic Development Authority identified the Taylor Hotel located in the historical district as a prime location for redevelopment. The 19th century property had fallen into severe disarray after sitting vacant since 2007. The combined efforts of these public entities helped identify the Taylor Hotel as a target area and initiate its redevelopment.

Discussion

Affordable Housing

AP-55 Affordable Housing

Introduction

2013 Annual Action Plan priorities are as follows:

CDBG PROGRAM

- 100% to repayment of Section 108 Loan for the Taylor Hotel Rehabilitation Project

HOME PROGRAM

- Up to 25% to Homeownership Activities
- Up to 30% to Homeowner Rehabilitation Activities
- Up to 20% Tenant Based Rental Assistance
- Minimum of 15% to local CHDO's as the eligible set-aside
- Maximum of 10% to Administrative Activities

One Year Goals for the Number of Households to be Supported	
Homeless	36
Non-Homeless	60
Special-Needs	14
Total	110

Table 6 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	78
The Production of New Units	0
Rehab of Existing Units	14
Acquisition of Existing Units	18
Total	110

Table 7 - One Year Goals for Affordable Housing by Support Type

Discussion

AP-60 Public Housing

Introduction

There is no public housing in the Northern Shenandoah Valley.

Actions planned during the next year to address the needs to public housing

There is no public housing in the Northern Shenandoah Valley.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

There is no public housing in the Northern Shenandoah Valley.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

There is no public housing in the Northern Shenandoah Valley.

Discussion

AP-65 Homeless and Other Special Needs Activities

Introduction

Outlined below are the one-year goals and the specific actions steps the Northern Shenandoah Valley region will undertake in the program year to carry out the homeless and other special needs strategy outlined in the Consolidated Plan. Specific goals for the program year include: homeless prevention and rapid-rehousing, expansion of outreach and services to special needs populations and strengthening strategic and organization capacity of the Continuum of Care (CoC) and partner organizations.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

As outlined in the region's Ten (10) Year Plan to End Homelessness, the Continuum of Care (COC) is committed to forming a broad-based advisory committee comprised of members throughout the community, including elected officials, representatives of local government, the United Way, community and health foundations, and other influential community leaders who are dedicated to ending homelessness. The advisory committee will assist the COC to raise awareness of the problem of and solutions to homelessness in the community as well as to increase and leverage resources to achieve the goals of the ten year plan. The COC will seek out a prominent community leader to serve as a chairperson of the committee and act as a community spokesperson for the cause of solving homelessness in the Northern Shenandoah Valley.

Addressing the emergency shelter and transitional housing needs of homeless persons

The COC is working towards strengthening capacity of existing emergency shelter and transitional housing providers in the region. Recent changes in the US Department of Housing & Urban Development's (HUD) programming for homelessness has lead the COC, through the 10-Year Plan to End Homelessness, to begin actively transitioning shelter and service providers from emergency shelters and transitional housing operations towards permanent supportive housing. Over the next ten (10) years the COC looks to successfully transition existing providers to permanent supportive housing and create new permanent supportive housing facilities throughout the region.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals

and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The region's Ten (10) Year Plan to End Homelessness proposes the following goals to address helping homeless persons and families access affordable housing options:

Permanent Supportive Housing – Permanent supportive housing has been identified as a solution to homelessness for a sub-set of the population – those who experience homelessness for long periods of time (chronic homelessness) with multiple barriers to housing stability, including mental disabilities, chemical dependence, and other chronic health conditions. Permanent supportive housing provides first a home and then continuing supportive services to help individuals maintain a home. These support services either directly provide or connect individuals to services in the community. Support services include direct or coordinated care in the areas of mental health, substance abuse, health care, dental care, education, employment, and access to benefits.

Rapid Re-Housing – Rapid re-housing is a strategy to assist families and individuals experiencing homelessness to access housing as quickly as possible and then deliver uniquely tailored services to help them maintain stable housing. It follows a “housing first” philosophy which says that individuals and families experiencing homelessness need housing first, and then they need services.

Rapid re-housing differs from traditional homeless assistance in that it does not require a family or individual to live in emergency shelter or transitional housing for a certain length of time prior to returning to permanent housing. It can, however, be delivered in an emergency shelter or transitional housing setting and is not mutually exclusive from emergency shelter and transitional housing settings.

Services are consumer-driven in that the person, with the help of a case manager, determines the services that she or he needs to maintain their housing. Services are critical to help a family maintain their housing, access and maintain employment, and increase their self-sufficiency and well-being. It is the housing *and* services that make rapid re-housing an effective permanent solution to homelessness.

Partnering with Landlords – Many agencies and community organizations have developed partnerships with landlords, and these partnerships have resulted in access to affordable housing options for those experiencing and at risk of homelessness. The partnership is an agreement that the landlord will rent to this population and, in some cases, the service agency agrees to maintain contact and provide services to help the household remain stably housed. It is a win-win situation for all parties in that the person accesses affordable housing, the service agency helps to house their clients, and the landlord has a source of support if any problems with the tenant arise.

Partnering with Affordable Housing Developers – Non-profit and for-profit affordable housing developers can be important partners in the financing and development of affordable, subsidized, and permanent supportive housing that can serve as a resource to homeless assistance agencies who wish to increase housing available to people experiencing homelessness.

Partnering with Veterans Administration Medical Centers to access HUD VASH vouchers – Case managers at Veterans Administration (VA) Medical Centers may refer eligible veterans experiencing homelessness to receive vouchers for supportive housing. To end veteran homelessness it is therefore imperative to partner with case management staff at the Martinsburg VA Medical Center to assure veterans experiencing homelessness in Northern Shenandoah Valley receive HUD VASH vouchers to which they are eligible.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

The COC, in meeting the goals and strategies outline in the Ten (10) Year Plan to End Homelessness, proposes creating a "Supportive Services" and "Prevention" committee's, which will be tasked with meeting their respective goals. The Supportive Services committee will be responsible for:

- Overseeing the implementation of strategies that increase income through employment;
- Overseeing the creation of a system of centralized intake and assessment;
- Overseeing the implementation of strategies that increase access to disability and other benefits for those who are eligible;
- Overseeing increased access to supportive services.

The Prevention committee will be responsible for:

- Overseeing strategies that prevent the homelessness of people being discharged from hospitals and mental health institutions;
- Overseeing strategies that prevent the homelessness of people exiting from jails;
- Overseeing strategies that prevent the homelessness of youth aging out of foster care;
- Overseeing strategies that prevent the homelessness of unaccompanied youth.

Discussion

AP-75 Barriers to affordable housing

Introduction

Local and regional public policies, as well as national, regional, and local trends and conditions, can affect a region's ability to provide and maintain a viable affordable housing stock. Local policies especially tax policy on property, land use controls, zoning ordinances, building codes, development fees and charges, growth limits, and policies that affect return on residential investment. The Northern Shenandoah Valley Regional Commission, in partnership with the Continuum of Care (COC) and Virginia Fair Housing Office have informed the state-wide Housing Affordability Index (HAI) being assembled by Housing Virginia, which provides a comprehensive guide to policies, regulations and programs to further the development of affordable housing units and programs in the region.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

The Northern Shenandoah Valley HOME Consortium and the City of Winchester recognize that impediments to fair housing choice do exist and are working to improve fair housing choice. The Northern Shenandoah Valley Regional Commission will hold fair housing workshops to educate local officials, housing providers, service providers and the public at-large are aware of fair housing law. Outlined below are proposed strategies to be undertaken in reducing fair housing impediments:

1. Increase transparency surrounding fair housing and complaint process.
2. Increase landlords' and property managers' knowledge of fair housing.
3. Assist persons with disabilities to obtain access to housing and services.
4. Work to reduce NIMBYism by encouraging neighborhood diversity.
5. Encourage affordable housing development.

Discussion

AP-85 Other Actions

Introduction

This section outlines the regions planned actions for 2013-2014 to carry out strategies outlined in the Consolidated Plan for: meeting underserved needs, furthering affordable housing development, reducing lead-based paint hazards, reducing poverty, developing institutional structure and enhancing coordination among agencies.

Actions planned to address obstacles to meeting underserved needs

2013 is the third year in which priority special needs populations are identified for project funding, including those individuals and families transitioning from homelessness. It is the intention annually that increased integration between the annual action planning process and the continuum of care planning process we can achieve a higher level of coordination and efficiency of resource allocation and service delivery. The CoC/TAN will continue to work, with support of NSVRC staff, to implement a strategic plan to end homelessness in the Northern Shenandoah Valley. This Ten (10) Year Plan to End Homelessness is included in the 2013-2017 Consolidated Plan.

Actions planned to foster and maintain affordable housing

Actions planned to foster and maintain affordable housing in the Northern Shenandoah Valley region for the upcoming program year include: building organizational capacity for housing providers to carry out affordable housing development (homeownership), rehabilitation of substandard housing, and assistance to at-risk persons of homelessness through tenant based rental assistance (TBRA); further physical development and improvement to owner and rental units and continued financial assistance through down-payment and TBRA programs.

Actions planned to reduce lead-based paint hazards

As part of the monitoring and compliance activities, NSVRC will assure that all subgrantees, subrecipients and CHDOs conform to the lead based paint requirements associated with rehabilitation. There is little data available to suggest that lead based paint hazards are a major concern in the Northern Shenandoah Valley, but we do encourage identification of such potential hazards for consideration in our Home Repair Programs.

Actions planned to reduce the number of poverty-level families

As part of the work program from 2013, NSVRC will be coordinating with the region's economic development directors to identify strategies to promote economic development and redevelopment opportunities throughout the region, including identification of resources available to persons who are

at risk of poverty. Strategies might include job retraining programs, small business development programs, micro-lending and general self-sufficiency programs.

Actions planned to develop institutional structure

NSVRC continues to coordinate with area stakeholders, namely human service providers, through staff support provided to the Housing and Community Services Technical Advisory Network. Currently in the midst of a ongoing “membership drive”, we hope to engage additional agencies not directly related to the provision and development of affordable housing but those who serve primarily low and moderate income individuals and families, or members of the prioritized special needs populations.

NSVRC will continue to host and promote training opportunities, particularly those focused on resource development, capacity building, and sustainability. A full calendar of training events will be developed and adopted in July, 2013.

Actions planned to enhance coordination between public and private housing and social service agencies

NSVRC continues to coordinate with area stakeholders, namely human service providers, through staff support provided to the Housing and Community Services Technical Advisory Network/Continuum of Care.

Discussion

Program Specific Requirements

AP-90 Program Specific Requirements

Introduction

The purpose of this section is to outline program-specific requirements for the Annual Action Plan and ensure program compliance for the Community Development Block Grant (CDBG) and HOME Investment Partnership Funds. Specifically these program requirements align with the Consolidated Plan Final Ruling.

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220.(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	0

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

**HOME Investment Partnership Program (HOME)
Reference 24 CFR 91.220.(1)(2)**

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

As outlined in the Northern Shenandoah Valley HOME Manual: because HOME funds are only one source of funding, applicants are required to utilize leverage to complete the project. Leverage is all other sources of funding in a project or activity (excluding HOME funds). Leverage includes match. The application process requires a project to successfully utilize leverage. Leverage is essential for a successful project.

- bank loans or other loans not repayable to the HOME account
- CDBG funds
- Contributions to units that are not HOME-assisted or HOME-eligible
- Federal funds, either grants or loans
- All forms of Owner Equity

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

In order to assure continued affordability of HOME assisted housing units, the Northern Shenandoah Valley (NSV) HOME Consortium imposed a recapture provision by which all or a portion of the direct subsidy for housing be recaptured from the net proceeds of the sale in the event a sale occurs during the affordability period.

For HOME assisted homebuyer projects/activities, recaptured funds will be based on net proceeds from the sale of the HOME assisted housing (either voluntary or involuntary) and be reduced on a pro rata basis for the time the homeowner has owned and occupied the housing measured against the affordability applicable period. For example, if \$15,000 in HOME assistance is provided and the unit sells in year four of ownership, the Consortium will require that \$3,000 be returned, if net proceeds are equal to or exceed this amount.

All HOME agreements with homebuyers and with CHDO's/subrecipients will include these resale/recapture provisions to ensure compliance with regulation.

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

In order to assure continued affordability of HOME assisted housing units, the Northern Shenandoah Valley (NSV) HOME Consortium imposed a recapture provision by which all or a portion of the direct subsidy for housing be recaptured from the net proceeds of the sale in the event a sale occurs during the affordability period.

For HOME assisted projects where funds were used for acquisition, recaptured funds will be based on net proceeds from the sale of the HOME assisted housing (either voluntary or involuntary) and be reduced on a pro rata basis for the time the homeowner has owned and occupied the housing measured against the affordability applicable period. For example, if \$15,000 in HOME assistance is provided and the unit sells in year four of ownership, the Consortium will require that \$3,000 be returned, if net proceeds are equal to or exceed this amount.

All HOME agreements with CHDO's/subrecipients will include these resale/recapture provisions to ensure compliance with regulation.

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

In order to assure continued compliance with HOME assisted multifamily housing that was rehabilitated with HOME funds, the Northern Shenandoah Valley HOME Consortium proposes the following plans to refinance existing debt as consistent with 24 CFR 92.206(b) and adopted in the NSV HOME Consortium Manual:

As required by the HOME regulations, to be funded under the CHDO set-aside category, a CHDO must assume the role of owner, developer and/or sponsor. In this scenario, the nonprofit is not assuming any of these three roles, as defined by the regulations. As a result, this unit in question would be classified as homeowner rehabilitation, which is not a CHDO-eligible activity

Furthermore, if a nonprofit was funded for homebuyer activity, but under the CHDO set-aside category, the scenario would still be classified as homeowner rehabilitation and would not be eligible.

B.2013-20

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL/COMMITTEE MEETING OF: March 26, 2013 CUT OFF DATE:

RESOLUTION X ORDINANCE PUBLIC HEARING

ITEM TITLE:

Resolution to reimburse expenditures with proceeds of a borrowing

STAFF RECOMMENDATION:

Approve as recommended

PUBLIC NOTICE AND HEARING:

N/A

ADVISORY BOARD RECOMMENDATION:

N/A

FUNDING DATA:

Funding appropriated as needed.

INSURANCE:

No liability assumed.

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

Table with 4 columns: DEPARTMENT, INITIALS FOR APPROVAL, INITIALS FOR DISAPPROVAL, DATE. Rows include City Attorney, City Manager, Clerk of Council, and numbered lines 1-4.

Initiating Department Director's Signature: Mary Blowe Date: 3-15-13



APPROVED AS TO FORM: [Signature] 3/18/2013 CITY ATTORNEY

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council
From: Mary Blowe, Finance Director
Date: March 26, 2013
Re: Resolution to reimburse Public Safety Emergency Communications project expenses with proceeds of a borrowing

THE ISSUE: The City of Winchester is considering bonding a portion of the expenses for the Public Safety Emergency communications system. This resolution would allow us to reimburse ourselves for expenses that occur prior to the bond issuance.

RELATIONSHIP TO STRATEGIC PLAN: With this resolution, City administration can work within our budget to maintain services and reallocate funds to accomplish *a more liveable City for all. And support of our mission of a financially sound City providing top quality municipal services while focusing on the customer and engaging our Community.*

BACKGROUND: During last year's budget Cycle (FY 2013), City Staff recommended to utilize cash to pay for the entire Emergency Communications project, however, as we have been developing the FY 2014 budget it is clear that we have capacity to bond these necessary expenses to free up available cash for other one time expenses. Last year, we were not aware of where our real estate assessments would be as they apply to our debt policy.

BUDGET IMPACT: With the change, we would bond \$1.6M for 20 years (in conjunction with a larger project) This portion of debt would be approximately \$126,000 annually for 20 years.

OPTIONS: City Council can choose to continue with the cash option and forego the other one-time projects presented in the budget, or simply save the cash in our unassigned fund balance.

RECOMMENDATIONS: Staff recommends the approval of the bond reimbursement resolution to fund the capital portion of the Public Safety Emergency Communications project.

**RESOLUTION OF OFFICIAL INTENT TO REIMBURSE
EXPENDITURES WITH PROCEEDS OF A BORROWING**

WHEREAS, the City of Winchester, Virginia (the “Borrower”), intends to finance the acquisition of communications equipment for public safety purposes (the “Project”); and

WHEREAS, plans for the Project have advanced and the Borrower expects to advance its own funds to pay expenditures related to the Project (the “Expenditures”) prior to incurring indebtedness and to receive reimbursement for such Expenditures from proceeds of tax-exempt bonds or taxable debt, or both;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF WINCHESTER, VIRGINIA, THAT:

1. The Borrower intends to utilize the proceeds of tax-exempt bonds (the “Bonds”) or to incur other debt, in an amount not currently expected to exceed \$2,000,000 to pay the costs of the Project.

2. The Borrower intends that the proceeds of the Bonds be used to reimburse the Borrower for Expenditures with respect to the Project made on or after the date that is no more than 60 days prior to the date of this Resolution. The Borrower reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Bonds or other debt.

3. Each Expenditure was or will be, unless otherwise approved by bond counsel, either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Bonds, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the Borrower so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the Borrower.

4. The Borrower intends to make a reimbursement allocation, which is a written allocation by the Borrower that evidences the Borrower’s use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Borrower recognizes that exceptions are available for certain “preliminary expenditures,” costs of issuance, certain de minimis amounts, expenditures by “small issuers” (based on the year of issuance and not the year of expenditure) and expenditures for construction of at least five years.

5. The Borrower intends that the adoption of this resolution confirms the “official intent” within the meaning of Treasury Regulations Section 1.150-2 promulgated under the Internal Revenue Code of 1986, as amended.

6. This resolution shall take effect immediately upon its passage.

Adopted _____, 2013.

R-2013-17 +
R-2013-22

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL/COMMITTEE MEETING OF: March 26, 2013 **CUT OFF DATE:** _____

RESOLUTION X ORDINANCE PUBLIC HEARING

ITEM TITLE: Federal Transit Administration (FTA) and Virginia Department of Rail and Public Transportation (VDRPT) Financial Assistance

STAFF RECOMMENDATION: Approval of two (2) resolutions.

PUBLIC NOTICE AND HEARING: NA

ADVISORY BOARD RECOMMENDATION: NA

FUNDING DATA: See attached.

INSURANCE: NA

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

<u>DEPARTMENT</u>	<u>INITIALS FOR APPROVAL</u>	<u>INITIALS FOR DISAPPROVAL</u>	<u>DATE</u>
1. Finance	<u> B </u>	_____	<u> 3-18-13 </u>
2. City Attorney	<u> P </u>	_____	<u> 3/18/2013 </u>
3. City Manager	<u> [Signature] </u>	_____	_____
4. Clerk of Council	_____	_____	_____
Initiating Department Director's Signature:	<u> [Signature] </u>		<u> 3/14/13 </u> Date



APPROVED AS TO FORM:

 [Signature] 3/14/2013
CITY ATTORNEY

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council
From: Perry Eisenach, Public Services Director
Date: March 14, 2013
Re: Federal Transit Administration Financial Assistance, and
Virginia Department of Rail and Public Transportation Financial Assistance

THE ISSUE: Federal Transit Administration Financial Assistance, and Virginia Department of Rail and Public Transportation Financial Assistance

RELATIONSHIP TO STRATEGIC PLAN: N/A

BACKGROUND: The City receives significant funding from the Federal Transit Administration (FTA) and the Virginia Department of Rail and Public Transportation (VDRPT) for the operation of the Winchester Transit system. FTA and VDRPT rules require that City Council adopt resolutions each year in order to accept these federal funds and state funds.

The total amount of federal and state funding for FY13 will be:

	Federal Funds (FTA)	State Funds (VDRPT)
Operating Assistance	\$451,733	\$159,455
Capital Assistance	\$560,000	\$ 77,000
Total Funding	\$1,011,733	\$236,455

BUDGET IMPACT: The federal and state funds that will be received from FTA and VDRPT are already included in the current FY13 operating and capital budget for Transit.

OPTIONS: Either approve or not approve the attached resolutions.

RECOMMENDATIONS: Approve the resolutions.



THE COMMON COUNCIL

Rouss City Hall
15 North Cameron Street
Winchester, VA 22601
540-667-1815
TDD 540-722-0782
www.winchesterva.gov

RESOLUTION

Federal Transit Administration Financial Assistance

WHEREAS, the Federal Transit Administration has been delegated authority to award Federal financial assistance for transportation services and projects; and

WHEREAS, the grant or cooperative agreement for Federal financial assistance will impose certain obligations upon the Applicant, and may require the Applicant to provide the local share of the project cost; and

WHEREAS, the applicant will provide all annual Certifications and Assurances to the Federal Transit Administration required for the project; and

NOW, THEREFORE, BE IT RESOLVED BY the Common Council of the City of Winchester for Winchester that:

1. The City Manager or his designee is authorized to execute and file an application for Federal assistance on behalf of the Winchester Transit with the Federal Transit Administration for Federal operating assistance, in the amount of \$451,733, and Federal capital expenditure assistance in the amount of \$560,000, as authorized by 49 U.S.C. Chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the Federal Transit Administration. The City of Winchester is the designated recipient of said funds.

2. The City Manager or his designee is authorized to execute and file with its applications the annual certifications and assurances and other documents the Federal Transit Administration requires before awarding a Federal assistance grant or cooperative agreement.
3. The City Manager or his designee is authorized to execute grant and cooperative agreements with the Federal Transit Administration on behalf of the Winchester Transit.

Resolution No.

ADOPTED by the Common Council of the City of Winchester on the ____ day of _____, 2013.

Witness my hand and the seal of the City of Winchester, Virginia.



