



**WINCHESTER COMMON COUNCIL**  
**MAY 12, 2015**  
**AGENDA**  
**6:00 P.M.**

**CALL TO ORDER AND ROLL CALL**

**MOMENT OF SILENCE**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES** – April 28, 2015 Regular Meeting and April 28, 2015 Work Session

**REPORT OF THE MAYOR**

**R-2015-18:** Honoring the retirement of Rick Burton (page 3)

**REPORT OF THE CITY MANAGER**

**REPORT OF THE CITY ATTORNEY**

**1.0 PUBLIC HEARINGS**

**2.0 PUBLIC COMMENTS**

**3.0 CONSENT AGENDA**

**3.1 R-2015-13:** Resolution – Approval of the Personal Property Tax Relief Rate for tax year 2015 at the proposed rate of fifty-three percent (53%) (pages 4-6)

**3.2 R-2015-12:** Resolution – Official Intent to Reimburse Expenditures with Proceeds of a Borrowing (pages 7-9)

**4.0 AGENDA**

**4.1 O-2015-11:** First Reading – AN ORDINANCE TO AUTHORIZE THE APPROPRIATION OF FUNDS FOR NECESSARY EXPENDITURES OF THE CITY OF WINCHESTER, VIRGINIA FOR THE FISCAL YEAR ENDING JUNE 30, 2016 (pages 10-19)

**4.2 R-2015-15:** Resolution – Discouraging the City of Winchester City Council from participating in Ex Parte Communication after an item is presented during a City Council Work Session until their Formal Ruling during a City Council Regular Meeting (pages 20-22)

## **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 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 AND CONSIDERATION OF INFORMATION REGARDING THE SUBJECT OF THE EMPLOYMENT, ASSIGNMENT, PERFORMANCE AND APPOINTMENT OF SPECIFIC PUBLIC OFFICERS APPOINTEES, AND EMPLOYEES OF THE CITY OF WINCHESTER.

## **6.0 ADJOURNMENT**



# THE COMMON COUNCIL

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

*I, Kari J. Van Diest, Deputy Clerk of the Common Council, hereby certify on this 12<sup>th</sup> day of May 2015 that the following Resolution is a true and exact copy of one and the same adopted by the Common Council of the City of Winchester, assembled in regular session on the 12<sup>th</sup> day of May 2015.*

## RESOLUTION

**WHEREAS**, Rick Burton has reliably served the City of Winchester Fire and Rescue Department, from April 2003, until his retirement April 2015; and

**WHEREAS**, Rick performed a commendable service to the City by responding to countless fire and emergency medical service calls; and

**WHEREAS**, Rick's extensive knowledge of his profession was invaluable in training and growing those around him; and

**WHEREAS**, Rick received numerous letters of commendation and words of thanks during his career, due in large part to the high level of professionalism and care he has shown towards citizens; and

**WHEREAS**, Rick assisted in the creation of the department's Air Shop, performing and supervising all of the equipment maintenance involved with the career and volunteer self-contained breathing apparatus; and

**WHEREAS**, Rick's dedication and professionalism will be sorely missed by City employees, elected officials, and the citizens he served.

**NOW, THEREFORE, BE IT RESOLVED** that the Common Council of the City of Winchester, on behalf of the citizens they represent, hereby records their appreciation to Rick Burton for his exemplary service to the City and wishes him happiness, good health, and many years of hunting; and

**BE IT FURTHER RESOLVED** that the Clerk of Council is hereby directed to prepare an attested copy of this resolution for presentation to Rick Burton.

**Resolution No. 2015-18.**

**ADOPTED** by the Common Council of the City of Winchester on the 12<sup>th</sup> day of May 2015.

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

*Kari J. Van Diest, CMC  
Deputy Clerk of the Common Council*

**CITY OF WINCHESTER, VIRGINIA**

**PROPOSED CITY COUNCIL AGENDA ITEM**

**CITY COUNCIL/COMMITTEE MEETING OF:** 04/28/2015 **CUT OFF DATE:** \_\_\_\_\_

**RESOLUTION**  X  **ORDINANCE**      **PUBLIC HEARING**    

**ITEM TITLE:** Personal Property Tax Relief Rate for Tax Year 2015

**STAFF RECOMMENDATION:** Approve

**PUBLIC NOTICE AND HEARING:**

**ADVISORY BOARD RECOMMENDATION:**

**FUNDING DATA:**

**INSURANCE:**

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. The Director's initials for approval or disapproval address only the readiness of the issue for Council consideration. This does not address the Director's recommendation for approval or denial of the issue.