THE COMMON COUNCIL

Rouss City Hall
15 North Cameron Street
Winchester, VA 22601
540-667-1815
TDD 540-722-0782
www.winchesterva.gov

RESOLUTION

Virginia Department of Rail and Public Transportation Financial Assistance

WHEREAS, the Virginia Department of Rail and Public Transportation has been delegated authority to award State financial assistance for transportation services and projects; and

WHEREAS, the grant or cooperative agreement for State financial assistance will impose certain obligations upon the Applicant, and may require the Applicant to provide the local share of the project cost; and

WHEREAS, the applicant will provide all annual Certifications and Assurances to the Virginia Department of Rail and Public Transportation as required for the project; and

NOW, THEREFORE, BE IT RESOLVED BY the Common Council of the City of Winchester for Winchester that the City Manager or his designee is authorized, for and on behalf of the Winchester Transit, to execute and file an application to the Department of Rail and Public Transportation, Commonwealth of Virginia, for a grant of financial assistance to defray the operating costs borne by the Winchester Transit for public transportation purposes and to accept from the Virginia Department of Rail and Public Transportation grants in the amount of \$159,455 in Operating Assistance and \$77,000 in Capital Assistance, as may be awarded, and to authorize the Winchester Transit to furnish to the Virginia Department of Rail and Public Transportation such documents and other information as may be required for processing the grant request.

The Common Council of the City of Winchester certifies that the funds shall be used in accordance with the requirements of Section 58.1-638.A.4 of the Code of Virginia, that the Winchester Transit will provide funds which will be used to match the state funds in the ratio as required in such Act, that the records of receipts of expenditures of funds granted the Winchester Transit may be subject to audit by the Virginia Department of Rail and Public Transportation and by the State Auditor of Public Accounts, and that the funds granted to the Winchester Transit for defraying the expenses of the Winchester Transit shall be used only for such purposes as authorized in the Code of Virginia.

Resolution No.

ADOPTED by the Common Council of the City of Winchester on the ____ day of _____, 2013.

Witness my hand and the seal of the City of Winchester, Virginia.

R.2013-18

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL/COMMITTEE MEETING OF: March 26, 2013 **CUT OFF DATE:** _____

RESOLUTION X ORDINANCE __ PUBLIC HEARING __

ITEM TITLE: Recycling Grant Application to Virginia Department of Environmental Quality

STAFF RECOMMENDATION: Approval of resolution.

PUBLIC NOTICE AND HEARING: NA

ADVISORY BOARD RECOMMENDATION: NA

FUNDING DATA: See attached.

INSURANCE: NA

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

<u>DEPARTMENT</u>	<u>INITIALS FOR APPROVAL</u>	<u>INITIALS FOR DISAPPROVAL</u>	<u>DATE</u>
1. Finance	<u> <i>b</i> </u>	_____	<u> 3-18-13 </u>
2. City Attorney	<u> <i>W</i> </u>	_____	<u> 3/18/2013 </u>
3. City Manager	<u> <i>[Signature]</i> </u>	_____	_____
4. Clerk of Council	_____	_____	_____
Initiating Department Director's Signature:	<u> <i>[Signature]</i> </u>	_____	<u> 3/14/13 </u> Date



APPROVED AS TO FORM:

 [Signature] 3/18/2013
CITY ATTORNEY

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council
From: Perry Eisenach, Public Services Director
Date: March 14, 2013
Re: Recycling Grant Application to Virginia Department of Environmental Quality

THE ISSUE: Recycling Grant Application to Virginia Department of Environmental Quality

RELATIONSHIP TO STRATEGIC PLAN: N/A

BACKGROUND: Grant funds are available from the Virginia Department of Environmental Quality to assist localities with recycling programs. The Public Services Department is requesting approval from City Council to submit an application for \$10,000 which would be used primarily to purchase new recycling bins for residents. No City matching funds are required and the City has received funds from this program in previous years.

BUDGET IMPACT: No City funds are required for this grant.

OPTIONS: Either approve or not approve the attached resolution.

RECOMMENDATIONS: Approve the resolution to submit the grant application.



THE COMMON COUNCIL

Rouss City Hall
15 North Cameron Street
Winchester, VA 22601
540-667-1815
TDD 540-722-0782
www.winchesterva.gov

RESOLUTION

APPROVE A REQUEST TO APPLY FOR A VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY RECYCLING GRANT

WHEREAS, grant funds are available from the Virginia Department of Environmental Quality to assist localities with recycling programs; and

WHEREAS, the City of Winchester has developed a very successful recycling program; and

WHEREAS, the grant funds from this program would assist the City with its efforts to increase recycling within the community.

NOW, THEREFORE, BE IT RESOLVED THAT: The City of Winchester Common Council hereby authorizes City staff to submit an application for up to \$10,000 in recycling grant funds through the Virginia Department of Environmental Quality.

Resolution No.

ADOPTED by the Common Council of the City of Winchester on the __ day of _____,
2013.

Witness my hand and the seal of the City of Winchester, Virginia.



**FY 2014 APPLICATION AND CONTRACT
FOR A VIRGINIA LITTER PREVENTION AND RECYCLING GRANT**

Deadline for application: June 30, 2013
Grant Period: July 1, 2013 through June 30, 2014

Are you applying as a single locality? **Yes** or **No** (If yes, fill in **ONLY** your local government name on the line for The Primary Agency)

Are you applying as a co-op? **Yes** or **No** (If yes, fill in your agency as the primary agency and the localities that you are representing in addition to your own on the "Localities of" line)

The Primary Agency City of Winchester

The Localities of _____

The Agency is applying for FY 2013 grant funding and agrees to use these grant funds to perform the litter prevention and recycling activities listed below: (Note: for an agency to qualify, a minimum of *two* items must be selected.)

Yes	No		Yes	No	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Planning & Organization	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Adopt-A Programs (List)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recycling			<u>Adopt-A-Street</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Youth Education			_____
<input type="checkbox"/>	<input type="checkbox"/>	Cleanups	<input type="checkbox"/>	<input type="checkbox"/>	Other (List) _____
<input type="checkbox"/>	<input type="checkbox"/>	Law Enforcement			_____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Public Communication			_____

I certify that the above information is correct and agree to the terms and conditions contained herein and in the [Guidelines](#) for this grant program. For Co-op applications, I certify that a written agreement between the Coordinating Agency and each participating locality is on file.

Name of Organization: City of Winchester

Name of Authorized Official: Dale Iman diman@ci.winchester.va.us
(Please print) Email Address

Circle correct title: (County Administrator, **City Manager**, Town Manager or Coordinating Agency's Executive Director)

Signature: _____ Date: _____
Address: 15 N Cameron St. FIN# 54-6001683
Winchester VA 22601 FIPS# 804
Phone: (540) 667-1815 ext. 1401

As long grant funds are committed by June 30, they can be reported as committed funds (outstanding invoices) on your accounting report as having been spent. Unspent funds will be deducted from the locality's FY 2013 – 2014 grant.

INFORMATION BELOW IS FOR DEPARTMENT OF ENVIRONMENTAL QUALITY USE ONLY

Signature of DEQ Official: _____ Date: _____

**DEQ
USE
ONLY**

TRANS	AGENCY	FUND FUND DET	FFY	PROGRAM PROG SUB ELE	OBJECT	AMOUNT	COST CODE
325	440	0925	2013	515 09 00	1451		
INVOICE NUMBER			PROJECT CODE		DESCRIPTION		
			90024				
GRANTS				LITTER PREVENTION AND RECYCLING			

Mail to: Steve Coe, Litter and Recycling Grant, P.O. Box 1105, Richmond VA 23218

B.2013-19

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL/COMMITTEE MEETING OF: March 26, 2013 **CUT OFF DATE:** _____

RESOLUTION XX ORDINANCE __ **PUBLIC HEARING** __

ITEM TITLE: Approval of Winchester Transit Title VI Program

STAFF RECOMMENDATION: NA

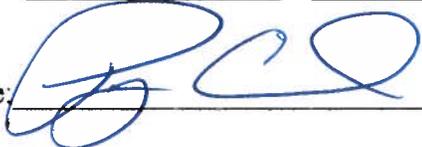
PUBLIC NOTICE AND HEARING: NA

ADVISORY BOARD RECOMMENDATION: NA

FUNDING DATA: See attached.

INSURANCE: NA

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

<u>DEPARTMENT</u>	<u>INITIALS FOR APPROVAL</u>	<u>INITIALS FOR DISAPPROVAL</u>	<u>DATE</u>
1. City Attorney			<u>3/18/2013</u>
2. City Manager			_____
3. Clerk of Council			_____
Initiating Department Director's Signature:			<u>3/14/13</u> Date



APPROVED AS TO FORM:

 3/18/2013
CITY ATTORNEY

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council
From: Perry Eisenach, Public Services Director
Date: March 14, 2013
Re: Approval of Winchester Transit Title VI Program

THE ISSUE: Approval of the Winchester Transit Title VI Program.

RELATIONSHIP TO STRATEGIC PLAN: N/A

BACKGROUND: Winchester Transit is required to have a Title VI Program, approved by City Council, in order to receive federal funds from the Federal Transit Administration. The Title VI Program is required to ensure that the level and quality of transit service is provided without regard to race, color, national origin, or income status. The program must be revised and approved every three (3) years to reflect any modifications to federal regulations.

BUDGET IMPACT: No budget impact.

OPTIONS: Either approve or not approve the revised Title VI Program.

RECOMMENDATIONS: Approve the revised Title VI Program.



THE COMMON COUNCIL

Rouss City Hall
15 North Cameron Street
Winchester, VA 22601
540-667-1815
TDD 540-722-0782
www.winchesterva.gov

RESOLUTION

APPROVAL OF WINCHESTER TRANSIT TITLE VI PROGRAM

WHEREAS, the City receives significant funding from the Federal Transit Administration for the operation of the City's transit system; and

WHEREAS, the City is required to have a Title VI Program in place to receive this federal funding to ensure that the level and quality of transit service is provided without regard to race, color, national origin, or income status; and

WHEREAS, the Title VI Program must be revised every three years to reflect any modifications to federal regulations.

NOW, THEREFORE, BE IT RESOLVED THAT: The City of Winchester Common Council hereby approves the revised Winchester Transit Title VI Program.

Resolution No.

ADOPTED by the Common Council of the City of Winchester on the ____th
day of _____, 2013.

Witness my hand and the seal of the City of Winchester, Virginia.



**City of Winchester
Transit Department
Title VI Program**

301 East Cork Street
Winchester, VA 22601
Phone 540.667.1815 • Fax 540.662.4626

Submitted to:
Federal Transit Administration
Region 3
1760 Market Street
Philadelphia, PA 19103

May 2013

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INTRODUCTION

Winchester Transit provides transit service within the city limits of Winchester. It is a department within the municipality of the City of Winchester. Winchester Transit operates fixed-route and complimentary para-transit service to a population of approximately 26,000.

Winchester Transit has been responsible for providing public transit service in Winchester since 1951. Currently Winchester Transit has a fleet of 11 revenue vehicles. All fixed-route and complimentary para-transit services are directly operated by Winchester Transit.

Winchester Transit operates a network of 7 fixed routes. Service is provided as follows:

- Monday – Friday, 6:00 a.m. to 8:00 p.m.
- Saturday, 9:00 a.m. to 5:00 p.m.
- Trolley Service – Monday, Wednesday, and Friday – 8:00 a.m. to 6:00 p.m.
- Trolley Service – Saturday – 10:00 a.m. to 4:00 p.m.

Winchester Transit's complementary para-transit service operates during the same days and hours of service as the fixed-route service.

Winchester Transit operates from a single administration facility located on the same property where all vehicles are maintained in the transit maintenance facility. This site is also used as the hub for service. Maintenance is provided by the City of Winchester's Equipment Division.

Transit routes are available in all census tracts within the City of Winchester. A map of Winchester Transit's bus routes is attached (Attachment 1).

PURPOSE

The purpose of Winchester Transit's Title VI Program is to ensure that the level and quality of transit service is provided without regard to race, color, national origin or income status. Each direct recipient of FTA funds must provide a compliance report with updates every three years or whenever significant changes in the program occur. Winchester Transit currently receives and will annually apply for operating and capital assistance from FTA under Section 5307.

The U.S. Department of Transportation and FTA require agencies that operate transit service to comply with the general requirements of the Title VI regulations. Winchester Transit's 2012 Title IV Program has been updated to be consistent with current Federal Transit Administration (FTA) guidelines for Title VI compliance known as FTA Circular 4702.1B, dated October 1, 2012.

OBJECTIVES

The City of Winchester is committed to insuring that no person is discriminated against on the basis of race, color or national origin with respect to service or other transit benefits. The objectives of the Winchester Transit Title VI Program are identical to the objectives stated in Chapter II of the FTA Circular 4702.1B:

1. Ensure that the level and quality of transportation service is provided in a nondiscriminatory manner;
2. Promote full and fair participation in public transportation decision-making without regard to race, color, or national origin;
3. Ensure meaningful access to transit-related programs and activities by persons with limited English proficiency.

GENERAL REPORTING REQUIREMENTS

1. Certification and Assurance

In accordance with 49 CFR Section 21.7, Winchester Transit annually submits the Title VI assurance as part of its annual Certification and Assurance submission to FTA. The Title VI Assurance states that the applicant will carry out the program in compliance with Title VI of the Civil Rights Act of 1964.

2. Complaint Procedures

In order to comply with 49 CFR Section 21.9(b), recipients and subrecipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public upon request.

Winchester Transit promptly investigates all complaints filed under Title VI. A complaint log is maintained by the administrative staff at Winchester Transit. Procedures for filing a complaint are available to the public upon request (Attachment 3 - Title VI Complaint Process). Winchester Transit has a Complaint Form (Attachment 4 - Title VI Complaint Form) available for all complaints or compliments.

3. Investigations, Complaints and Lawsuits

In order to comply with 49 CFR Section 21.9(b), recipients and subrecipients shall prepare and maintain a list of any active investigations conducted by entities other than FTA, lawsuits, or complaints naming the recipient and/or

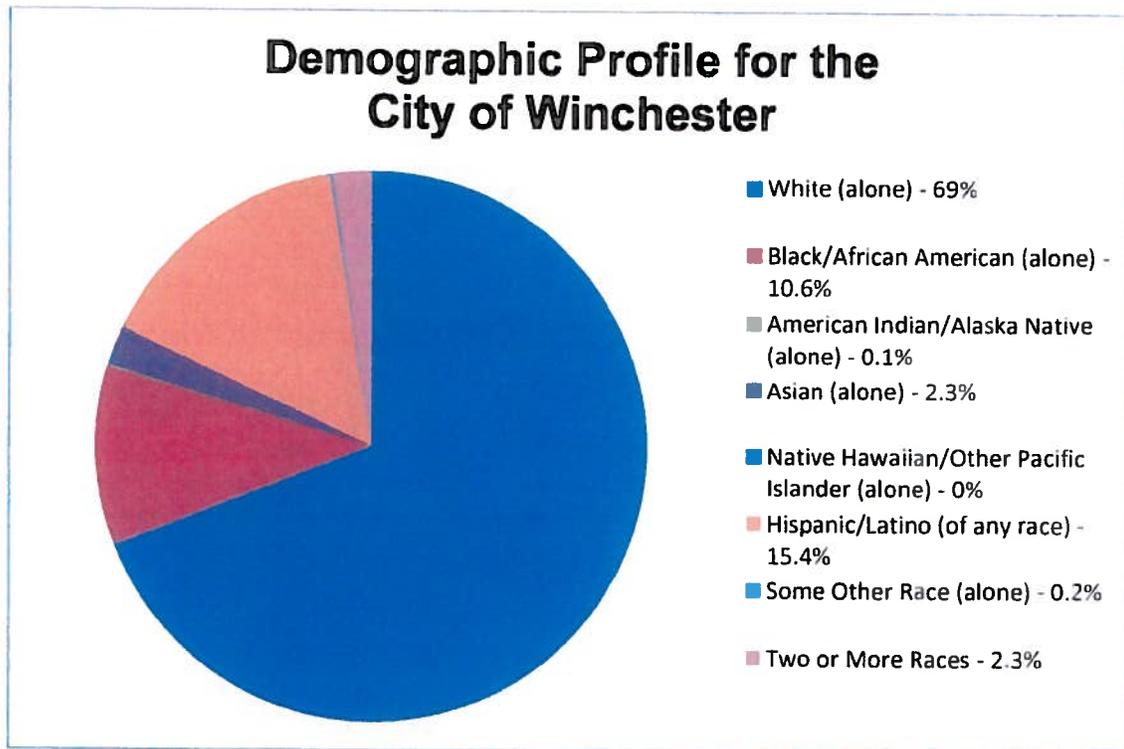
sub recipient that allege discrimination on the basis of race, color, or national origin. This list shall include the date of the investigation, lawsuit, or complaint filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient or subrecipient in response to the investigation, lawsuit, or complaint.

There have been no lawsuits filed against Winchester Transit alleging discrimination with respect to transit service or other amenities. Winchester Transit has received no complaints alleging discrimination on the basis of race, color, or national origin.

4. LEP

Title VI and its implementing regulations require that FTA recipients take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP).

The 2010 Census Demographic Profile for the City of Winchester reports the following statistics (Attachment 2 – Demographic Map):



Winchester Transit has an approved Language Implementation Plan (Attachment 5 – Language Implementation Plan). Winchester Transit strives to provide multilingual facilities; signs in English and Spanish have been posted in all transit facilities and buses in active service notifying passengers of civil rights complaint procedures.

All bus schedules, brochures, applications and transit information are provided in English and Spanish and are disseminated to areas such as libraries, human service agencies, hotels, visitor centers, local attractions and at City Hall's customer service center.

Winchester Transit employees have access to a telephone interpretation service with tele-conference capabilities.

5. Notification to Beneficiaries

In order to comply with 49 CFR Section 21.9(d) Winchester Transit provides information to the public regarding Title VI obligations and protections against discrimination afforded to them by Title VI.

Winchester Transit informs the public of their rights under Title VI by placing posters in all transit-owned facilities, vehicles and transfer stations. All Title VI information is translated in English and Spanish. (Attachment 6 – Title VI Notice to Beneficiaries)

6. Civil Rights Compliance Review Activities

Winchester Transit has not had a Civil Rights Compliance Review during the past three years. However, as part of the 2012 Triennial Review, a deficiency was found in the Title VI review area (Finding D-06 – Lacking assessment or provisions for LEP persons). Per required corrective action, Winchester Transit submitted a Language Implementation Plan containing a completed LEP four factor analysis, along with a list of language assistance that has been or will be provided, as well as a timeline for providing additional assistance; final approval for the Language Implementation Plan was received on February 11, 2013 (See Attachment 5 – Language Implementation Plan).

7. Construction Projects

In order to integrate, into environmental analyses, considerations expressed in the DOT Order on Environmental Justice, recipients and sub recipients should integrate an environmental justice analysis into their NEPA documentation of construction projects.

In October 2012, Winchester Transit began construction of an administrative office facility for all transit staff. (Attachment 7 – CE Checklist)

8. Promotion of Inclusive Public Participation

In order to integrate, into community outreach activities, considerations expressed in the DOT Order on Environmental Justice, and the DOT LEP Guidance, recipients and sub recipients should seek out and consider the viewpoints of minority, low-income, and LEP populations in the course of conducting public outreach and involvement activities.

Winchester Transit utilizes the local media, print and radio, as well as local television, TV3, to disseminate transit-related information. Transit staff informally attends neighborhood association and similar organization meetings to collect feedback and share information about transit programs, activities and service with local residents. Information is also shared via posting notices in all vehicles, at stations and by drivers. All information is translated in English and Spanish.

Over the past 3 years, Winchester Transit has made presentations to the staff at the Department of Rehabilitative Services and Department of Social Services to educate and promote transit-related programs and services. Staff has also met with several staff members at Access Independence to collect feedback as well as promote services available to individuals with disabilities. Winchester Transit has been featured as a guest speaker on local television, TV3, to discuss transit programs, activities and services, as well as participated in local community fairs and festivals and promoted public transportation through Dump the Pump Day.

9. Other

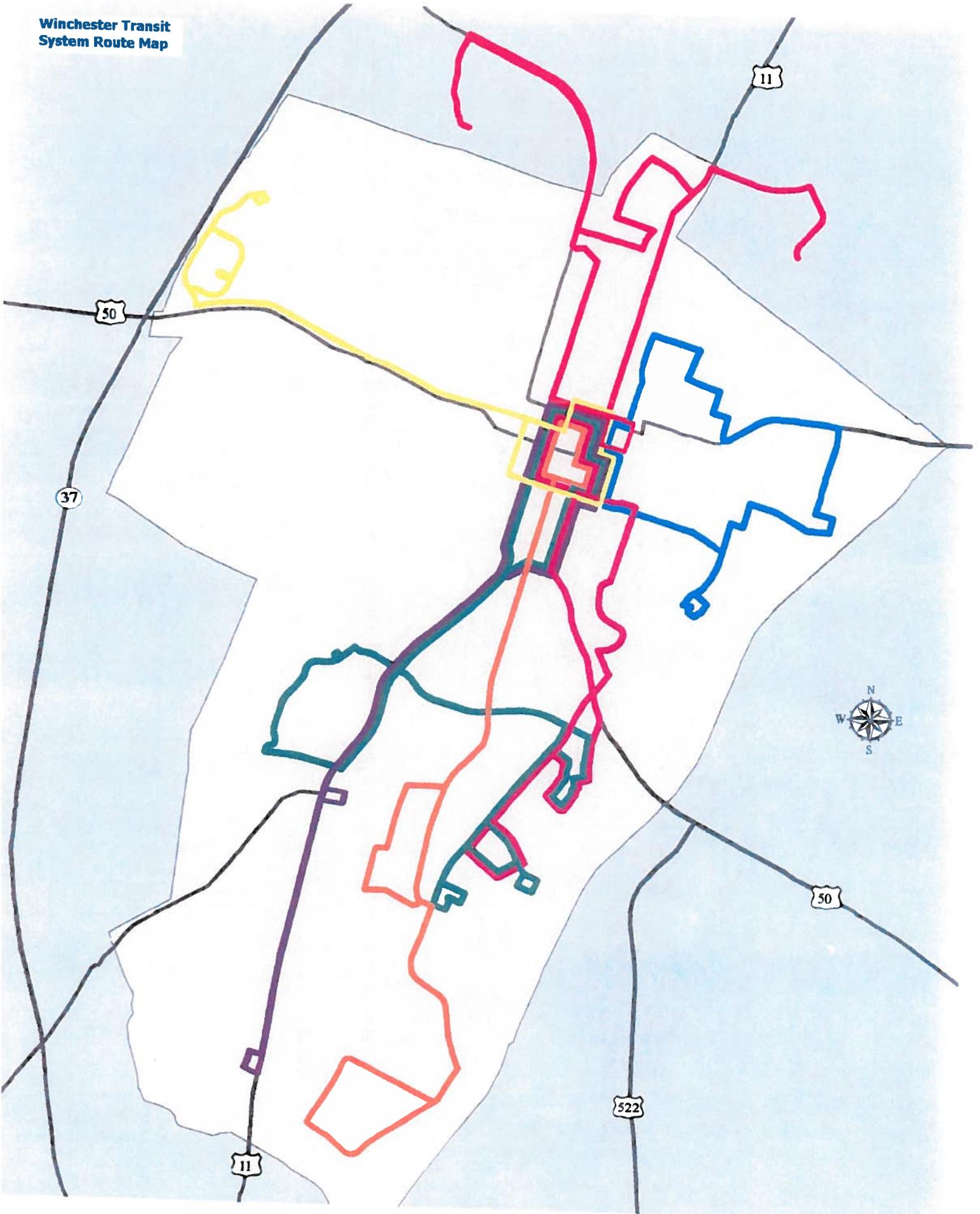
Over the past three years, Winchester Transit has completed the following projects:

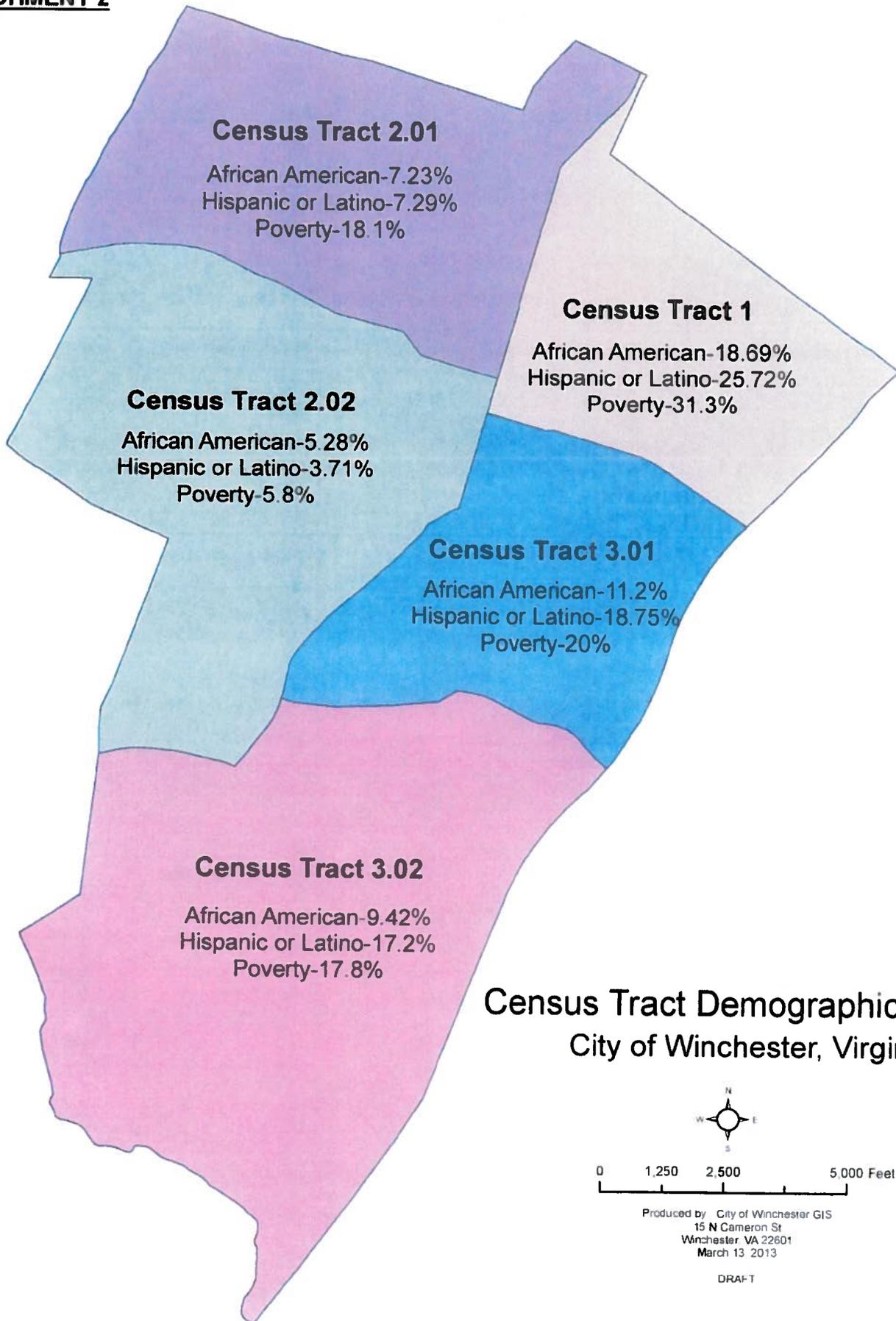
- Utilized ARRA funds to install automatic stop announcement systems in all transit vehicles;
- Utilized ARRA funds to purchase para-transit scheduling software;
- Purchased and installed bus shelters and benches for all fixed-routes;
- Purchased and installed bike racks on all fixed-route vehicles; and
- Utilized ARRA funds to design and install new bus stop signs at all fixed-route bus stops.

ATTACHMENTS

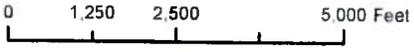
ATTACHMENT 1

**Winchester Transit
System Route Map**





**Census Tract Demographic Profile
City of Winchester, Virginia**



Produced by City of Winchester GIS
15 N Cameron St
Winchester VA 22601
March 13 2013

DRAFT

ATTACHMENT 3

WINCHESTER TRANSIT TITLE VI COMPLAINT PROCESS

Winchester Transit will promptly investigate all complaints filed under Title VI in accordance with Department of Transportation (DOT) regulations at 49 CFR Section 21.11(b) and 21.11(c).

1. **RIGHT TO FILE A COMPLAINT.** Any person who believes himself or any specific class of persons to be subjected to discrimination prohibited by Title VI may by himself or by a representative file a written complaint.
2. **INVESTIGATIONS.** Winchester Transit will make a prompt investigation of all Title VI complaints. The investigation will include, reporting the complaint to the City Attorney, Human Resources Director and City Manager, interviewing all parties and/or witnesses related to the complaint, reviewing any video surveillance data available related to the complaint and reviewing Winchester Transit's practices and policies to determine whether Winchester Transit has failed to comply with Title VI.
4. **LETTERS OF FINDING AND RESOLUTION.** Once an investigation has been completed, Winchester Transit will transmit to the complainant one of the following letters based on its findings:
 - a. A letter of resolution that explains the steps taken or actions to take to remedy the complaint.
 - b. A letter of finding that states the complaint is not found to be in noncompliance with Title VI. This letter will include an explanation of why the complaint is unfounded and provide notification of the complainant's appeal rights.
5. **APPEALS PROCESS.** The letter of finding and resolution will offer the complainant the opportunity to provide additional information regarding the complaint within 30 days of the date of the letter. After reviewing this information, Winchester Transit will respond either by issuing a revised letter of resolution or finding to the appealing party, or by informing the appealing party that the original letter of resolution or finding remains in force within 30 days.

**Winchester Transit
Complaint Form**

<u>Name:</u>	
<u>Address:</u>	
<u>Phone:</u>	(Home) (Work) (Other)
<u>Best Time to Contact:</u>	
<u>Accessible Format Requirements?</u>	
<u>Please circle:</u>	Audio Tape Large Print TDD Other (please list):

<u>Nature of the Situation:</u>	
<u>Route:</u>	
<u>Date:</u>	
<u>Time:</u>	
<u>Driver Name (if applicable):</u>	
<u>Description:</u>	

Are you filing this Complaint on your own behalf? Yes No
If not, please supply the name and relationship of the person for whom you are representing:

Please confirm that you have obtained the permission of the aggrieved party to file this complaint on his/her behalf: Yes No

Please sign here: _____

Date: _____

ATTACHMENT 5

City of Winchester
Transit Department
Language Implementation Plan
September 2012

LANGUAGE ACCESS POLICY

1. Policy Statement

- a. It is the Policy of Winchester Transit that all staff shall take reasonable steps to provide limited English proficient (LEP) persons with meaningful access to all programs or activities conducted by Winchester Transit.
- b. This policy is based on the principle that it is the responsibility of Winchester Transit and not the LEP person to take reasonable steps to ensure that communications between Winchester Transit and the LEP person are not impaired as a result of the limited English proficiency of the individual.
- c. Winchester Transit staff shall take reasonable steps to effectively inform the public of the availability of language accessible programs and activities.

2. Purpose

- a. The purpose of this Language Implementation Plan is to make reasonable efforts to eliminate or reduce limited English proficiency as a barrier to accessing Winchester Transit programs.

3. Authority

- a. This Language Implementation Plan is in accordance with Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, 65 Fed. Reg. 50, 121 (August 16, 2000). The guidelines are consistent with the U.S. Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons (DOT LEP Guidance, Federal Register, vol. 70, no. 239, pp. 74087–74100, December 14, 2005).
- b. Title VI of the Civil Rights Act of 1964 and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color or national origin under any program or activity that receives Federal financial assistance.

4. Compliance

- a. Winchester Transit staff will take reasonable steps to provide language assistance services to LEP individuals when they encounter or have reason to believe that they may encounter LEP individuals in the course of their daily job duties. Winchester Transit staff will also take reasonable steps to provide language assistance services upon request by an LEP person who wishes to access Winchester Transit programs or to who staff wishes to communicate.

BACKGROUND

Most individuals living in the United States read, write, speak and understand English. However, there are many individuals for whom English is not their primary language. If individuals have a limited ability to read, write, speak, or understand English, they are limited English proficient, or "LEP."

Every day, Winchester Transit staff come in contact with and/or transport individuals who have a limited ability to read, write, speak, or understand English. Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations provide that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives Federal financial assistance.

Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000), directs each Federal agency to examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services. Federal agencies were instructed to publish guidance for their respective recipients in order to assist them with their obligations to LEP persons under Title VI. The Executive Order states that recipients must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. President Bush affirmed his commitment to Executive Order 13166 through a memorandum issued on October 25, 2001 by Assistant Attorney General for Civil Rights, Ralph F. Boyd, Jr. FTA references the DOT LEP guidance in its Circular 4702.1A, "Title VI and Title VI-Dependent Guidelines for FTA Recipients" (April 13, 2007).

The DOT LEP Guidance recommends determining what steps are necessary to provide "meaningful access" on the basis of four factors:

1. The number and proportion of LEP persons served or encountered in the eligible service population;
2. The frequency with which LEP individuals come into contact with the program, activity or service;

3. The nature and importance of the program, activity or service provided by the program; and
4. The resources available to the recipient and cost.

DETERMINING THE NEED FOR LANGUAGE ASSISTANCE - FOUR FACTOR ANALYSIS

Information obtained during the four factor analysis indicated a need for Spanish language assistance for potential transit users.

1. Who are the LEP persons serviced or likely to be encountered by Winchester Transit?

While population information changes faster than census data can be reported, per the 2010 Census Data, the number or proportion of LEP's in the Winchester Transit service area is as follows:

POPULATION 5 YEARS AND OVER BY LANGUAGE SPOKEN AT HOME AND ABILITY TO SPEAK ENGLISH		
Population 5 years and over	24195	100.0
Speak only English	19461	80.4
Speak a language other than English	4734	19.6
Spanish	2731	100.0
Speak English "very well"	712	26.1
Speak English "well"	572	20.9
Speak English "not well"	1136	41.6
Speak English "not at all"	311	11.4
Other Indo-European languages	1514	100.0
Speak English "very well"	511	33.8
Speak English "well"	506	33.4
Speak English "not well"	497	32.8
Speak English "not at all"	0	0
Asian and Pacific Island languages	310	100.0
Speak English "very well"	180	58.0
Speak English "well"	39	12.6
Speak English "not well"	91	29.4
Speak English "not at all"	0	0
All other languages	179	100.0
Speak English "very well"	162	90.5
Speak English "well"	17	9.5
Speak English "not well"	0	0

Speak English "not at all"	0	0
ABILITY TO SPEAK ENGLISH		
Population 5 years and over	24195	100.0
Speak a language other than English	4734	19.6
5 to 17 years	965	20.4
18 to 64 years	3555	75.1
65 years and over	214	0.9
Speak English less than "very well"	3169	13.1
5 to 17 years	333	1.4
18 to 64 years	2710	11.2
65 years and over	126	0.5

2. What is the frequency with which LEP individuals come in contact with Winchester Transit staff or representatives?

A service may be provided in or near a large LEP population but may have little contact with that population. If a lack of contact exists, it is critical to determine if this lack of contact is due to language barriers. Consideration of the languages spoken by the LEP individuals should also be noted. The more frequent the contact, the more likely enhanced language services are necessary.

Interviews with Winchester Transit staff (drivers, office assistant, and supervisor) revealed there is daily interaction with LEP individuals and indicated a need for Spanish language assistance for Hispanic or Latino riders. Fixed-route bus drivers stated that interaction with LEP individuals mostly pertained to next-bus information and specific destinations. Interviews also confirmed interaction with LEP individuals as being the greatest when driving on the three (3) routes servicing the City's main shopping and health care districts (Winchester Transit has a total of seven (7) fixed routes). While drivers indicated that the majority of the interactions with LEP individuals were positive, suggestions were made to provide additional outreach information to include symbols and/or landmark information for popular destinations on each route.

Interviews with the Transit Supervisor and Office Assistant/Dispatcher revealed that interaction with LEP individuals mostly pertained to next-bus information with inquiries being the greatest for the three (3) routes servicing the City's main shopping and health care districts. Both the Supervisor and Office Assistant/Dispatcher indicated that interactions with LEP individuals were positive and they were easily able to provide proper customer service and assistance.

Interviews with Winchester Transit para-transit bus drivers revealed that interaction with LEP individuals was limited and mostly pertained to information on scheduled pick-up and drop-off times. All para-transit drivers indicated that

while interactions with LEP individuals were limited, all interactions were positive and offered no suggestions on providing additional outreach information.

3. What is the nature and importance of the program, activity, or service provided by Winchester Transit?

The mission of Winchester Transit is to provide quality service to our passengers in a safe, efficient and reliable manner. Our mission is accomplished through: professional leadership; safe professional drivers; and, a dedicated customer-oriented workforce.

Winchester Transit provides vital public transportation to individuals with disabilities and to those individuals who have no other means of transportation in the City of Winchester and immediate area of Frederick County.

Of the major employers and job training centers, human service agencies, local school systems, community organizations, and local government agencies (including local police) interviewed, all entities indicated an increasing Hispanic/Latino population; therefore, a need for Spanish language assistance for potential transit users.

4. What resources are needed to provide effective language assistance, including location, availability and arrangements necessary for timely use?

The key to providing effective language assistance for LEP persons is to ensure that effective communication exists between the individuals providing the service and the LEP person.

Winchester Transit's current language assistance measures are limited to the translation of several vital documents pertaining to services, bus schedules, and use of a telephone interpreting service. The City of Winchester also requires all employees to attend a Spanish training provided by an instructor from the local community college. Translation services and staff time are currently the only financial burden for providing these language assistance measures; telephone interpreting services and mandatory training are provided by the City of Winchester at no cost to individual departments.

Recent analysis has determined that additional language assistance measures are needed to provide meaningful access to its programs and activities. Proposed additional language measures and cost estimates are outlined in the table below:

Language Assistance Measure	Type of Service	Estimated Cost
Notices of Language Service Availability	Translation	Per word rates ranging from \$0.02 per word to \$0.20 per word
Vital Document Translation	Translation	Per word rates ranging from \$0.02 per word to \$0.20 per word
Public Notices/Public Service Announcements	Translation/Interpreter	Per word rates ranging from \$0.02 per word to \$0.20 per word; rates for interpreter services range from \$50/hr (2 hr minimum)
Language ("I Speak") Identification Cards	N/A	Free
Bilingual services	Interpreter	Rates for interpreter services range from \$50/hr to \$200/hr, depending on the type of service requested; free service may be available via qualified bilingual staff or a qualified voluntary community interpreter
Alternative Communication Methods – schematic maps, pictograms, color-coded warnings, graphics, etc.	N/A	No cost other than staff time and printing, in-house
Training	Interpreter	\$200/hr for conference and simultaneous interpretation (2 interpreters required for service lasting more than 1 hr); Limited free training is available

In an attempt to provide the additional language assistance measures listed above, Winchester Transit will request additional operating funds to be devoted to providing additional language assistance measures, when and if needed. Winchester Transit will monitor budgeted expenses and will also pursue cost saving methods in providing additional language assistance, i.e. pooling resources with other agencies and standardizing documents to reduce translation needs.

LANGUAGE ASSISTANCE MEASURES

Winchester Transit will use the following measures to provide meaningful access to services and to assist the City of Winchester's LEP population:

1. Notice of Availability of Language Services

Winchester Transit will use the following methods to inform LEP individuals of available LEP services:

- Signs, in English and Spanish will be posted in all buses, offices and other appropriate locations to notify LEP individuals of available services and how to obtain services.
- Vital Documents will include a notice that language assistance services are available. The notice will be listed in English and Spanish.
- Community organizations will be notified of available language assistance services for potential transit users.
- Public notices and/or public service announcements will periodically be made about available language assistance services and how to access them.

2. Oral Language Assistance

Winchester Transit will provide LEP individuals with oral language assistance in a timely manner. Winchester Transit staff will utilize language identification cards when first encountering an LEP individual. Language identification cards are used to identify the primary language of limited English proficient individuals during face-to-face contacts. Oral language assistance may be in the form of qualified bilingual staff, use of an outside interpreter service, use of skilled voluntary community interpreters or through a language line provider.

3. Written Language Assistance

Documents determined to be essential in informing the public about Winchester Transit programs, projects or services will be made available in Spanish. Winchester Transit will translate vital documents and materials that are routinely provided in English to applicants, customers and the general public. Vital documents and materials include, but are not limited to: notices regarding available language services, applications, letters requiring a response from customers, public notices, rules and regulations, schedules, electronic information available via the Winchester Transit website, complaint forms, information pertaining to a person's right to appeal, and civil rights information.

(*Safe Harbor requires written translations of vital documents for each LEP group that meets the threshold. Safe Harbor LEP threshold is 5% or 1,000 individuals, whichever is less)

4. Alternative Communication Methods

To reduce cost and communication difficulty, Winchester Transit may explore the use of methods and/or devices that do not require the use of language. For example, Winchester Transit may use schematic maps, pictograms, symbol signs/standard symbolic signs (SMS's), diagrams, color-coded warnings, illustrations, graphics and pictures.

5. Training

Training staff how to determine whether a customer needs language assistance services is essential. Winchester Transit will train all staff on how to effectively communicate with LEP individuals through available language assistance services and communication with interpreters and translators; specialized training may be required for front-line staffs that are likely to have considerable interaction with LEP individuals.

6. Monitoring

Monitoring of the accessibility and quality of language assistance needs of LEP individuals to ensure that all LEP individuals have meaningful access to programs and services is vital. Winchester Transit will conduct continuing assessments of its LEP services to determine:

- Current LEP composition of its service area
- Communication needs of LEP individuals
- Effectiveness of existing assistance
- Staff training
- Sources of assistance

Winchester Transit will conduct follow-up meetings with all community organizations and businesses initially contacted to determine if there have been any changes in the demographics of the LEP population within its service area and to receive input on whether implemented language assistance measures and efforts are working. These meetings will provide an opportunity to inform the LEP community of any new or updated language assistance available and will also likely provide feedback that will be used to make future changes to the types of language assistance provided as well as to staff training and outreach programs.

Winchester Transit will also utilize community LEP organizations to aid in conducting random surveys of LEP individuals to determine how frequently they utilize and the importance of the services available.

Winchester Transit will meet quarterly with staff to determine the effectiveness of implemented language assistance measures. These meetings will also provide an opportunity to discuss additional training opportunities available or needed. Winchester Transit will randomly utilize "secret shopper" volunteers from the local LEP community to monitor office personnel and front-line staffs to ensure LEP individuals are receiving proper language assistance and to aid in determining if additional staff training is needed.

Winchester Transit management will randomly monitor all language assistance measures that have been implemented to aid in determining if assistance is being provided competently and effectively.

Based on feedback received from community organizations and businesses and Winchester Transit staff, Winchester Transit will make necessary modifications to the type of language assistance provided as well as to staff training and outreach programs, as needed.



Winchester Transit is committed to ensuring that no person is discriminated against on the basis of race, color or national origin with respect to service or other transit amenities and benefits, as provided by Title VI of the Civil Rights Act of 1964, as amended.

**Comments, Questions or Complaints?
Please call:**

**Renee Wells
Transit Director
(540) 667-1815**

Or

**Federal Transit Administration – (215) 656-7100
U.S. Department of Transportation – (202) 336-4000**

Grant Applicant: City of Winchester

Date: March 12, 2012

**INFORMATION REQUIRED FOR PROBABLE
CATEGORICAL EXCLUSION
(SECTION 771.117(d))**

- A. DETAILED PROJECT DESCRIPTION: Describe type of project and transit nexus (include applicable FTA Transit Programs supported by this project). This description should include the proposed use, property size, parcel history, ownership information, acreage, and previous and current studies.**

Project consists of the construction of a new, small office building that will be used to run the day-to-day operations of the City's Transit system. The size of the new office building is approximately 2,550 square feet and will be located adjacent to the new bus garage that was constructed in 2009 and used to house the City's Transit vehicles. The existing Transit office building is located in close proximity to where the new building will be constructed and is old and does not meet the needs of the Transit operation. The property where this facility will be constructed is owned by the City of Winchester and is approximately 11.2 acres in size. In addition to the transit operation, this property is also utilized for the City's Public Works operations. See Exhibit A for photos of the project site.

- B. LOCATION (INCLUDING ADDRESS): Attach a site map, land use plan or diagram, which identifies the land uses and resources on the site and the adjacent or nearby land uses and resources. This is used to determine the probability of impact on sensitive receptors (such as schools, hospitals, residences) and on protected resources. This must include adjacent parcels.**

See attached – Exhibit B. The address of this property is 301 E. Cork Street, Winchester, Virginia.

- C. METROPOLITAN PLANNING AND AIR QUALITY CONFORMITY: Is the proposed project "included" in the current adopted MPO plan, either explicitly or in a grouping of projects or activities? What is the conformity status of that plan? Is the proposed project, or are appropriate phases of the project, included in the TIP? What is the conformity status of the TIP? If the project is not located within MPO boundaries, then indicate in narrative response.**

Yes, this proposed project is included in the current adopted MPO plan.

Winchester is in conformance for air quality and is not included within a designated "non-attainment" or "maintenance" area.

- D. ZONING: Description of zoning and land use and consistency with proposed use. Describe in narrative why project is compatible with current land use and/or zoning. In cases where additional ordinances exist describe ordinance and explain project compatibility.**

The property owned by the City where this project will be constructed is zoned CM1, Commercial Industrial. This zoning is consistent with the existing and proposed use. This property is currently used by the Transit operation and the City's Public Works Department.

- E. TRAFFIC IMPACTS: Describe potential traffic impacts, including whether the existing roadways have adequate capacity to handle increased bus and other vehicular traffic. Also include description of ingress, egress and safety.**

There will be no change in traffic once the project is completed as the existing Transit operation is located on the same property. There are two locations for ingress and egress from the property – one from the north on Cork Street and the other from the south on Pall Mall Street. The site can be easily accessed by any necessary emergency vehicles.

There will be some additional traffic during the construction of the project, however, this additional traffic will be minimal and the existing roadways have adequate capacity to handle the existing traffic and the construction traffic.

- F. CO HOT SPOTS: If there are serious traffic impacts at any affected intersection, and if the area is nonattainment for CO, demonstrate that CO hot spots will not result. In nonattainment areas, IAC concurrence and documentation must be attached. If project is not in a non-attainment area for CO, state in narrative.**

There will be no serious traffic impacts at any affected intersection. Winchester is not in a non-attainment area for CO.

- G. HISTORIC RESOURCES: Describe any cultural, historic, or archaeological resource that is located in the immediate vicinity of the proposed project and the impact of the project on the resource. Include documentation from the National Register of Historic Places website (<http://www.nps.gov/nr>). If a historic resource is located in the vicinity of the property (historic site is visible from property), State Historic Preservation Office (SHPO) or Tribal Historic Preservation Office (THPO) concurrence should be included. In addition, SHPO/THPO concurrence is required if archeological resources are located on property. If no historic or archaeological resource is located in the vicinity of property, please state and provide documentation per website.**

There are no cultural, historic, or archaeological resources that are located in the immediate vicinity of this project site.

- H. **NOISE:** Assess the noise impacts using the FTA Noise and Vibration Manual (http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf). Compare the distance between the center of the proposed project and the nearest noise receptor to the screening distance for the type of project per the manual. If the screening distance is not achieved, attach a "General Noise Assessment" with conclusions.

There will be no additional noise generated from this project.

- I. **VIBRATION:** Assess the vibration impacts using the FTA Noise and Vibration Manual (http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf). If the proposed project involves new or relocated steel tracks, compare the distance between the center of the proposed project and the nearest vibration receptor to the screening distance for this type of project in FTA's guidelines. If the screening distance is not achieved, attach a "General Vibration Assessment" with conclusions. If the project does not involve new or relocated steel tracks, then there will be no vibration impacts. If so, please state in narrative.

This project does not involve new or relocated steel tracks so there will be no vibration impacts.

- J. **ACQUISITIONS & RELOCATIONS REQUIRED:** Describe land acquisitions and displacements of residences and businesses. Include current use, ownership information and date of property acquisition (if applicable). Please note if FTA funds are used to acquire property or the property is used as local match the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (<http://www.fhwa.dot.gov/realestate/ua/ualic.htm>) must be followed and documented.

There is no land acquisition or displacements for this project. The property is already owned by the City of Winchester.

- K. **HAZARDOUS MATERIALS:** If real property is to be acquired, has a Phase I site assessment for contaminated soil and groundwater been performed? If a Phase II site assessment is recommended, has it been performed? What steps will be taken to ensure that the community in which the project is located is protected from contamination during construction and operation of the project? State the results of consultation with the cognizant State agency regarding the proposed remediation?

There is no property to be acquired, so a Phase I site assessment is not necessary. There are no known hazardous materials on the site. During construction, the proper soil and erosion control methods will be implemented to mitigate any possible environmental impacts.

- L. COMMUNITY DISRUPTION AND ENVIRONMENTAL JUSTICE:** Provide a socioeconomic profile (and socioeconomic census map) of the affected community. Describe the impacts of the proposed project on the community. Identify any community resources that would be affected and the nature of the effect. Identify if there would be any impact to minority and/or low-income communities and identify if there would be any disproportionate and adverse effect to these communities as a result of the proposed project (Executive Order 12898). If project is not located in a distressed socioeconomic area, provide narrative and census map documentation (<http://www.fhwa.dot.gov/environment/ej2.htm>).

This project will have no impacts on the surrounding community. The construction of the new transit office building is to replace the existing offices that are located on the same property owned by the City of Winchester. There will be no change to the operation of the transit system for the public as a result of this project.

- M. USE OF PUBLIC PARKLAND AND RECREATION AREAS:** Indicate parks and recreational areas on the site map. If the activities and purposes of these resources will be affected by the proposed project, state how and provide concurrence from the appropriate government authority having jurisdiction over the asset(s) should be included. If the proposed project is not located in or in the vicinity of a public parkland and recreation areas, please state such and provide documentation (map).

This project is located approximately 0.5 miles from Jim Barnett Park and will have no impact on the park or the recreational activities conducted at the park (see Attachment C).

- N. IMPACTS ON WETLANDS:** Show potential wetlands on the site map. Describe the project's impact to on-site and adjacent wetlands. If the project impacts wetlands, please provide mitigation efforts. If the project is not located on wetlands or will not impact any wetland areas, please state and provide documentation (map).

There are no wetlands located on or adjacent to the project location so this project will have no impact on any wetlands.

- O. FLOODPLAIN IMPACTS:** Is the proposed project located within the 100-year or 500-year floodplain? If so, address possible flooding of the proposed project site and flooding induced by proposed project due to its taking of floodplain capacity. In addition, please provide documentation on how project will be designed to restore floodplain capacity. If project is not located in the 100- year or 500-year floodplain, please state and provide documentation (map).

This project is not located in the 100-year or 500-year floodplain (see Attachment D).

P. IMPACTS ON WATER QUALITY, NAVIGABLE WATERWAYS, & COASTAL ZONES: If any of these are implicated, provide detailed analysis. If not, please state and provide documentation (how can they get documentation).

This project will have no impact on water quality, navigable waterways, or coastal zones. The project is located on a previously disturbed site and is not in the vicinity of any navigable waterways or coastal zones.

Q. IMPACTS ON ECOLOGICALLY-SENSITIVE AREAS AND ENDANGERED SPECIES: Describe any natural areas (woodlands, prairies, wetlands, rivers, lakes, streams, designated wildlife or waterfowl refuges, and geological formations) on or near the proposed project area. If present, state the results of consultation with the state department of natural resources and US Fish and Wildlife Service on the impacts to these natural areas and on threatened and endangered fauna and flora that may be affected.

This project will have no impact on ecologically sensitive areas or endangered species. The project is located on a previously disturbed site and is not in the vicinity of any ecologically sensitive areas or endangered species.

R. IMPACTS ON SAFETY AND SECURITY: Describe the measures that would need to be taken to provide for the safe and secure operation of the project after its construction.

The project is located within the City owned property that is already fenced and secured. The gates to the property are locked during non-business hours. There will be an additional security camera placed in operation to monitor the building for any possible vandalism.

S. IMPACTS CAUSED BY CONSTRUCTION: Describe the construction plan and identify impacts due to construction noise, utility disruption, debris and spoil disposal, air and water quality, safety and security, and disruptions of traffic and access to property. If applicable, please include any National Pollutant Discharge Elimination System best practice measures.

The construction of the project is estimated to take approximately 5 months to complete. The noise from construction will be minimal and will not have a negative impact on adjacent properties above the existing noise from the current Public Works operations on the property or the adjacent train. There will be no utility disruption or impacts to air and water quality.

All debris and soil will be disposed of properly at the Frederick County Regional Landfill.

There will be no disruption to traffic on the adjacent roadways or access to the property as a result of this project.

An erosion and sediment control plan has been developed for the construction of the project and the City will ensure that the contractor follows this plan and maintains the required erosion and sediment control measures throughout the construction period.

The action described above meets the criteria for a NEPA categorical exclusion (CE) in accordance with 23 CFR Part 771.117(d)(8): Construction of new bus storage and maintenance facilities in areas used predominantly for industrial or transportation purposes where such construction is not inconsistent with existing zoning and located on or near a street with adequate capacity to handle anticipated bus and support vehicle traffic.

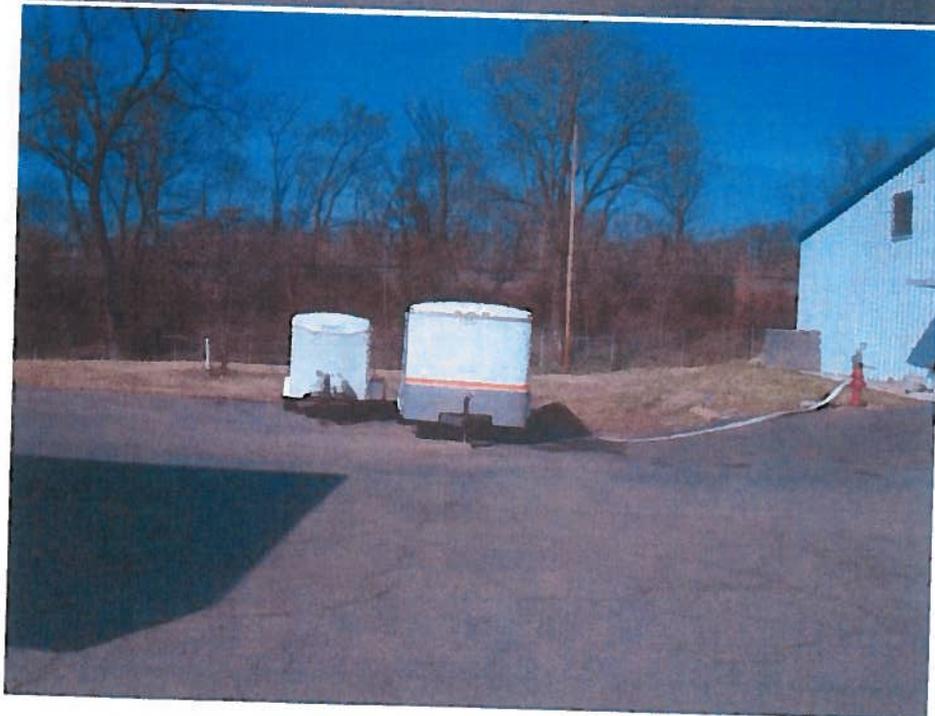


3/12/12

Perry Eisenach, P.E.
Public Services Director
City of Winchester

Date

Exhibit A
Photos of Project Site (Adjacent to New Bus Garage)









CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL MEETING OF: 3/26/13 (work session), CUT OFF DATE: 3/20/13
4/9/13 (regular mtg)

RESOLUTION ___ ORDINANCE ___ PUBLIC HEARING X

ITEM TITLE:

CU-12-85 Request of Glaize Properties for a conditional use permit for conversion of ground floor nonresidential use to residential use at 110 East Fairfax Lane zoned Central Business (B-1) District with Historic Winchester (HW) District overlay.

STAFF RECOMMENDATION:

Approval with 1 condition

PUBLIC NOTICE AND HEARING:

Public hearing for 4/9/13 Council mtg

ADVISORY BOARD RECOMMENDATION:

Planning Commission recommended approval with 1 condition

FUNDING DATA: N/A

INSURANCE: N/A

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

Table with 4 columns: DEPARTMENT, INITIALS FOR APPROVAL, INITIALS FOR DISAPPROVAL, DATE. Rows include Zoning & Inspections, City Attorney, City Manager, and Clerk of Council.

Initiating Department Director's Signature: [Signature] 3/20/13
(Planning Dept)



APPROVED AS TO FORM:

[Signature] 3/20/2013
CITY ATTORNEY

CITY COUNCIL ACTION MEMO

To: Mayor and Members of City Council
From: Tim Youmans, Planning Director
Date: March 20, 2013
Re: CUP-13-85

THE ISSUE:

Conversion of ground-floor nonresidential space to single-family residential use

RELATIONSHIP TO STRATEGIC PLAN:

Vision 2028 states that Winchester has a 'Vibrant Downtown' and 'Great Neighborhoods with a range of housing choices'. Continued Revitalization of Historic Old Town is a 2018 Goal.

BACKGROUND:

See attached staff report

BUDGET IMPACT:

None

OPTIONS:

- Approve with condition recommended by Planning Commission
- Approve with revised condition eliminating ground floor front bedroom
- Deny because proposed use is not as desirable as non-residential use

RECOMMENDATIONS:

Planning Commission recommended approval including ground floor bedroom with 1 condition as noted in staff report. Staff also offered 2nd option to approve without ground floor bedroom.

Council Worksession
March 26, 2013

CU-13-85 Request of Glaize Properties for a conditional use permit for conversion of ground floor nonresidential use to residential use at 110 East Fairfax Lane (*Map Number 173-01-S-1*) zoned Central Business (B-1) District with Historic Winchester (HW) District overlay.

REQUEST DESCRIPTION

The request is for Conditional Use Permit (CUP) approval under Section 9-2-16 of the Zoning Ordinance pertaining to conversion of nonresidential ground floor area to residential use. The entire two-story structure is proposed for conversion from a former lumber company shipping office to a single-family residence and includes a ground floor bedroom toward the front.

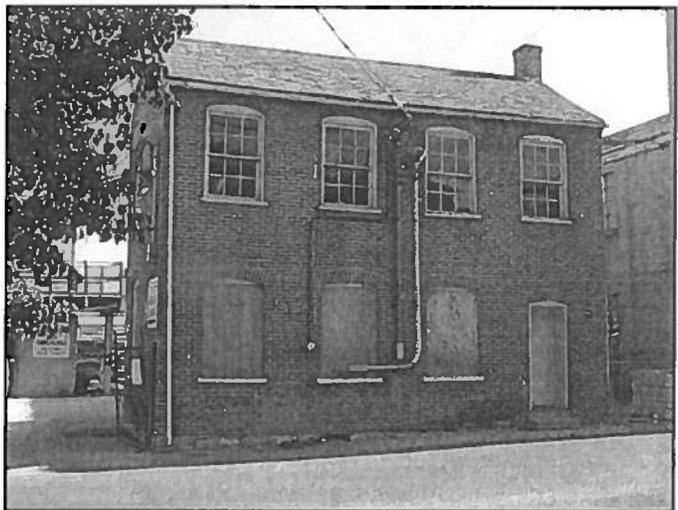
AREA DESCRIPTION

The property and all adjoining properties along both sides of E. Fairfax Lane are zoned B-1 with Historic Winchester (HW) overlay District. Land on the opposite (east) side of the CSX railroad is zoned Residential-Business (RB-1) with Historic Winchester (HW) overlay District. The subject stretch of E. Fairfax Lane has structures associated with the former lumber company use which has ceased. The structures immediately to the west and north are undergoing conversion to mixed use including residential on the upper levels. The site falls within the 100% parking exempt district.



STAFF COMMENTS

The CUP request for conversion of the former ground-floor office space to residential use is outlined in a letter to the City dated January 31, 2013 from Mr. Phillip Glaize and Mr. Richard Helm, both managing partners of Glaize Properties. This request applies to the existing brick structure at 110 E. Fairfax Lane. The structure has an exterior appearance that resembles a single-family dwelling. The door and window openings are typical of a dwelling rather than a commercial storefront. The building currently has a doorway directly oriented to E. Fairfax Lane and there is very little distance between the front of the structure and the public street. One of the two proposed bedrooms is proposed on the ground floor out towards the street.



Staff suggested that the applicant reconsider having a bedroom this ground floor bedroom out so close to the public street and sidewalk and instead just have the one larger single bedroom upstairs. The Planning Director has determined that this segment of E. Fairfax Lane does not represent a major commercial street and would suggest that City Council could find the ground-floor residence to be as suitable as nonresidential reuse.

RECOMMENDATION

For a conditional use permit to be approved, Council must find that the proposal **as submitted or modified** will not adversely affect the health, safety or welfare of persons residing or working in the neighborhood nor be detrimental to public welfare or injurious to property or improvements in the neighborhood.

Two favorable motions were offered to the Planning Commission for consideration. The first option would support the request with the first floor front bedroom and reads:

MOVE, that the Planning Commission forward **CU-13-85** to City Council recommending approval per Sections 9-2-16 of the Zoning Ordinance because the proposal, **as submitted**, will not adversely affect the health, safety or welfare of persons residing or working in the neighborhood nor be detrimental to public welfare or injurious to property or improvements in the neighborhood. The approval is based upon City Council finding that the proposed ground-floor residential unit is as suitable or preferable to other permitted uses on the ground floor and is subject to the following:

1. Conformity with the floor plans depicting a two-bedroom dwelling with no more than one bedroom on the ground floor.

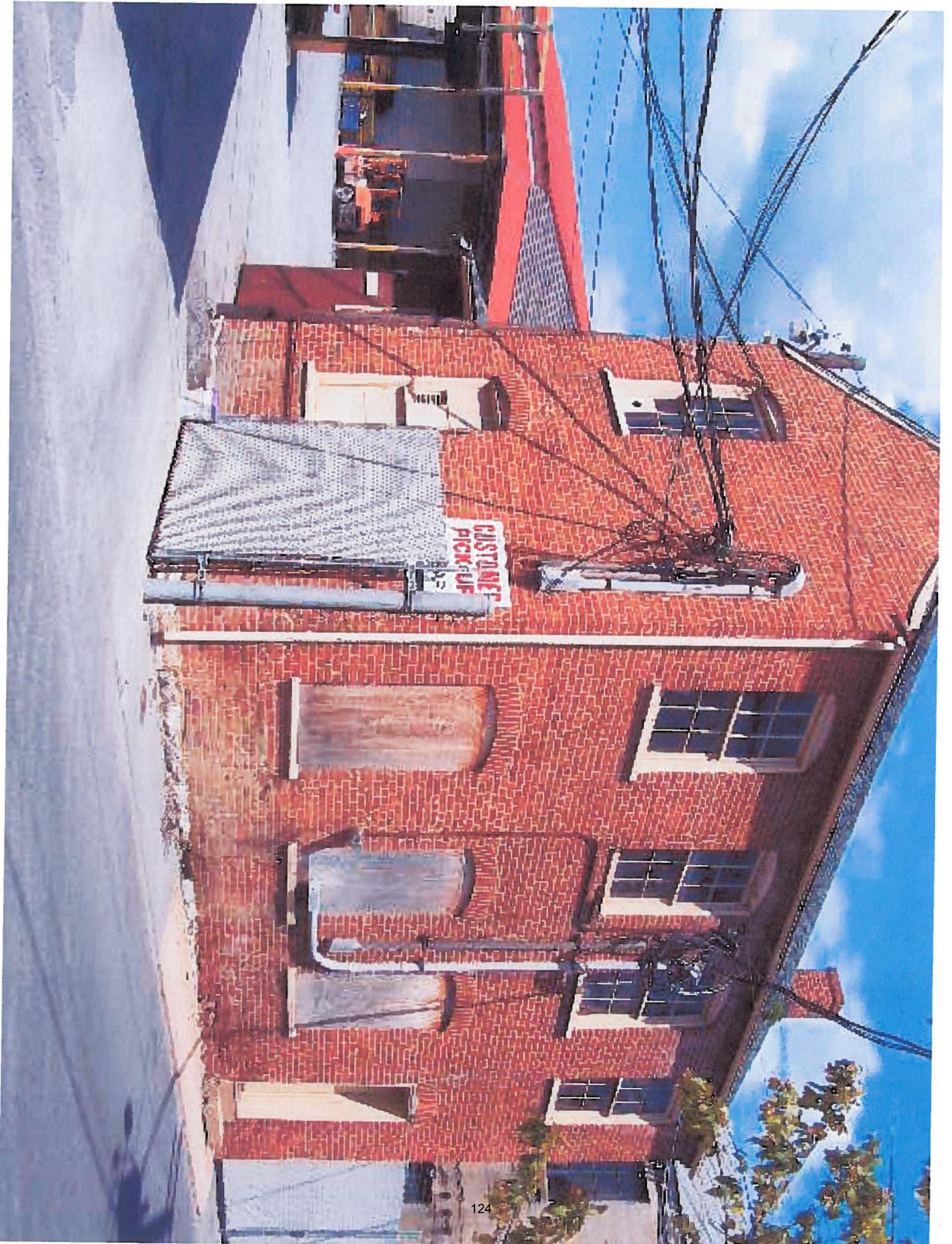
The second option would support the request without the first floor front bedroom and reads:

MOVE, that the Planning Commission forward **CU-13-85** to City Council recommending approval per Sections 9-2-16 of the Zoning Ordinance because the proposal, **as modified to eliminate the ground floor bedroom oriented toward the street**, will not adversely affect the health, safety or welfare of persons residing or working in the neighborhood nor be detrimental to public welfare or injurious to property or improvements in the neighborhood. The approval is based upon City Council finding that the proposed ground-floor residential unit is as suitable or preferable to other permitted uses on the ground floor and is subject to the following:

1. Modifying the floor plans to depict a one-bedroom dwelling with one bedroom on the upper floor only.

At its March 19, 2013 meeting, the Planning Commission on a 4-0-1 vote forwarded CU-13-85 to City Council recommending approval per Sections 9-2-16 of the Zoning Ordinance because the proposal, **as submitted**, will not adversely affect the health, safety or welfare of persons residing or working in the neighborhood nor be detrimental to public welfare or injurious to property or improvements in the neighborhood. The approval is based upon City Council finding that the proposed ground-floor residential unit is as suitable or preferable to other permitted uses on the ground floor and is subject to the following:

1. Conformity with the floor plans depicting a two-bedroom dwelling with no more than one bedroom on the ground floor.





EXIST ASPHALT
SHINGLE ROOF

FIN. FL. + 12.5' = 10.5'

FIN. FL. + 12.5' = 10.5'

FIN. FL. + 12.5'

FIN. FL. + 12.5'

RESTORE ORIGINAL
WINDOWS

RESTORE ORIGINAL
DOOR

EAST FAIRFAX LANE

SHIPPING BLDG: FINISH SOUTH ELEVATION

1/4" = 1'-0"

GLAIZE PROPERTIES

PO BOX 2077

WINCHESTER, VA 22604

January 31, 2013

City of Winchester
Planning Commission
15 North Cameron Street
Winchester, Va. 22601

Planning Commission Members:

Glaize Properties is in the process of redeveloping the former Glaize Lumber Company property at the corner of North Cameron Street and Fairfax Lane. Included in this redevelopment is the former shipping office located at 110 Fairfax Lane.

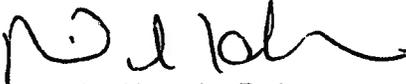
This request is to allow the ground floor conversion of the shipping office to residential use. The shipping office is a small building, measuring less than 680 square feet on the first floor, which would be difficult to market as commercial space. It is not on a major commercial street. The exterior appearance resembles a residential dwelling with no commercial windows.

The site plan for the redevelopment calls for a courtyard which would visually connect this building with the residential units on the second floor of the Cameron Street buildings adjoining this property to the West.

This property is part of the OLD TOWN/NORTH CENTRAL GEOGRAPHIC PLANNING AREA. The Comprehensive Plan suggests that efforts be taken to promote residential or mixed use in this area. The conversion of this small building to residential in conjunction with the redevelopment of the retail and residential use of the adjoining Cameron Street property would be compatible with the mixed use of residential and retail envisioned by the Comprehensive Plan.

Thank you for your consideration of this request.


Phillip Glaize, Managing Partner


Richard Helm, Managing Partner

CITY COUNCIL ACTION MEMO

To: Mayor and Members of City Council
From: Tim Youmans, Planning Director
Date: March 21, 2013
Re: O-2013-07 Racey Meadow Project Update (RZ-12-405)

THE ISSUE:

Rezoning a 7.74-acre tract from RO-1 to HR with PUD overlay. The existing CE overlay zoning would remain on the property. The existing RO-1 zoning would permit office development consistent with the recommendation shown in the Comp Plan. The proposed HR(PUD) zoning would result in a 132-unit apartment complex with no commercial development.

RELATIONSHIP TO STRATEGIC PLAN:

School funding: Direction, Proposal, Decision (see 'Budget Impact' below)
Ward Plaza Development- bringing 132 units on line all at once may negatively impact the market for mixed use redevelopment of Ward Plaza.

BACKGROUND:

See attached staff report (updated to reflect 3-20-13 version of Proffer Statement)

BUDGET IMPACT:

This project could generate school-aged children impacting attendance at City schools. There are no proffers to mitigate the potential impact on education expenses. Also, City's ability to realize long-term revenue from BPOL and/or sales tax associated with commercial use developed under existing RO-1 zoning would be lost. However, new high-quality multifamily development would create more demand for commercial development elsewhere.

OPTIONS:

- Approve subject to latest version of proffers and Development Plan
- Deny (must state reasons for denial in the motion- e.g. "inconsistent with Comp Plan")

RECOMMENDATIONS:

Planning Commission (on a 3-2-1 vote) recommended approval subject to the superseded 2-18-13 version of proffers and the latest Development Plan. Staff believes that the updated proffer which eliminates the 18 three-bedroom apartments is an improvement over the previous plan. The new proffer calls for 60 two-bedroom units instead of 42 two-bedroom units. Twenty-eight of these units would have a study included with them.

March 26, 2013
City Council Work Session

RZ-12-405 AN ORDINANCE TO CONDITIONALLY REZONE 7.74 ACRES OF LAND AT 940 CEDAR CREEK GRADE FROM RESIDENTIAL OFFICE (RO-1) DISTRICT WITH CORRIDOR ENHANCEMENT (CE) DISTRICT OVERLAY TO HIGH DENSITY RESIDENTIAL (HR) DISTRICT WITH PLANNED UNIT DEVELOPMENT (PUD) & CE DISTRICT OVERLAY

REQUEST DESCRIPTION

The request is to change the underlying zoning of a large tract of mostly vacant land at the western limits of the City along the north side of Cedar Creek Grade from RO-1 to HR subject to proffers. While it keeps the Corridor Enhancement (CE) overlay zoning in place, it proposes to add Planned Unit Development (PUD) overlay zoning as well. The HR rezoning would permit the construction of up to 139 apartment units, assuming that the overlay Planned Unit Development (PUD) provisions and Corridor Enhancement (CE) provisions are met. The applicant has provided an updated Conceptual Site Layout Plan dated December 3, 2012 depicting 132 apartment units in seven three-story buildings and 3 four-story buildings. A separate building housing management and maintenance offices as well as recreational amenities is proposed out close to Cedar Creek Grade along with a combination tennis/basketball court. The outdoor recreational facility and adjoining open space, which was originally proposed for conveyance to the City as public parkland, would remain private with an easement granted to the City for public use.

AREA DESCRIPTION

The subject parcel contains a vacant single-family residence and some agricultural structures. This parcel and one residentially used property immediately to the east comprise an existing RO-1 district. Along with numerous other properties throughout the City, these two properties were rezoned by the City (i.e. not at property owner request) in the 1990's in an effort to stem what was then viewed as undesirable multifamily rental housing. Land to the north and further to the east is zoned HR and contains multifamily development as well as townhouse development. Land to the south fronting along Cedar Creek Grade is also zoned HR and contains single-family residences.



Land to the west is situated in Frederick County. The adjoining Frederick County parcel owned by Greystone Properties, LLC was conditionally rezoned from Rural Areas (RA) to Residential Planned Community (R4) by Frederick County along with other properties including a larger tract owned by Miller & Smith about five years ago. The 360-acre Willow Run project is slated for 1,390 residential units as well as 36 acres of commercial uses. The Greystone Properties portion of the larger Willow Run project is primarily single-family attached (i.e. townhouse) residential and age-restricted housing. It includes a spine road (Birchmont Dr) that connects Cedar Creek Grade with the extension of Jubal Early Drive to the north. That connection is required to be built prior to the 200th residential permit being issued. A public street connection to Cidermill Lane from the County spine road is also part of the approved Willow Run project. Cidermill Lane is currently being extended to the County line as part of the last phase of the Orchard Hill townhouse development.

COMMENTS FROM STAFF

An incomplete request was first presented at a public hearing by the Planning Commission on October 16, 2012. The matter was tabled at the applicant's request during the November and December 2012 regular meetings of the Commission pending a traffic impact study. The applicant had requested that the Planning Commission public hearing be delayed from September 2012 until October of 2012 so that additional information could be provided to the City with respect to potential impacts caused by school-aged population generated from developments where there are two- and three-bedroom units. That information was subsequently provided to the Planning Director via email from Mr. Thomas Moore Lawson, on behalf of the applicant as an enclosure with a September 21, 2012 email. A more complete fiscal analysis dated January 10, 2013 was received by the Planning Director on January 14, 2013 and provided to the Planning Commission for consideration at the January 15, 2013 Commission meeting.

In a letter to the Planning Director dated August 15, 2012, Mr. Bob Cocker, Manager for the applicant (Valley View Management, LLC) explains the proposed rezoning and the proposed Racy Meadows Apartment Complex project. The applicant also provided an original Proffer Statement dated August 16, 2012 which is addressed further below in the comments from staff. An updated Proffer Statement dated January 9, 2013 was received via email on January 15, 2013 (the same day as the January Commission meeting) and considered by the Commission on that date. Along with the updated Proffer Statement, an updated exhibit dated 12/3/12 (but received by the City on January 14, 2013) titled 'CONCEPTUAL SITE LAYOUT PLAN Rezoning Exhibit "A"' was also submitted. This second version superseded the original rezoning exhibit titled 'OVERALL SITE PLAN, CONCEPTUAL LAYOUT and TRAFFIC PATTERN PLAN,' dated 8/6/12.

A third version of the Proffer Statement dated February 18, 2013 was received via email by the Planning Director on February 18, 2013 and distributed via email to the Commission on the morning of the February 19, 2013 Commission meeting. The updated proffers were reviewed at the February 19th Commission meeting in advance of the Commission's favorable recommendation to City Council.

A fourth version of the Proffer Statement dated February 26, 2013 was received via email by the Planning Director at 5:23pm on February 26, 2013 (minutes before the 6:00pm Council Work Session on that date). The updated proffers simply reflected corrections to the spelling of 'Racey' and inserted a missing word ('Site') into a reference to the Development Plan.

A fifth version of the Proffer Statement dated March 20, 2013 was received via email by the Planning Director on March 26, 2013. The updated proffers reflected the elimination of the 18 proposed three-bedroom units and instead proposed that 28 of the 60 two-bedroom units would now include a study.

Comprehensive Plan Consistency

The Character Map contained in the adopted Comprehensive Plan calls for a Commerce Revitalization/Infill in this area and for the connection of Stoneleigh Drive to Cedar Creek Grade. PUD overlay allows for consideration of up to 18 dwelling units per acre, which in the case of 7.74 acres would translate to a maximum of 139 dwelling units. The applicant is proposing 132 dwelling units in addition to a building housing management offices and common recreational amenities. The Comprehensive Plan also calls for increased multifamily development citywide to attract young professionals and empty nesters. The proposed upscale apartments would serve these targeted populations.

The Cedar Creek Grade corridor has undergone considerable change over the past 25 years from being primarily single-family development along a two-lane roadway to becoming a mixed use corridor served by a four-lane arterial. A number of sites that were rezoned to RO-1 by the City in the 1990's were

subsequently rezoned on a conditional basis to Highway Commercial (B-2) by private developers. These conditional B-2 rezonings often included restrictions on commercial uses. This effort includes the two lots along the south side of Cedar Creek Grade across from the east end of the subject Racey property where two large office buildings are situated today. Corridor Enhancement (CE) overlay zoning was established along Cedar Creek Grade in 2006.

Potential Impacts & Proffers

The proposal is a conditional rezoning request wherein the applicant has voluntarily submitted proffers to mitigate potential impacts arising from the rezoning of the property from HR to HR (PUD). The original August 6, 2012 Proffer Statement was structured to address six areas under the heading of Site Planning Improvements. These were: Street and Access Improvements; Interior Site Circulation; Site Development; Landscaping and Design; Recreation; and, Stormwater Management. The last paragraph of the Proffer Statement bound the developer to develop the site in accordance with the Conceptual Site Layout Plan, Rezoning Exhibit "A" dated August 6, 2012. The second version of the Proffer Statement dated January 9, 2013 added two more headings which were: Density; and Phasing. The information pertaining to Density was still incomplete as it pertained to Percentages for building coverage and open space. The third version of the Proffer Statement dated February 18, 2013 added one more heading which addressed rules and regulations, including reference to a separate list of tenant rules that are part of a lease agreement.

At the October 16, 2012 meeting, the applicant was asked by the Planning Commission to conduct a Fiscal Impact Analysis and a Traffic Impact Analysis which are two studies that can be required by the Planning Commission for a PUD rezoning application per Sections 13-4-2.2k and l of the Zoning Ordinance.

Fiscal Impact Analysis

The multifamily (i.e. non-commercial) project, from a land use perspective, is inconsistent with the adopted Comprehensive Plan. As noted above, the Commission requested a Fiscal Impact Analysis showing the impacts on City revenue and expenditures generated by the project as compared to revenue and expenditures arising from development allowed under the current RO-1 development. While the current RO-1 zoning permits office development which generates no school-aged population, it also permits single-family residential homes at a density of 4.3 units per acre which is between the current LR and MR residential district densities. Single-family homes tend to generate more school-aged population than multifamily units, but there would be many fewer single-family homes possible under the current RO-1 zoning than possible under the proposed HR zoning.

The proposed conditional HR(PUD) zoning would permit no commercial office development, but would instead yield 132 apartment units, primarily consisting of one- and two-bedroom units. Up until the 5th iteration of the Proffer Statement, the applicant had asked that 18 of the units be allowed to have three bedrooms, which might increase the likelihood of school-aged population. The additional support material provided by Mr. Lawson on behalf of the applicant notes that the 300 units of similar apartment development in Stuart Hill (180 units) and Pemberton Village (120 units) only generate 4 elementary students, 1 middle school student, and 4 high school students. This was determined based upon students picked up at City school bus stops serving these developments. It is possible that some students are transported to the public schools by other means.

The Commission requested that the City's Economic Redevelopment Director review the proposal and comment on the fiscal impacts associated with changing the zoning from the current RO-1 which would support general and medical office development to instead have all HR (PUD) zoning that would specifically consist of 132 apartment units and no commercial development. In the attached memo to the Planning Director dated February 10, 2013, Mr. Deskins suggests that a more economically viable

development scenario would be to retain zoning supporting commercial development such as offices on a two acre portion of the site out along Cedar Creek Grade while allowing the remaining 5.75 acres to be rezoned to HR(PUD) for the development of 120 apartment units. The two acres of RO-1 or B-2 zoned land out front could support upwards of 30,000 square feet of development which would generate BPOL and/or Sales tax revenue for the City in the range of \$15K-\$50K and greatly help offset any expenditures arising from the residential development on the rear of the tract (SEE ATTACHED).

Traffic Impact Analysis

At the October 16, 2012 meeting, the Commission also required a Traffic Impact Analysis. This is appropriate given the close proximity to the Frederick County corporate limits where VDOT has authority to require review of rezonings that create a certain threshold of additional traffic above that generated by the current zoning. A Traffic Signal Warrant Study dated 12/4/12 was submitted on 12/10/12 to the Planning Director and to the Public Services Director, Perry Eisenach. The Warrant Study concluded that a traffic signal would not be warranted at the proposed intersection of Cedar Creek Grade and the extension of Stoneleigh Drive, even if situated opposite of the existing Cedar Creek Grade/Stone Ridge Rd intersection. The Public Services Director reviewed the study and agreed with the findings.

The Traffic Signal Warrant Study included an analysis of Trip Generation based upon four different Development Scenarios. The figures are contained in Table 1 on page 6 of the Study (See attached Table 1). The proposed scenario, calling for 132 apartment units, would generate 94 trips in the PM Peak Hour and an Average Daily Traffic (ADT) volume of 980 trips. If the 7.74 acres were instead developed with by-right office development consisting of upwards of 120,000 square feet of medical-dental office development, then it would generate 424 trips in the PM Peak Hour and an ADT volume of 4,692 trips (about 4.8 times the amount of traffic generated by the development proposed with the rezoning). If the site was rezoned to HR District without the proposed PUD overlay zoning, then it would support upwards of 108 multifamily units. This development would generate 77 trips in the PM Peak Hour and an ADT volume of 799 trips. Staff has not observed problems at intersections such as Harvest Drive and W. Jubal Early Dr where considerably larger numbers of apartments, retirement cottages, assisted living, and conventional single-family units are linked to major streets in the City.

Based upon the updated Development Plan, the development is now proposed to include a private extension of Stoneleigh Drive connecting with another private drive that then intersects Cedar Creek Grade at an unsignalized intersection located approximately 240 feet west of the Harvest Drive intersection. This new location is where the existing driveway into the adjoining Horton property is currently located. That driveway would be eliminated under the proposal and a connection to the Horton property would be provided from a point internal to the Racey Meadows development north of the existing Horton residence closest to Cedar Creek Grade. The original Development Plan aligned the private extension of Stoneleigh Drive with Stoneridge Rd providing access to the Harvest Ridge residential development on the south side of Cedar Creek Grade.

The revised street location reduces impacts on the Harvest Drive neighborhood and provides for a less direct connection to the public portion of Stoneleigh Drive in the Orchard Hill neighborhood. It also provides for improved sight distance to the west as compared with the previous alignment. It will, however, require the granting of an exception by City Council to allow for the new private street to be situated within 300 feet of the existing Harvest Drive intersection. The Commission may wish to ask for additional study of how the addition of this 3-way intersection would impact traffic flow in the area. At a minimum, a dedicated left-turn lane eastbound should be constructed.

Alterations were made to traffic flow on Cedar Creek Grade at Stoneridge Rd intersection after VDOT had widened the road from two lanes to four lanes in 1993. The alteration decreased the capacity of Cedar Creek Grade by converting one of the two eastbound lanes and one of the two westbound lanes

approaching Stoneridge Rd into right-turn and left-turn lanes respectively. That change essentially reduced Cedar Creek Grade down to a single through lane eastbound and westbound at that one location.

The applicant is proffering to extend a private roadway northward to connect with another private roadway internal to the apartment development. It would also connect to the privately-owned portion of Stoneleigh Drive serving the existing Summerfield Apartment development. Summerfield Apartments were approved with improved access only to the north connecting with the public portion of Stoneleigh Dr in the Orchard Hill townhouse development. The developer of the Summerfield Apartment development offered to extend Stoneleigh Drive as a public street southward to allow for an orderly extension of that street ultimately to Cedar Creek Grade once the Racey property was developed. Due to strong opposition from adjoining Orchard Hill residents, City Council turned down a subdivision proposal in 1997 that would have extended the public street, but the apartment development site plan was nonetheless approved relying solely upon access to Harvest Drive, a Category II Collector Street via local (Category I) streets within the Orchard Hill development.

As noted above, the Comprehensive Plan calls for the orderly extension of roadway connecting the Summerfield and Orchard Hill neighborhoods to Cedar Creek Grade. This allows for improved traffic flow and improved service delivery for City services such as fire and rescue, police, school buses, and refuse, yard waste, and recycling pickup. It also implements the New Urbanism principle of an interconnected grid street network advocated in the Comprehensive Plan and avoids undesirably long an inefficient single-access point development typical of 1960's – 1990's suburban sprawl. Total traffic on any one street is reduced since residents do not have to drive through other neighborhoods to get to the major streets in the City. The applicant is also proffering traffic calming measures along the proposed private roadway.

Site Development and Buffering

The updated Conceptual Site Layout Plan depicts 132 apartment units in seven three-story buildings and 3 four-story buildings. Proffers #3 & 4 address Site Development as well as Landscaping and Design. Two of the 3 four-story buildings would back up to the Summerfield Apartment development along the northern boundary furthest from Cedar Creek Grade. The third four-story structure is located along the west side of Stoneleigh Dr. Per the proffered layout, all of the buildings would be situated at least 25 feet away from any exterior property line and at least 50 feet away from Cedar Creek Grade. The closest apartment building is now 135 feet away from Cedar Creek Grade. Proffer #3 provides detailed information about separations between buildings on the site. Proffer #4 provides detailed information about the landscaped buffers, including the quantity of evergreen and deciduous trees required. Staff encouraged the applicant to be more specific about the extent of upright evergreen screening and this was included in the revised proffers.

Recreation and Open Space

Proffer #5 addresses recreational amenities and open space. The applicant is proposing combination basketball court and tennis court situated out close to Cedar Creek Grade just west of the building that would house management offices as well as some indoor recreation use. Since the facility overlaps, it can only be used at one time as either a half-court basketball facility or a tennis court- not both. A single facility for a multifamily development of this size is on the low end of facilities provided per dwelling unit. The applicant should clarify what additional active recreational amenities are proposed in the community building or elsewhere within the development.

The proffers and the plan also call for an 8-foot wide asphalt trail extending through the active recreational area out along Cedar Creek Grade. The revised layout provides for a longer continuous segment of multipurpose trail west of the private street intersection. The applicant is no longer proposing to convey any recreation amenities to the Winchester Parks & Recreation Department (WP&RD) but is

still proposing for it to become a part of a citywide satellite park system. The proffer has been reworded to have the facilities remain with the property owner and have an easement granted for public use of the facilities.

Stormwater Management

Proffer #6 addresses the impacts of stormwater management and the applicant's measures to mitigate the potential impacts. A detailed stormwater analysis would be generated by the applicant and reviewed by the City at the time of site plan. It is intuitive that the applicant's proposed layout which, in many places, calls for a 75-foot wide green buffer at the low end of the site adjoining Cedar Creek Grade is superior to any plan allowed by right under current zoning that would permit impervious coverage consisting of office buildings and parking lots situated as close as 35 feet of the public right of way line.

Density

The updated Proffer Statement of March 20, 2013 includes a breakdown by bedroom count. The applicant now proposes 72 one-bedroom units, and 60 two-bedroom units. No three-bedroom units are proposed, however, 28 of the two-bedroom units would include a study. The actual project density is not specifically stated in the proffer, but it comes out to 17 units per acre where 18 units per acre is the absolute maximum permissible under PUD zoning.

Community Rules and Regulations

As of the February 18, 2013 version, the Proffer Statement includes language making reference to rules and regulations which shall be generated *and amended from time to time by the owner* of the apartment complex. The attachment is an example of the rules and regulations that might be used. The applicant is simply proffering that there will be rules and regulations maintained, but is not committing to any specifics. The Commission had requested more complete information pertaining to covenants and restrictions that will ensure that the project meets high standards for maintenance and management of the complex.

Project Phasing

The applicant has indicated that there is no proposal to phase in the project as part of the PUD rezoning. A note on the Development Plan states: "No Phasing Applies. The Project Shall be Constructed Fourteen (14) Consecutive Months." If the applicant proposes to obtain occupancy of any of the units prior to the entire development being completed, then that should be noted as required per Section 13-4-2.2h. The phasing plan should clearly note the timing of the roadway connection to Summerfield Apartments and the completion of the recreational amenities relative to occupancies of any units.

Other Issues

The applicant has now addressed most if not all of the requirements for a complete PUD proposal as spelled out in Section 13-4 of the Zoning Ordinance. Among the Development Plan requirements are the following:

- Topographic Map
- Land Use plan showing the height of structures
- Width of all streets, driveways and loading areas
- Approximate location of existing and proposed utilities
- A plan or statement detailing covenants, restrictions, and conditions pertaining to the use, maintenance and operation of common spaces
- Percentage of the Total Tract used as Open Space, and,
- A plan or report indicating the extent and timing of all off-site improvements

RECOMMENDATION

Generally, staff feels that the proposal is consistent with many of the broader elements of the City's long-term vision to attract more young professionals and empty-nesters to the City. The residential use of the property is compatible with the existing high-density multifamily use to the north as well as existing residential use to the east and south and the proposed residential development in Frederick County immediately to the west.

However, the proposed rezoning does reflect a deviation from the land use designation shown on the Character Map in the Comprehensive Plan. This is particularly a concern given the evolving land use pattern along Cedar Creek Grade which has non-residential development along the street with residential in behind it (e.g. The Landing at Park Place, Melco PUD, and the commercial office development opposite of Harvest Drive on the south side of Cedar Creek Grade). The proposed residential use toward the rear of the site and the proffered indirect extension of Stoneleigh Drive provides for a logical extension of the existing and proposed land uses in this specific segment of Cedar Creek Grade. The efforts to work joint access with the adjoining Horton property also represents good planning practice. Also, the effort by the applicant to situate the apartment buildings, at least 135 feet back from Cedar Creek Grade represents good planning, but the incorporation of some commercial development along Cedar Creek Grade would create better conformity with the 'Commerce Revitalization/Infill' designation shown in the Comprehensive Plan exhibit.

At the February 19, 2013 meeting, staff presented the Commission with three draft motions consisting of a completely favorable motion, a partially favorable motion, and an unfavorable motion. The favorable recommendation on **the entire request**, then a motion read:

MOVE, that the Planning Commission forward Rezoning **RZ-12-405** to City Council recommending approval because the proposed HR (PUD/CE) zoning, as proffered, supports the expansion of housing serving targeted populations and facilitates the extension of Stoneleigh Drive as called out in the Comprehensive Plan. The recommendation is subject to adherence with the Proffer Statement updated **February 18, 2013** and the updated Development Plan titled 'CONCEPTUAL SITE LAYOUT PLAN Rezoning Exhibit "A"' dated December 3, 2012.

The partially favorable recommendation on the request where City staff recommended that 2 acres be left RO-1 or considered for rezoning to B-2(PUD) instead read:

MOVE, that the Planning Commission forward Rezoning **RZ-12-405** to City Council recommending approval to rezone the rear 5.75 acre portion of the tract because the proposed HR (PUD/CE) zoning, as proffered, supports the expansion of housing serving targeted populations and facilitates the extension of Stoneleigh Drive as called out in the Comprehensive Plan. The recommendation is subject to adherence with the Proffer Statement updated **February 18, 2013** and the updated Development Plan titled 'CONCEPTUAL SITE LAYOUT PLAN Rezoning Exhibit "A"' dated December 3, 2012 except as to how it designates apartment development on the front two acres of the tract.

The motion for the unfavorable recommendation on the request read:

MOVE, that the Planning Commission forward Rezoning **RZ-12-405** to City Council recommending disapproval because the proposed HR (PUD/CE) zoning is less desirable than the existing RO-1(CE) zoning, creates potential negative impacts associated with multifamily development, and is inconsistent with the adopted Comprehensive Plan that calls for Commerce Revitalization/Infill in this area of the City.

At the February 19, 2013 meeting, on a 3-2-1 vote (Shore and Beatley opposing and Wiley abstaining), the Planning Commission forwarded Rezoning **RZ-12-405** to City Council recommending approval because the proposed HR (PUD/CE) zoning, as proffered, supports the expansion of housing serving

targeted populations and facilitates the extension of Stoneleigh Drive as called out in the Comprehensive Plan. The recommendation was subject to adherence with the Proffer Statement updated February 18, 2013 and the updated Development Plan titled 'CONCEPTUAL SITE LAYOUT PLAN Rezoning Exhibit "A"' dated December 3, 2012. The applicant has since submitted updated Proffer Statement dated February 26th and March 20th. The substantive changes of the March 20, 2013 proffer revision address some of the concerns expressed by Planning Commissioners regarding the inclusion of some three-bedroom apartments.

The attached Ordinance has been revised to reflect the submittal of the March 20, 2013 version of the Proffer Statement.

AN ORDINANCE TO CONDITIONALLY REZONE 7.74 ACRES OF LAND AT 940 CEDAR CREEK GRADE FROM RESIDENTIAL OFFICE (RO-1) DISTRICT WITH CORRIDOR ENHANCEMENT (CE) DISTRICT OVERLAY TO HIGH DENSITY RESIDENTIAL (HR) DISTRICT WITH PLANNED UNIT DEVELOPMENT (PUD) & CE DISTRICT OVERLAY

RZ-12-405

WHEREAS, the Common Council has received an application from Valley View Management, LLC to rezone property at 940 Cedar Creek Grade from Residential Office (RO-1) with Corridor Enhancement (CE) District overlay to High Density Residential (HR) District with Planned Unit Development (PUD) District overlay and Corridor Enhancement (CE) District overlay; and,

WHEREAS, the Planning Commission forwarded the request to Council on February 19, 2013 recommending approval of the rezoning request as depicted on an exhibit entitled "*Rezoning Exhibit RZ-12-405 Prepared by Winchester Planning Department February 12, 2013*" because the proposed HR (PUD/CE) zoning, as proffered, supports the expansion of housing serving targeted populations and facilitates the extension of Stoneleigh Drive as called out in the Comprehensive Plan. The recommendation is subject to adherence with the Proffer Statement updated February 18, 2013 and the updated Development Plan titled 'CONCEPTUAL SITE LAYOUT PLAN Rezoning Exhibit "A"' dated December 3, 2012; and,

WHEREAS, subsequent to the Planning Commission's recommendation, the applicant has submitted an updated Proffer Statement dated March 20, 2013; and,

WHEREAS, a synopsis of this Ordinance has been duly advertised and a Public Hearing has been conducted by the Common Council of the City of Winchester, Virginia, all as required by the Code of Virginia, 1950, as amended, and the said Council has determined that the rezoning associated with this property herein designated supports the expansion of housing serving targeted populations and facilitates the extension of Stoneleigh Drive as called out in the Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Winchester, Virginia that the following land is hereby rezoned from the existing zoning designation of Residential Office (RO-1) with Corridor Enhancement (CE) District overlay to High Density Residential (HR) District with Planned Unit Development (PUD) District overlay and Corridor Enhancement (CE) District overlay:

Approximately 7.74 acres of land at 940 Cedar Creek Grade, as depicted on an exhibit entitled "*Rezoning Exhibit RZ-12-405 Prepared by Winchester Planning Department February 12, 2013*".

BE IT FURTHER ORDAINED by the Common Council of the City of Winchester, Virginia that the rezoning is subject to adherence with the Proffer Statement updated March 20, 2013 and the updated Development Plan titled 'CONCEPTUAL SITE LAYOUT PLAN Rezoning Exhibit "A"' dated December 3, 2012.

LAWSON AND SILEK, P.L.C.

120 EXETER DRIVE, SUITE 200
POST OFFICE BOX 2740
WINCHESTER, VA 22604
TELEPHONE: (540) 665-0050
FACSIMILE: (540) 722-4051

THOMAS MOORE LAWSON • TLAWSON@LSPLC.COM

March 20, 2013

Mr. Tim Youmans, Planning Director
City of Winchester
Rouss City Hall
15 North Cameron Street
Winchester, VA 22601

Re: Racy Meadows Apartment Complex
Rezoning Application: RZ-12-405
Our File No. 890.007

VIA E-MAIL

Dear Tim:

Thank you for your memo of earlier today. Enclosed please find revised Proffers for the above-referenced rezoning application. You will note that there has been a change in the bedroom mix. Specifically, the eighteen (18) three-bedroom units will now be two-bedroom units. Twenty-eight of those two-bedroom units will also have a study. Now there are no three-bedroom units. We are making this change in response to comments from members of Council that have expressed concerns that three-bedroom units may tend to generate more school children. As you know from our analysis of not only our units but also of other market-rate units as well as looking at information provided by the School Board, this has not been the case. Nevertheless, we are making this bedroom number change.

We understand that you will circulate these revised proffers as part of the Council Member's packets for the March 26th work session. Please allot a little extra time for the Applicant to make a presentation. Not only do we intend to go through the revised Proffers and also the work that has been done to address impacts but also to talk in depth about the fiscal impact of this new project. The Applicant has engaged Patz and Associates to perform a detailed fiscal analysis of this project. A summary of that analysis will be presented at the work session.

Tim Youmans, Planning Director

March 20, 2013

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Thank you for your continued assistance and cooperation. I look forward to meeting with everyone at the work session. As always, if you have any questions, please do not hesitate to contact me.

Very truly yours,

/s/ Thomas Moore Lawson

Thomas Moore Lawson

TML:jk

Enclosure

cc: Valley View Management LLC
Mr. Tim Painter

**RACEY MEADOWS APARTMENT COMPLEX
REZONING REQUEST PROFFER
(Conditions for this Rezoning Request)**

**Tax Map Number: 249-01-2
Owner: Lester E. Racey & Hilda C. Racey
Applicant: Valley View Management LLC**

**Revision Dates: August 6, 2012, January 9, 2013, February 18, 2013, February 26, 2013,
March 20, 2013**

Property Information

The undersigned applicant hereby proffers that in the event the Council of the City of Winchester (Council) shall approve the rezoning of 7.74 acres from Residential Office District (RO-1) to High Density Residential District (HR) with a Planned Unit Development District (PUD) overlay and maintaining the Corridor Enhancement District (CE), then development of the subject property shall be done in conformity with the terms and conditions as set forth herein, except to the extent that such terms and conditions may be subsequently amended or revised by the applicant and such be approved by the Council in accordance with Virginia law. In the event that such rezoning is not granted, then these proffers shall be deemed withdrawn and have no effect whatsoever. These proffers shall be binding upon the applicant and their legal successor or assigns.

Any and all proffers and conditions, accepted or binding upon the aforementioned property, as a condition of accepting these proffers, shall become void and have no subsequent effect.

Site Planning Improvements

The undersigned applicant, who is acting on behalf of the owners of the above described property, hereby voluntarily proffers that, if the Council of the City of Winchester approves the rezoning, the undersigned will provide:

- 1. Street and Access Improvements:**
 - ❖ Design and construction of approximately 830 feet of Private Street from the existing Cedar Creek Grade Right-of-Way to the private street section of Stoneleigh Drive in the Summerfield Luxury Apartment Complex to the north of this property.
 - ❖ A connection to the Frederick County line shall be planned to connect to the development to the future Birchmont Drive and its possible signalized intersection with Cedar Creek Grade.
 - ❖ Traffic calming measures shall be installed along this private street section to lessen the adverse effects of through traffic in this apartment complex development.

2. Interior Site Circulation:

- ❖ Access shall be provided via interior driveways and drive aisles which connect to the proposed private street section to provide the needed access to Cedar Creek Grade Roadway.

3. Site Development:

- ❖ A minimum separation distance of thirty-two feet (32') shall be maintained between all building pads.
- ❖ A minimum separation distance of sixteen feet (16') shall be maintained between all building lines and the face of curb of the adjacent parking areas.
- ❖ All building restriction setbacks in accordance with the underlying High Density Residential District (HR) shall be maintained with this development to maintain the desired setback requirements between the adjacent parcels and differing residential uses.
- ❖ No buildings shall be constructed closer than fifty feet (50') to the Cedar Creek Grade Right-of-Way, and no apartment building will be constructed closer than one hundred thirty-five feet (135') from the Cedar Creek Grade Right-of-Way.
- ❖ Applicant agrees to construct no more than seventy-two (72) one-bedroom apartment units, and sixty (60) ~~forty two (42)~~ two-bedroom apartment units, ~~and eighteen (18) three-bedroom apartments units.~~
- ❖ Applicant proffers that the quality of construction will not be less than the quality of construction of its existing Stuart Hill Apartment complex.

4. Landscaping and Design:

- ❖ A fifty foot (50') active recreation and landscaping buffer shall be provided along the Cedar Creek Grade Right-of-Way. Twenty-five feet (25') of this buffer shall be dedicated to landscaping. Extensive landscaping shall be provided in this 25' buffer that consists of a minimum of two plants per ten linear feet with one half of the plants being evergreen and one half being deciduous. Minimum evergreen plant height, at the time of planting, shall be six feet. The landscaping plan shall be incorporated as part of the site development plans. This landscaping plan shall be approved by the Planning Commission as part of the design of these areas.
- ❖ In the other perimeter areas of the site where existing residential developments have been constructed, specifically along the eastern and northern boundary lines, an opaque screen consisting of an evergreen hedgerow or double row of evergreens shall be constructed. Pursuant to City of Winchester ordinances applicant shall submit for review and approval landscape, lighting and other required plans. Applicant understands that the property is in an area which is subject to a PUD overlay and that the property will be subject to the requirements of the same.

5. Recreation:

- ❖ As stated above, a fifty foot (50') active recreation and landscaping buffer shall be provided along the Cedar Creek Grade Right-of-Way. Twenty-five feet (25') of this buffer shall be dedicated to active recreation for use by the residents of this development and the local public. The active recreation element shall consist of an eight foot (8') walking trail that will become part of the City of Winchester's local trail system.
- ❖ Additionally, a combination tennis/basketball court shall be constructed as part of this development that shall be available for public use as well.
- ❖ At their completion and in accordance with the directives of the Winchester Parks and Recreation Department (WP&RD), these active recreation structures shall be owned by the applicant but shall be made available for use by residents of the City of Winchester taking first into account the recreational needs for use of these facilities by the residents of the apartment complex and to become part of the City-wide satellite parks system.

6. Storm Water Management:

- ❖ All storm water management and storm water quality facilities shall be installed underground in accordance with the standards and specifications of the Winchester Public Works Department. These facilities shall be maintained by the owner of the development and be constructed so as to secure the safety of the public at all times.

Density

Total Number of One-Bedroom Units:	72
Total Number of Two-Bedroom Units*:	4260
Total Number of Three-Bedroom Units:	18
Percentage of Tract to be Occupied by Structures:	__%
Percentage of Tract to be Open Space:	__%

*28 of the Two-Bedroom Units will also have a Study

Community Rules and Regulations

The apartment complex shall operate under rules and regulations which shall be generated and amended from time to time by the owner of the apartment complex. Attached and incorporated to this proffer statement are examples of the rules and regulations which will be appended to and made a part of the lease agreements with all of the tenants within the apartment complex. The applicant proffers to maintain rules and regulations in order to ensure the quality of the apartment complex.

Phasing

Applicant proposes to commence construction on all units within this complex at the same time but does expect that certain units will be delivered for occupancy before others. As part of the overall construction, however, the roadway connections as depicted on the attached and incorporated layout plan will be installed and will have at least a base coat of asphalt on them at the time of occupancy of the first apartment building.

The conditions proffered above and in accordance with the accompanying rezoning exhibit, entitled Racey Meadows Apartment Complex Conceptual Site Layout Plan Exhibit "A" dated December 3, 2012, and as prepared by Painter-Lewis, P.L.C., are presented as a conceptual plan only. The final plan shall be developed after it has been submitted, reviewed and approved by the City of Winchester and as the applicant proceeds through the various approval processes required by the City of Winchester shall be binding upon the heirs, executors, administrators, assigns and successors in interest of the applicant and owner. In the event the Council grants said rezoning and accepts these conditions, the proffered conditions shall apply to the land rezoned in addition to other requirements set forth in the City of Winchester Code.

Respectfully submitted,

APPLICANT

Valley View Management LLC
By: Robert A. Cocker
Its: Manager

Date: _____

STATE/Commonwealth of _____,
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me this ____ day of February, 2013, by Robert A. Cocker, Manager of VALLEY VIEW MANAGEMENT LLC.

Notary Public

My commission expires: _____.
Registration Number: _____.

PROPERTY OWNER

Hilda C. Racey

Date: _____

STATE/Commonwealth of _____,
CITY/COUNTY OF _____, to-wit:

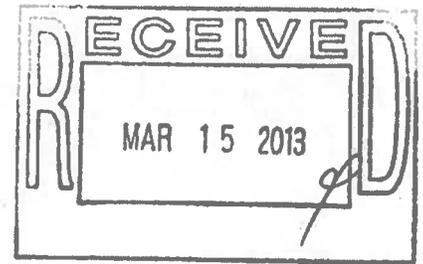
The foregoing instrument was acknowledged before me this _____ day of February, 2013, by HILDA C. RACEY.

Notary Public

My commission expires: _____.
Registration Number: _____.

March 11, 2013

Councilors of the City of Winchester
Rouss City Hall
Winchester, Virginia 22601



My most sincere salutation to our entrusted elected officials,

I am writing to you on behalf of my aunt, Mrs. Lester Racey regarding the impending rezoning of her property at 940 Cedar Creek Grade, Winchester, Virginia. Please be assured that the information and sentiments in this letter are the wished and expressed sentiments of Mrs. Racey.

My great uncle and aunt purchased eight acres of ground in 1955 for the purpose of building their residence. At that time the property was in the jurisdiction of Frederick County, Virginia. In 1960 Mr. Racey established a cabinet and furniture business at 940 Cedar Creek Grade. The property was annexed by the City of Winchester in 1974, at which time Mr. Racey filed his business license with the City of Winchester and maintained his business license until retiring in 2001. He was known in the community as an honest and dedicated craftsman and businessman. His work can be seen and appreciated at many historic landmarks in the City of Winchester.

In 2005 Mr. and Mrs. Racey, then in their eighties, decided to list their property at 940 Cedar Creek Grade. The property was listed at an asking price of \$3,500,000 with Mr. Ed Ambrose of Oakcrest Realty as seller's agent. The property was listed for two years and was unsuccessful in attracting any buyers. In 2007 the property was again listed with Sperry VanNess with Mrs. Betty Friant as seller's agent. It was at this time that the property was rezoned from residential to RO1. Mr. Racey was hesitant in doing so, but was urged by Mrs. Friant that it would be more attractive to potential buyers. The adverse effect of this rezoning has been the tremendous financial burden put upon Mr. and Mrs. Racey. Their yearly tax bill went from \$7200.00 to \$24,000.00 per annum. Since the original listing in 2005, the market sale price of the property has dropped by 50% while the tax assessment has remained the same. Mrs. Racey's current city tax bill is \$36,000.00 per annum. The Racey's had made inquiries on numerous occasions to past Commissioner of Revenue, Mr. Russell and current Commissioner, Mrs. Burkholder. The Racey's have had the property valuated by several realtors in the Winchester community who have concurred the tax assessment is not in keeping with current market trends. The Racey's inquired about having their property rezoned to its previous zoning of residential and were told by Mr. Youman's and Mrs. Burkholder that it "may not be favorable." This undeveloped property continues to have one of the highest assessments in the City of Winchester.

The listing on the property expired in July of 2012 with a listing price at that time of \$2,200,000. In late July Mr. Bob Cocker made inquiry about the property through past seller's agent Mr. Brett Haynes. An offer was presented and Mrs. Racey made a request to meet with Mr. Cocker to discuss details of purchase. The rezoning request is being made by Mrs. Racey to satisfy the terms of sale. The property has been on the market for eight years with only the interest of Mr. Cocker. The city has continued need for the type of housing this rezoning would provide. Surrounding property is of similar zoning to which Mr. Cocker is requesting. Mr. Cocker has had a favorable relationship with the City of Winchester, being forthright and timely in his negotiations with my aunt, and the city planning commission. In speaking to several local real estate firms regarding the property at 940 Cedar Creek Grade, no other buyers have come forward due to the city's saturation of RO1 space. As a city resident and taxpayer I would like to point out the availability of RO1 designated properties; vacant office buildings on Jubal Early Drive and new office buildings being erected on Amherst Street at this time. If this property were to be developed single family it would have tremendous financial implications on the city's delicate infrastructure. Mr. Cocker has spent a great deal of time and money answering the planning commission's varied study requests. I ask that you give serious consideration to Mrs. Racey's rezoning request so that she may be relieved of the tremendous mental, physical, and financial burdens caused by attempts to sell her property. She and my late uncle have been devoted citizens and generous taxpayers to the City of Winchester for many years. Mrs. Racey strongly requests that Council give careful and favorable consideration to this zoning request. Thank you for your time and consideration regarding this matter.

Sincerest regards,

Jason Largent, nephew of Mrs. Lester Racey & Resident 561 West Bellview Avenue, Winchester, Virginia

Budget Summary

July 1, 2012- February 28, 2013

General Fund Revenue & Exp. Summary

To date in fiscal year 2013 (July 2012 through February 28, 2013) the G F revenues are \$43,599,401 representing 54.60% of the budget. Prior period last year was \$40,221,815 or 55.71%. Expenditures in the General fund are currently at \$48,998,270 representing 61.40% of the budget. Last year, in FY 2012 for the same period, our expenses were at \$43,903,436 or 60.81%. Sales Tax receipts for Dec. 2012 were \$1,004,936. Sales Tax receipts for Dec. 2011 were \$944,555.

Old Town Information	Jan-12	Jan-13
Meals tax Primary Dist.	\$ 20,749	\$ 20,446
Meals tax Second Dist	\$ 10,645	\$ 10,818

	Amended	Bgt. (8mos)	Actual
Revenue		\$53,250,664	\$43,599,401
Expenditures		\$53,250,664	\$48,998,270

Highlights

- 1 January Sales tax is \$649,452
- 2 Meals tax up \$106,760 from same period last year
- 3 Motel tax are up slightly from last year

Utility Fund Revenue & Exp. Summary

To date in fiscal year 2013 (July 2012 through February 28, 2013) the Utility fund revenues are \$12,234,051, representing 64.35% of the budget. Prior period last year was \$10,762,899 or 58.80%. Expenditures in the Utility fund are currently at \$14,566,201 representing 75.45% of the budget. Last year, in FY 2012 for the same period, our expenses were at \$12,105,416 or 66.10%.

	Operating	Bgt. (8 mos)	Actual
Revenue		\$17,942,185	\$12,234,051
Exp.		\$17,942,185	\$14,566,201

Highlights

- 1 Water & Sewer collections up \$1,380,081 from the same period last year.
- 2 Availability fees down \$150,260 from same period last fiscal year.
- 3 Capital expenditures to date are \$11,091,744

Operating Cash

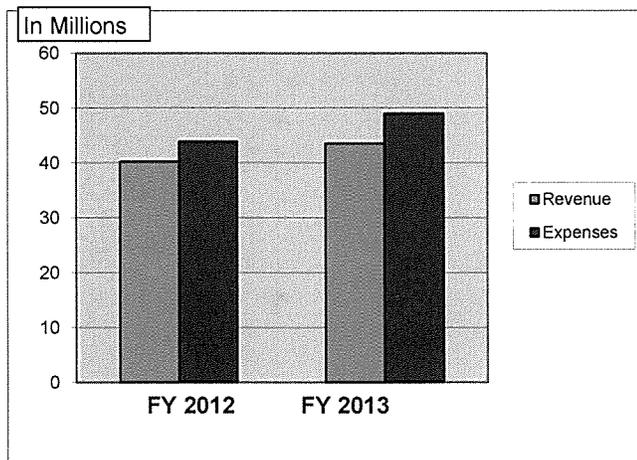
* Total Cash:	\$17,378,582	Fund balance
Reserved		Committed to date
cash:	(665,650)	
Available cash:	\$16,712,932	\$2,267,000
* February-13 (General fund only)		

Cash & Investments

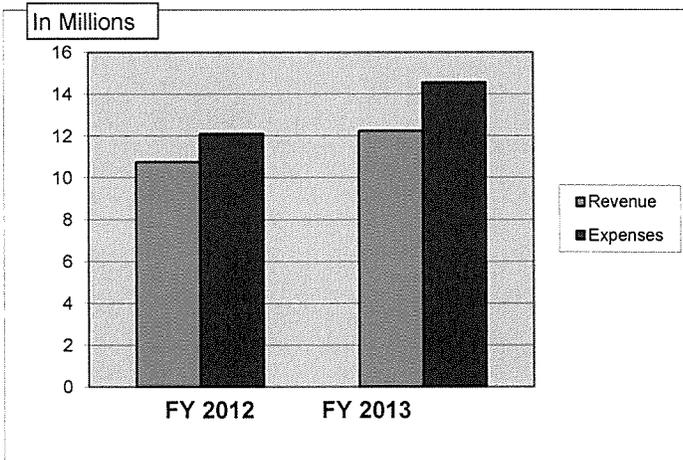
Operating Cash:	(\$593,963)
Reserves for CIP:	0
Bond Proceeds:	4,004,474
Total:	\$3,410,511
As of Feb 2013	

Period to Period Comparison FY 2012 to FY 2013

General Fund



Utilities Fund



PROGRAM GM601L

FOR FISCAL YEAR 2013

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ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 2012 YTD 7/1 - 2/29	FY 2012 Year-end Actual	FY 2013 Original Budget	FY 2013 Amended Budget	FY 2013 YTD 7/1 - 2/28	FY 2013 % of Budget Realized
FUND 111 GENERAL OPERATING FUND							
BASIC 31 REVENUE FROM LOCAL SOURCE							
SUB 1 GENERAL PROPERTY TAXES							
111-0000-311.01-01	CURRENT	10,929,500	23,540,111	25,039,000	25,039,000	12,007,136	47.95
111-0000-311.01-02	DELINQUENT	540,015	937,974	850,000	850,000	842,716	99.14
111-0000-311.01-03	DELINQUENT-PRIM/SECOND	0	0	0	8,000	9,535	119.19
111-0000-311.01-04	PRIMARY DISTRICT	0	0	0	70,000	36,218	51.74
111-0000-311.01-05	SECONDARY DISTRICT	0	0	0	80,500	41,081	51.03
111-0000-311.01-06	PENALTIES	49,446	88,835	80,000	80,600	83,192	103.22
111-0000-311.01-07	INTEREST	30,915	56,611	35,000	35,400	40,298	113.84
111-0000-311.02-01	REAL ESTATE	556,778	556,778	545,000	545,000	686,590	125.98
111-0000-311.02-03	PERSONAL PROPERTY	506	506	500	500	247	49.45
111-0000-311.03-01	CURRENT	5,838,292	7,034,140	7,300,000	7,300,000	5,822,958	79.77
111-0000-311.03-02	DELINQUENT	375,813	497,108	550,000	550,000	194,193	35.31
111-0000-311.03-03	MOBILE HOME TAXES	1,053	1,088	1,000	1,000	1,866	186.61
111-0000-311.03-04	MACHINERY & TOOLS	1,559,070	1,562,203	1,900,000	1,900,000	1,636,163	86.11
111-0000-311.03-06	PENALTIES	84,877	116,366	110,000	110,000	107,043	97.31
111-0000-311.03-07	INTEREST	30,715	45,832	50,000	50,000	13,326	26.65
* GENERAL PROPERTY TAXES		19,996,981	34,437,552	36,460,500	36,620,000	21,522,559	58.77
SUB 2 OTHER LOCAL TAXES							
111-0000-312.01-01	STATE SALES TAX	4,502,954	8,485,685	8,500,000	8,500,000	4,561,680	53.67
111-0000-312.01-02	COMMUNICATIONS TAXES	1,192,831	2,142,639	2,200,000	2,200,000	1,303,326	59.24
111-0000-312.02-01	ELECTRIC UTILITY	656,977	1,192,290	1,300,000	1,300,000	775,427	59.65
111-0000-312.02-03	GAS UTILITY	167,167	263,323	520,000	520,000	268,673	51.67
111-0000-312.02-51	ELECTRIC CONSUMPTION	66,358	135,800	121,000	121,000	78,883	65.19
111-0000-312.02-52	GAS CONSUMPTION	1,640	25,352	21,000	21,000	10,353	49.30
111-0000-312.03-01	CONTRACTING	118,875	426,588	300,000	300,000	170,772	56.92
111-0000-312.03-02	RETAIL	1,051,675	1,945,922	2,000,000	2,000,000	1,099,281	54.96
111-0000-312.03-03	PROFESSIONAL	1,150,708	2,106,288	2,100,000	2,100,000	1,277,294	60.82
111-0000-312.03-04	REPAIR & PERSONAL	380,024	848,553	900,000	900,000	398,035	44.23
111-0000-312.03-05	WHOLESALE	116,575	198,354	200,000	200,000	127,791	63.90
111-0000-312.03-06	OTHER	3,163	3,791	4,000	4,000	1,596	39.90
111-0000-312.03-07	PENALTIES	11,222	75,340	65,000	65,000	19,192	29.53
111-0000-312.03-09	TELEPHONE	24,982	73,488	90,000	90,000	60,440	67.16
111-0000-312.04-01	CABLE	0	0	0	0	19,949	.00

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ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 2012 YTD 7/1 - 2/29	FY 2012 Year-end Actual	FY 2013 Original Budget	FY 2013 Amended Budget	FY 2013 YTD 7/1 - 2/28	FY 2013 % of Budget Realized
FUND 111 GENERAL OPERATING FUND							
BASIC 31 REVENUE FROM LOCAL SOURCE							
SUB 2 OTHER LOCAL TAXES							
111-0000-312.04-02	ELECTRICAL	126,824	180,755	230,000	230,000	86,597	37.65
111-0000-312.04-03	TELEPHONE ROW	38,111	73,048	70,000	70,000	54,141	77.34
111-0000-312.04-05	GAS	36,563	48,750	50,000	50,000	48,750	97.50
111-0000-312.05-01	LICENSES	355,718	529,784	550,000	550,000	342,080	62.20
111-0000-312.05-03	PENALTIES	27,460	41,172	50,000	50,000	24,840	49.68
111-0000-312.06-01	BANK FRANCHISE	0	144,487	420,000	420,000	21,038	5.01
111-0000-312.07-01	RECORDATION	104,708	184,177	200,000	200,000	119,785	59.89
111-0000-312.07-02	WILL PROBATE	4,725	7,571	10,000	10,000	2,649	26.49
111-0000-312.08-02	CIGARETTES	391,537	572,964	530,000	530,000	345,522	65.19
111-0000-312.09-01	ADMISSIONS	18,312	32,052	30,000	30,000	3,689	12.30
111-0000-312.09-02	PENALTIES	0	327	0	0	0	.00
111-0000-312.09-03	INTEREST	0	62	0	0	0	.00
111-0000-312.10-01	MOTEL	366,948	621,844	600,000	600,000	384,016	64.00
111-0000-312.10-02	PENALTIES	456	867	0	0	370	.00
111-0000-312.10-03	INTEREST	2	8	0	0	62	.00
111-0000-312.11-01	MEALS	3,046,888	5,356,600	5,100,000	5,100,000	3,153,648	61.84
111-0000-312.11-02	PENALTIES	5,844	18,894	15,000	15,000	10,175	67.83
111-0000-312.11-03	INTEREST	369	1,648	600	600	673	112.23
111-0000-312.12-01	SHORT TERM	8,141	17,278	14,500	14,500	3,446	23.76
111-0000-312.12-02	PENALTIES	6	28	0	0	26	.00
* OTHER LOCAL TAXES		13,977,760	25,755,729	26,191,100	26,191,100	14,774,201	56.41
SUB 3 PERMITS, PRIVILEGE FEES							
111-0000-313.01-01	DOG	2,907	12,399	11,000	11,000	2,918	26.53
111-0000-313.03-03	ON STREET PARKING	70	90	0	0	120	.00
111-0000-313.03-05	TRANSFER FEES	369	655	1,000	1,000	367	36.66
111-0000-313.03-24	EROSION, SEDIMENT CONTROL	3,275	5,900	6,000	6,000	2,400	40.00
111-0000-313.03-28	WEAPONS	3,359	6,219	3,500	3,500	5,744	164.10
111-0000-313.03-30	RE TAX APPLICATION FEE	0	20	0	0	120	.00
111-0000-313.03-31	RE PUBLIC HEARING FEE	370	390	0	0	0	.00
111-0000-313.03-36	HAZARDOUS USE	650	1,850	1,000	1,000	650	65.00
111-0000-313.03-37	TAXI	612	972	800	800	288	36.00
111-0000-313.03-50	STREET PERMITS	0	0	0	0	1,590	.00

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FUND 111 GENERAL OPERATING FUND							
BASIC 31 REVENUE FROM LOCAL SOURCE							
SUB 3 PERMITS, PRIVILEGE FEES							
111-0000-313.04-08	BUILDING	45,194	83,899	100,000	100,000	74,485	74.49
111-0000-313.04-10	ELECTRICAL	527	802	600	600	435	72.53
111-0000-313.04-12	PLUMBING	15,085	19,625	20,000	20,000	14,219	71.10
111-0000-313.04-14	MECHANICAL	15,895	21,989	25,000	25,000	17,003	68.01
111-0000-313.04-15	ELEVATOR	2,000	3,800	3,000	3,000	1,880	62.67
111-0000-313.04-23	OCCUPANCY	525	825	1,500	1,500	150	10.00
111-0000-313.04-32	FIRE PROTECTION	4,227	5,826	9,000	9,000	3,850	42.77
111-0000-313.04-35	GAS	284	345	300	300	309	103.00
111-0000-313.04-37	BUILDING PERMITS - SIGNS	3,560	4,680	4,000	4,000	3,682	92.05
111-0000-313.05-04	LAND USE APPLICATION FEES	17,350	26,625	30,000	30,000	19,075	63.58
111-0000-313.05-06	PLANNING ADVERTISING FEES	3,850	4,000	600	600	425	70.83
111-0000-313.05-07	RE-ZONING & SUBDIV PERMIT	7,850	9,500	12,000	12,000	9,050	75.42
111-0000-313.05-19	SIGNS, PERMITS & INSPECTI	1,900	3,065	3,000	3,000	1,300	43.33
111-0000-313.05-33	ARCHITECTURAL REVIEW	600	600	600	600	600	100.00
111-0000-313.05-34	BOARD OF ZONING APPEALS	8,100	11,050	10,000	10,000	4,100	41.00
111-0000-313.05-40	MISC FEES	2,500	3,400	2,500	2,500	650	26.00
111-0000-313.05-41	CIVIL PENALTIES	950	950	3,000	3,000	800	26.67
111-0000-313.06-02	RNTL HOUSING/INSPECTIONS	6,615	8,640	15,000	15,000	4,445	29.63
111-0000-313.06-03	RNTL HOUSING/PENALTIES	2,138	2,213	4,000	4,000	1,325	33.13
111-0000-313.06-05	MISC FEES	11,835	12,622	10,000	10,000	1,157	11.57
* PERMITS, PRIVILEGE FEES		162,597	252,951	277,400	277,400	173,136	62.41
SUB 4 FINES AND FORFEITURES							
111-0000-314.01-01	COURTS	160,738	271,319	300,000	300,000	102,573	34.19
111-0000-314.01-03	REGISTRAR	0	0	0	0	100	.00
111-0000-314.01-10	INTEREST	971	2,828	2,000	2,000	2,246	112.28
* FINES AND FORFEITURES		161,708	274,147	302,000	302,000	104,918	34.74
SUB 5 REVENUE-USE OF MONEY/PROP							
111-0000-315.01-01	INTEREST EARNINGS	62,356	132,253	151,000	151,500	60,031	39.62
111-0000-315.02-02	RENTAL REC PROP/FACILITY	0	0	145,000	145,000	71,655	49.42
111-0000-315.02-03	CONCESSION RENTALS	0	0	1,000	1,000	50	5.00

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FUND 111 GENERAL OPERATING FUND							
BASIC 31 REVENUE FROM LOCAL SOURCE							
SUB 5 REVENUE-USE OF MONEY/PROP							
* REVENUE-USE OF MONEY/PROP		62,356	132,253	297,000	297,500	131,737	44.28
SUB 6 CHARGES FOR SERVICES							
111-0000-316.01-03	SHERIFF FEES	2,949	2,949	3,000	3,000	2,949	98.29
111-0000-316.01-05	CASE ASSESSMENT	19,695	33,625	30,000	30,000	18,783	62.61
111-0000-316.01-09	COURTHOUSE SECURITY FEE	39,900	67,461	60,000	60,000	31,856	53.09
111-0000-316.01-11	MISCELLANEOUS FEES	3,893	7,096	6,000	6,000	4,912	81.86
111-0000-316.01-12	COURTHOUSE COMPLIANCE FEE	26,881	46,221	50,000	50,000	26,057	52.11
111-0000-316.02-01	COMMONWEALTH ATTORNEY FEE	3,571	6,797	2,500	2,500	4,170	166.81
111-0000-316.03-02	MISC POLICE FEES	2,862	4,056	3,000	3,000	2,375	79.17
111-0000-316.03-10	POLICE O/T REIMBURSEMENT	5,472	15,505	0	0	4,275	.00
111-0000-316.04-03	HAZ/MAT	2,385	3,535	5,000	5,000	49,433	988.65
111-0000-316.04-05	LEPC FUNDS	0	5,538	7,000	7,000	0	.00
111-0000-316.04-06	ALARM FEES	2,950	2,950	5,000	5,000	3,000	60.00
111-0000-316.04-07	FALSE ALARM FEES	16,500	17,500	30,000	30,000	13,400	44.67
111-0000-316.06-01	ANIMAL IMPOUNDING FEES	985	1,634	1,000	1,000	1,042	104.20
111-0000-316.06-18	GAS INSPECTION	36,000	54,000	54,000	54,000	36,000	66.67
111-0000-316.08-02	WASTE COLL/DISPOSAL FEES	1,860	2,977	4,000	4,000	2,114	52.85
111-0000-316.08-05	SALE OF RECYCLE MATERIAL	33,861	46,660	50,000	50,000	17,682	35.36
111-0000-316.13-01	RECREATION ACTIVITIES	0	0	10,000	10,000	0	.00
111-0000-316.13-02	INDOOR POOL	0	0	143,000	143,000	55,423	38.76
111-0000-316.13-06	OUTDOOR POOL	0	0	72,000	72,000	27,601	38.33
111-0000-316.13-21	ADMISSIONS & MEMBERSHIPS	0	0	120,000	120,000	63,426	52.85
111-0000-316.13-24	ATHLETICS	0	0	88,000	88,000	28,963	32.91
111-0000-316.13-26	CHILD CARE	0	0	180,000	180,000	123,504	68.61
111-0000-316.13-28	CONCESSION SALES	0	0	20,000	20,000	18,678	93.39
* CHARGES FOR SERVICES		199,763	318,504	943,500	943,500	535,643	56.77
SUB 8 MISCELLANEOUS REVENUE							
111-0000-318.01-01	PAYMENT IN LIEU OF TAXES	425,260	800,260	805,000	805,000	425,175	52.82
111-0000-318.04-04	ARTSCAPE PROGRAM	0	0	0	1,000	2,550	255.00
111-0000-318.98-01	BAD CHECKS	250	500	1,000	1,000	255	25.50

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FUND 111 GENERAL OPERATING FUND							
BASIC 31 REVENUE FROM LOCAL SOURCE							
SUB 8 MISCELLANEOUS REVENUE							
111-0000-318.98-02	ADMIN & COLLECTION FEES	31,989	49,434	30,000	30,000	31,483	104.94
111-0000-318.99-03	DONATIONS/SPEC GIFTS	0	0	5,000	5,000	0	.00
111-0000-318.99-05	SALE OF SUPPLIES	513	731	1,000	1,000	546	54.57
111-0000-318.99-06	SALE OF SURPLUS PROPERTY	6,275	17,647	5,000	5,000	4,619	92.39
111-0000-318.99-14	SALE OF COPIES & DOCUMENT	642	1,831	5,000	5,000	392	7.84
111-0000-318.99-22	DONATIONS-FIRE DEPT	824	1,484	0	0	500	.00
111-0000-318.99-23	DONATIONS-POLICE DEPT.	0	3,290	0	0	0	.00
111-0000-318.99-32	PARKS & RECREATION	0	0	0	0	317	.00
111-0000-318.99-33	SHERIFF	0	0	0	0	1,250	.00
111-0000-318.99-99	MISCELLANEOUS	43	58	0	0	220	.00
* MISCELLANEOUS REVENUE		465,796	875,235	852,000	853,000	467,306	54.78
SUB 9 RECOVERED COSTS							
111-0000-319.02-01	MISCELLANEOUS	3,235	1,380	0	0	1,398	.00
111-0000-319.02-05	REBATES	0	2,183	0	0	0	.00
111-0000-319.02-19	SHERIFF	122	122	0	0	0	.00
111-0000-319.02-20	EXTERNAL RECOVERIES	16,142	19,791	0	0	0	.00
111-0000-319.02-22	FIRE DEPARTMENT	0	0	1,000	1,000	124	12.40
111-0000-319.02-24	SOCIAL SERVICES	0	61,555	75,000	75,000	0	.00
111-0000-319.02-34	CIRCUIT COURT	4,772	66,439	60,000	60,000	68,553	114.26
111-0000-319.02-35	JJC BUILDING	139,835	364,256	415,000	415,000	140,671	33.90
111-0000-319.02-39	INSPECTIONS/ZONING	6,250	6,250	0	0	0	.00
111-0000-319.02-40	LANDFILL-RECYCLING	0	164,334	170,000	170,000	0	.00
111-0000-319.02-43	POLICE DEPARTMENT	1,777	3,008	0	0	1,155	.00
111-0000-319.02-45	PARKS & RECREATION	0	0	0	0	249	.00
111-0000-319.02-51	DATA PROCESSING	170,150	170,150	170,000	170,000	0	.00
* RECOVERED COSTS		342,283	859,468	891,000	891,000	212,150	23.81
** REVENUE FROM LOCAL SOURCE		35,369,244	62,905,839	66,214,500	66,375,500	37,921,651	57.13

BASIC 32 REVENUE FROM COMMONWEALTH

PROGRAM GM601L

FOR FISCAL YEAR 2013

CRVPD08

JULY 1, 2012 - FEBRUARY 28, 2013

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 2012 YTD 7/1 - 2/29	FY 2012 Year-end Actual	FY 2013 Original Budget	FY 2013 Amended Budget	FY 2013 YTD 7/1 - 2/28	FY 2013 % of Budget Realized
FUND 111 GENERAL OPERATING FUND							
BASIC 32 REVENUE FROM COMMONWEALTH							
SUB 2 NON-CATEGORICAL AID							
SUB 2 NON-CATEGORICAL AID							
111-0000-322.01-05	MOBILE HOME TITLING TAXES	270	609	0	0	360	.00
111-0000-322.01-06	TAX ON DEEDS	51,457	101,129	100,000	100,000	38,764	38.76
111-0000-322.01-08	RAILROAD ROLLING STOCK TX	6,364	6,386	7,000	7,000	7,501	107.15
111-0000-322.01-10	GRANTOR'S TAX	107,785	155,408	75,000	75,000	45,638	60.85
111-0000-322.01-11	RENTAL CARS TAX	42,705	121,467	175,000	175,000	124,313	71.04
111-0000-322.01-12	PERSONAL PROPERTY REIMB.	1,891,212	2,622,084	2,633,000	2,633,000	2,622,084	99.59
* NON-CATEGORICAL AID		2,099,793	3,007,083	2,990,000	2,990,000	2,838,660	94.94
SUB 3 SHARED EXPENSES							
111-0000-323.01-01	COMMONWEALTH'S ATTORNEY	381,992	581,189	642,000	642,000	453,684	70.67
111-0000-323.01-03	WITNESS FEES	0	108	0	0	0	.00
111-0000-323.02-01	SHERIFF	189,684	283,869	313,000	313,000	217,048	69.34
111-0000-323.02-02	SHERIFF MILEAGE	1,406	2,801	3,000	3,000	2,051	68.38
111-0000-323.03-01	COMMISSIONER OF REVENUE	55,871	85,635	96,000	96,000	76,040	79.21
111-0000-323.04-01	TREASURER	54,121	83,856	94,000	94,000	54,239	57.70
111-0000-323.06-01	REGISTRAR/ELECTORAL BOARD	7,035	57,768	40,000	42,730	3,790	8.87
111-0000-323.07-01	CLERK OF CIRCUIT COURT	197,741	307,433	324,000	324,000	223,194	68.89
111-0000-323.07-02	JURY REIMBURSEMENT	1,980	3,030	15,000	15,000	2,670	17.80
111-0000-323.10-01	SHARED-VICTIM WITNESS	12,505	25,010	24,000	24,000	12,505	52.10
* SHARED EXPENSES		902,335	1,430,699	1,551,000	1,553,730	1,045,222	67.27
SUB 4 STATE CATEGORICAL FUNDS							
111-0000-324.02-35	DEPT OF HEALTH	1,162	1,162	0	0	0	.00
111-0000-324.04-02	EMERGENCY SERVICES GRANTS	0	0	0	0	1,136	.00
111-0000-324.04-04	JUV & DOMESTIC RELATIONS	5,282	11,592	8,000	8,000	5,466	68.32
111-0000-324.04-07	LITTER CONTROL	5,249	5,249	6,000	6,000	7,575	126.25
111-0000-324.04-12	FIRE PROGRAMS FUND	60,148	70,046	64,000	64,000	63,042	98.50
111-0000-324.04-13	TWO FOR LIFE GRANT	0	21,734	20,000	20,000	0	.00
111-0000-324.04-15	COMMISSION OF ARTS GRANT	0	0	5,000	5,000	0	.00
111-0000-324.04-17	HAZ MAT FUNDING	15,000	15,000	15,000	15,000	15,000	100.00
111-0000-324.04-23	POLICE	406,402	767,557	813,000	813,000	406,402	49.99

PROGRAM GM601L

FOR FISCAL YEAR 2013

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JULY 1, 2012 - FEBRUARY 28, 2013

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 2012 YTD 7/1 - 2/29	FY 2012 Year-end Actual	FY 2013 Original Budget	FY 2013 Amended Budget	FY 2013 YTD 7/1 - 2/28	FY 2013 % of Budget Realized
FUND 111 GENERAL OPERATING FUND							
BASIC 32 REVENUE FROM COMMONWEALTH							
SUB 4 STATE CATEGORICAL FUNDS							
111-0000-324.04-25	JAIL	27,981	27,981	28,000	28,000	21,327	76.17
111-0000-324.04-42	HEALTH DEPARTMENT	168,060	241,014	252,000	252,000	164,522	65.29
111-0000-324.04-44	GENERAL DISTRICT COURT	3,760	7,779	7,000	7,000	3,610	51.56
111-0000-324.04-51	GOVERNOR'S OPPORTUNITY FD	0	300,000	0	0	0	.00
111-0000-324.05-23	ASSET FORFEITURE POLICE	2,470	5,077	0	0	2,786	.00
111-0000-324.05-45	ASSET FORFEITURE COMM ATY	92	233	0	0	744	.00
111-0000-324.10-38	WIRELESS E911 SERVICE BD	22,524	44,011	45,000	45,000	30,361	67.47
111-0000-324.10-61	PUBLIC ASSISTANCE GRANT	4,864	5,084	0	0	0	.00
* STATE CATEGORICAL FUNDS		722,993	1,523,519	1,263,000	1,263,000	721,970	57.16
** REVENUE FROM COMMONWEALTH		3,725,121	5,961,301	5,804,000	5,806,730	4,605,852	79.32
BASIC 33 REVENUE FROM FEDERAL GOVT							
SUB 3 CATEGORICAL AID							
111-0000-333.01-12	CONFICATED DRUG MONIES	0	4	0	0	0	.00
111-0000-333.01-13	EMERGENCY SERVICE GRANT	0	0	0	0	8,905	.00
111-0000-333.01-14	ASSET FORFEITURE FUNDS	17,478	17,478	0	0	519	.00
111-0000-333.01-15	SAFE STREET ACT REIMBURSE	2,186	2,186	0	0	0	.00
111-0000-333.04-15	COMMISSION OF ARTS GRANT	0	5,000	0	0	0	.00
111-0000-333.06-04	CHILD/ADULT CARE FOOD	0	0	0	0	3,149	.00
111-0000-333.10-11	POLICE - DCJS GRANTS	9,714	19,876	0	16,970	6,486	38.22
111-0000-333.10-28	JUSTICE ASSISTANCE GRANTS	888	8,993	0	0	0	.00
111-0000-333.10-30	COPS	103,618	225,090	100,000	100,000	105,270	105.27
111-0000-333.10-40	CDBG GRANT	3,396	106,435	460,000	1,460,000	0	.00
111-0000-333.10-42	HAZ/MAT EMERGENCY PLANNIN	0	0	0	0	2,476	.00
111-0000-333.10-46	BALLISTIC VEST PROGRAM	0	8,415	0	0	0	.00
111-0000-333.10-47	DEPT OF HISTORIC RESOURCE	14,921	24,914	0	0	0	.00
111-0000-333.10-49	VICTIM WITNESS	37,516	75,032	72,000	72,000	37,516	52.11
111-0000-333.10-55	DMV GRANTS	13,309	30,466	38,500	38,500	14,217	36.93
111-0000-333.10-61	PUBLIC ASSISTANCE GRANT	15,520	20,067	0	0	0	.00
111-0000-333.10-63	HOMELAND SECURITY/ODP	51,948	127,702	0	22,000	27,833	126.51
111-0000-333.10-64	NVRDTF GRANT	38,118	74,068	80,000	80,000	20,193	25.24

PROGRAM GM601L

FOR FISCAL YEAR 2013

CRVPD08

JULY 1, 2012 - FEBRUARY 28, 2013

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 2012 YTD 7/1 - 2/29	FY 2012 Year-end Actual	FY 2013 Original Budget	FY 2013 Amended Budget	FY 2013 YTD 7/1 - 2/28	FY 2013 % of Budget Realized
FUND 111 GENERAL OPERATING FUND							
BASIC 33 REVENUE FROM FEDERAL GOVT							
SUB 3 CATEGORICAL AID							
* CATEGORICAL AID		308,610	745,726	750,500	1,789,470	226,564	12.66
** REVENUE FROM FEDERAL GOVT		308,610	745,726	750,500	1,789,470	226,564	12.66
BASIC 34 OTHER FINANCING SOURCES							
SUB 1 NON-REVENUE RECEIPTS							
111-0000-341.01-01	INSURANCE RECOVERIES	18,630	23,168	0	0	45,283	.00
111-0000-341.02-04	BUILDINGS	0	386,296	0	0	0	.00
111-0000-341.04-04	CDBG LOANS PRINCIPAL	158	236	0	0	37	.00
111-0000-341.04-11	CDBG LOANS INTEREST	52	77	0	0	13	.00
111-0000-341.04-20	PREMIUMS ON BONDS	3,995,350	3,995,350	0	0	4,837,787	.00
111-0000-341.04-58	SALE OF BONDS	27,217,364	27,217,364	0	0	22,125,285	.00
111-0000-341.05-27	UTILITIES FUND	800,000	1,600,000	1,600,000	1,600,000	800,000	50.00
111-0000-341.05-45	OTDB	0	79,817	55,000	0	0	.00
111-0000-341.06-01	FUND BALANCE	0	0	5,346,000	5,346,000	0	.00
111-0000-341.07-01	SUPPLEMENTAL APPROP	0	0	0	774,265	0	.00
* NON-REVENUE RECEIPTS		32,031,554	33,302,308	7,001,000	7,720,265	27,808,406	360.20
** OTHER FINANCING SOURCES		32,031,554	33,302,308	7,001,000	7,720,265	27,808,406	360.20
*** GENERAL OPERATING FUND		71,434,529	102,915,174	79,770,000	81,691,965	70,562,473	86.38
		71,434,529	102,915,174	79,770,000	81,691,965	70,562,473	86.38

(31,212,714)

40,221,815 35.71%

(26,963,072)

43,599,401

54.60%

EXPENDITURES BY DIVISION BY CATEGORY

FOR FISCAL YEAR 2013

JULY 1, 2012 - FEBRUARY 28, 2013

ACCOUNT DESCRIPTION	FY 2012 YTD 7/1 - 2/29	FY 2012 Year-end Actual	FY 2013 Original Budget	FY 2013 Amended Budget	FY 2013 YTD 7/1 - 2/28	FY 2013 % of Budget Realized
FUND 111 GENERAL OPERATING FUND						
DEPT 11 LEGISLATIVE						
* CITY COUNCIL	62,470	89,904	95,400	95,400	71,964	75.43
* CLERK OF COUNCIL	21,268	32,213	36,500	36,500	23,834	65.30

** LEGISLATIVE	83,737	122,117	131,900	131,900	95,797	72.63
DEPT 12 GENERAL & FINANCIAL ADMIN						
* CITY MANAGER	138,161	261,749	246,100	246,100	151,579	61.59
* CITY ATTORNEY	189,619	317,498	351,000	351,000	186,182	53.04
* INDEPENDENT AUDITORS	55,897	81,727	68,000	68,000	49,480	72.76
* HUMAN RESOURCES	247,088	395,528	451,800	451,800	206,860	45.79
* COMMISSIONER OF REVENUE	204,639	347,168	565,000	565,000	305,934	54.15
* EQUALIZATION BOARD	1,847	0	0	0	0	.00
* TAX FIELD OFFICE	33,664	55,154	0	0	0	.00
* PERSONAL PROPERTY OFFICE	57,503	88,456	0	0	0	.00
* TREASURER	266,239	425,811	451,500	451,500	281,922	62.44
* FINANCE	348,692	623,808	650,500	650,500	316,141	48.60
* INFORMATION TECHNOLOGY	518,890	1,116,245	1,525,100	1,525,100	625,138	40.99
* RISK MANAGEMENT	35,339	46,114	47,000	47,000	48,535	103.27

** GENERAL & FINANCIAL ADMIN	2,097,579	3,759,258	4,356,000	4,356,000	2,171,770	49.86
DEPT 13 BOARD OF ELECTIONS						
* ELECTORAL BOARD OFFICIALS	33,303	68,834	56,100	63,900	38,979	61.00
* REGISTRAR	62,056	101,559	122,700	122,700	67,805	55.26

** BOARD OF ELECTIONS	95,359	170,393	178,800	186,600	106,784	57.23
DEPT 21 COURTS						
* CIRCUIT COURT	48,484	77,313	79,800	79,800	48,646	60.96
* GENERAL DISTRICT COURT	11,067	16,610	31,600	31,600	13,543	42.86
* J & D RELATION DIST COURT	25,278	36,790	48,800	48,800	27,707	56.78
* CLERK OF CIRCUIT COURT	292,203	472,282	496,800	496,800	304,940	61.38
* CITY SHERIFF	595,745	957,101	1,011,100	1,011,100	622,475	61.56
* COURTHOUSE SECURITY	50,531	84,664	183,800	183,800	103,967	56.57
* JUROR SERVICES	20,000	20,000	23,000	23,000	20,000	86.96

** COURTS	1,043,308	1,664,760	1,874,900	1,874,900	1,141,278	60.87
DEPT 22 COMMONWEALTH'S ATTORNEY						

PROGRAM GM601L

FOR FISCAL YEAR 2013

CXDVSM08

JULY 1, 2012 - FEBRUARY 28, 2013

ACCOUNT DESCRIPTION	FY 2012 YTD 7/1 - 2/29	FY 2012 Year-end Actual	FY 2013 Original Budget	FY 2013 Amended Budget	FY 2013 YTD 7/1 - 2/28	FY 2013 % of Budget Realized
FUND 111 GENERAL OPERATING FUND						
DEPT 22 COMMONWEALTH'S ATTORNEY						
* COMMONWEALTH ATTORNEY	614,633	1,002,030	1,045,000	1,045,000	668,777	64.00
* VICTIM WITNESS PROGRAM	84,205	136,930	139,900	139,900	86,174	61.60

** COMMONWEALTH'S ATTORNEY	698,837	1,138,960	1,184,900	1,184,900	754,952	63.71
DEPT 31 LAW ENFORCEMENT & TRAFFIC						
* POLICE DEPARTMENT	3,443,892	5,531,351	7,426,700	7,426,700	4,361,419	58.73
* INVESTIGATION DIVISION	813,189	1,307,545	0	0	0	.00
* POLICE GRANTS	234,047	385,547	234,500	261,965	224,554	85.72

** LAW ENFORCEMENT & TRAFFIC	4,491,128	7,224,443	7,661,200	7,688,665	4,585,973	59.65
DEPT 32 FIRE AND RESCUE SERVICES						
* FIRE DEPARTMENT	2,640,661	4,331,668	4,726,500	4,726,500	2,916,910	61.71
* EMERGENCY MEDICAL	33,563	48,645	61,200	61,200	32,917	53.79
* FIRE GRANTS	143,019	177,433	0	0	25,763	.00

** FIRE AND RESCUE SERVICES	2,817,243	4,557,746	4,787,700	4,787,700	2,975,590	62.15
DEPT 33 CORRECTION AND DETENTION						
* PROBATION OFFICE	1,237	1,745	3,200	3,200	1,657	51.77

** CORRECTION AND DETENTION	1,237	1,745	3,200	3,200	1,657	51.77
DEPT 34 INSPECTIONS						
* INSPECTIONS DEPARTMENT	275,992	436,399	489,700	489,700	273,037	55.76

** INSPECTIONS	275,992	436,399	489,700	489,700	273,037	55.76
DEPT 35 OTHER PROTECTION						
* ANIMAL WARDEN	78,880	133,536	135,800	135,800	80,880	59.56
* EMERGENCY SERVICES CD	29,162	49,575	47,100	69,100	54,953	79.53
* HAZARDOUS MATERIAL	20,601	37,012	41,800	41,800	42,470	101.60
* COMMUNICATION OPERATIONS	539,903	844,811	993,700	993,700	595,404	59.92

** OTHER PROTECTION	668,546	1,064,934	1,218,400	1,240,400	773,706	62.38
DEPT 41 MAINT HIGHWAY, STREET ETC						
* STREETS	9,198	23,133	28,600	28,600	20,209	70.66
* STORM DRAINAGE	0	39,245	35,000	35,000	16,524	47.21
* LOUDOUN MALL	35,690	54,795	76,000	76,000	33,474	44.04

PROGRAM GM601L

FOR FISCAL YEAR 2013

CXDVSM08

JULY 1, 2012 - FEBRUARY 28, 2013

ACCOUNT DESCRIPTION	FY 2012 YTD 7/1 - 2/29	FY 2012 Year-end Actual	FY 2013 Original Budget	FY 2013 Amended Budget	FY 2013 YTD 7/1 - 2/28	FY 2013 % of Budget Realized
FUND 111 GENERAL OPERATING FUND						
DEPT 41 MAINT HIGHWAY, STREET ETC						
** MAINT HIGHWAY, STREET ETC	44,887	117,173	139,600	139,600	70,207	50.29
DEPT 42 SANITARY & WASTE REMOVAL						
* REFUSE COLLECTION	767,483	1,217,528	1,295,800	1,295,800	814,877	62.89
** SANITARY & WASTE REMOVAL	767,483	1,217,528	1,295,800	1,295,800	814,877	62.89
DEPT 43 MAINT GENERAL BLDG/GROUND						
* JOINT JUDICIAL CENTER	355,064	685,664	690,300	690,300	299,469	43.38
* FACILITIES MAINTENANCE	755,187	1,121,856	1,162,800	1,162,800	721,727	62.07
** MAINT GENERAL BLDG/GROUND	1,110,250	1,807,520	1,853,100	1,853,100	1,021,196	55.11
DEPT 53 WELFARE/SOCIAL SERVICES						
* ELDERLY - PROP TAX RELIEF	0	517,640	520,000	520,000	0	.00
** WELFARE/SOCIAL SERVICES	0	517,640	520,000	520,000	0	.00
DEPT 71 PARKS & RECREATION						
* SUPERVISION PARKS & REC	0	0	470,700	470,700	271,237	57.62
* MAINTENANCE	0	0	825,310	825,310	988,275	119.75
* RECREATION ACTIVITIES	0	0	83,400	83,400	49,021	58.78
* OUTDOOR SWIMMING POOL	0	0	97,950	97,950	62,401	63.71
* INDOOR POOL	0	0	223,500	223,500	97,942	43.82
* WAR MEMORIAL & ADDITIONS	0	0	420,900	420,900	237,155	56.34
* SCHOOL AGE CHILD CARE	0	0	182,300	182,300	106,207	58.26
* ATHLETIC PROGRAMS	0	0	193,040	193,040	108,454	56.18
** PARKS & RECREATION	0	0	2,497,100	2,497,100	1,920,693	76.92
DEPT 72 CULTURAL ENRICHMENT						
* APPLE BLOSSOM FESTIVAL	0	47,389	29,500	29,500	1,045	3.54
** CULTURAL ENRICHMENT	0	47,389	29,500	29,500	1,045	3.54
DEPT 81 PLANNING & COMMUNITY DEVL						
* PLANNING DEPARTMENT	142,133	229,089	263,500	263,500	126,431	47.98
* REDEVELOPMENT & HOUSING	65,292	153,957	460,200	1,460,200	1,051,606	72.02
* ZONING DEPARTMENT	156,225	234,445	182,600	182,600	76,534	41.91
* ECONOMIC DEVELOPMENT	172,057	881,583	736,000	1,386,000	714,460	51.55

EXPENDITURES BY DIVISION BY CATEGORY

FOR FISCAL YEAR 2013

JULY 1, 2012 - FEBRUARY 28, 2013

ACCOUNT DESCRIPTION	FY 2012 YTD 7/1 - 2/29	FY 2012 Year-end Actual	FY 2013 Original Budget	FY 2013 Amended Budget	FY 2013 YTD 7/1 - 2/28	FY 2013 % of Budget Realized
FUND 111 GENERAL OPERATING FUND						
DEPT 81 PLANNING & COMMUNITY DEVL						
* OLD TOWN WINCHESTER ADMIN	0	0	92,900	217,100	126,418	58.23
* GIS	66,318	91,235	90,300	90,300	53,924	59.72

** PLANNING & COMMUNITY DEVL	602,024	1,590,309	1,825,500	3,599,700	2,149,372	59.71
DEPT 91 NONDEPARTMENTAL						
* OTHER	531,052	252,364	692,000	692,000	94,113	13.60
* OUTSIDE AGENCIES	523,444	811,753	831,681	831,681	608,813	73.20
* AGENCY ADMINISTRATION	3,166,688	4,271,146	4,166,317	4,256,817	3,099,878	72.82

** NONDEPARTMENTAL	4,221,184	5,335,263	5,689,998	5,780,498	3,802,804	65.79
DEPT 93 TRANSFERS						
* INTERFUND	17,827,018	30,603,220	34,503,202	34,503,202	17,818,051	51.64

** TRANSFERS	17,827,018	30,603,220	34,503,202	34,503,202	17,818,051	51.64
DEPT 95 DEBT SERVICE						
* DEBT	38,255,465	40,050,727	9,529,500	9,529,500	35,466,605	372.18

** DEBT SERVICE	38,255,465	40,050,727	9,529,500	9,529,500	35,466,605	372.18

*** GENERAL OPERATING FUND	75,101,279	101,427,524	79,770,000	81,691,965	75,945,396	92.97

	75,101,279	101,427,524	79,770,000	81,691,965	75,945,396	92.97

43,903,436
60.81%

(26,947,126)
48,998,270 61.40