<u>DEPARTMENT</u>	<u>INITIALS FOR APPROVAL</u>	<u>INITIALS FOR DISAPPROVAL</u>	<u>DATE</u>
1. <u>Finance</u>	<u>B</u>		<u>4-7-15</u>
2. <u>Treasurer</u>	<u>[Signature]</u>		<u>4/7/2015</u>
3. _____			
4. _____			
5. <u>City Attorney</u>	<u>[Signature]</u>		<u>4/4/2015</u>
6. <u>City Manager</u>	<u>[Signature]</u>		<u>17 April 2015</u>
7. <u>Clerk of Council</u>			

Initiating Department Director's Signature: [Signature] Date: 04/07/15



TO FORM: [Signature] 4/8/2015

# CITY COUNCIL ACTION MEMO

**To:** Honorable Mayor and Members of City Council  
**From:** Ann T. Burkholder, Commissioner of the Revenue *ATB*  
**Date:** April 14, 2015  
**Re:** Personal Property Tax Relief Rate for Tax Year 2015

**THE ISSUE:** Approval of the Personal Property Tax Relief Rate for tax year 2015 at the proposed rate of fifty-three percent (53%).

**RELATIONSHIP TO STRATEGIC PLAN:** This is a matter of fair and equitable taxation.

**BACKGROUND:** The Personal Property Tax Relief Act of 1998 is explained in detail in Code of Virginia §58.1-3523 through §58.1-3536. As of the 2006 Amendments to this Act, the City of Winchester receives \$2,600,000 (\$2.6 million) annually from the state pool of tax relief funds to distribute equitably across the first \$20,000 in assessed value of qualifying vehicles, including those which are those for personal use and of a gross weight not to exceed 7,500 pounds. Although the current personal property tax rate for the City is \$4.50 per \$100.00 of assessed value, the City calculates personal property tax relief based upon the \$3.50 rate in effect as of 2006.

As the City bills vehicle personal property one year in arrears, we face the challenge of predicting an accurate reimbursement rate two years into our billing future. This recommendation is based upon considerations of economic and historical trending, consultation with other City departments and improved data accuracy.

**BUDGET IMPACT:** Minimal.

**OPTIONS:** As this is a state-mandated program, the only option is to be as accurate as possible. Distributing less than the allocated amount deprives taxpayers of state aid, while any over-distribution becomes the financial responsibility of the locality. Analysis indicates overall stability amongst the overall pool of qualifying vehicles, with the ability to slightly increase the relief granted to taxpayers.

**RECOMMENDATION:** The Commissioner of the Revenue recommends a Personal Property Tax Relief Rate for tax year 2015 at fifty-three percent (53%) for qualifying vehicles in the City of Winchester, consistent with the rate for 2014.



## THE COMMON COUNCIL

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### RESOLUTION

**WHEREAS**, by ordinance No.031-2005, adopted by Council on October 11, 2005, as amended by Ordinance No 2006-27, adopted by Council on July 11, 2006,("Implementing Ordinance"), Council shall by resolution set the rate of tax relief in implementation of the Personal Property Tax Relief Act of 1998, as amended; and

**WHEREAS**, the Commissioner of Revenue for the City of Winchester has provided information to Council to assist Council in setting the rate of tax relief

**NOW therefore be it RESOLVED**, pursuant to Section 2(b) of the Implementing Ordinance, that for tax year 2015 the rate of tax relief shall be fifty-three percent (53%) of the tax levy on qualified vehicles, based on a tax rate of \$3.50 per \$100.00 of valuation.

**CITY OF WINCHESTER, VIRGINIA**

**PROPOSED CITY COUNCIL AGENDA ITEM**

CITY COUNCIL/COMMITTEE MEETING OF: April 28, 2015 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.

<u>DEPARTMENT</u>	<u>INITIALS FOR APPROVAL</u>	<u>INITIALS FOR DISAPPROVAL</u>	<u>DATE</u>
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. City Attorney	<i>MB</i>	_____	<i>4/19/2015</i>
6. City Manager	<i>MB</i>	_____	<i>9 April 2015</i>
7. Clerk of Council	_____	_____	_____

Initiating Department Director's Signature: *Mary Blowe* 4-1-15  
Date

Mary Blowe, Finance Director



**APPROVED AS TO FORM:**

*[Signature]*  
CITY ATTORNEY

# CITY COUNCIL ACTION MEMO

**To:** Honorable Mayor and Members of City Council  
**From:** Mary Blowe, Finance Director  
**Date:** April 14, 2015  
**Re:** Bond reimbursement resolution

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**THE ISSUE:** The City of Winchester is considering bonding a portion of the expenses for the Joint Judicial Center renovations, City Hall renovations, and the Meadow Branch Drive roadway project. This resolution would allow us to reimburse ourselves for expenses that occur prior to the bond issuance. I expect to complete the bond issue in the fall of 2015.

**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:** Both the JJC renovation project and the Meadow Branch Drive project have been in the CIP for a number of years. With the recent HVAC emergency at City Hall, we feel timing is appropriate to begin the improvements to the building. It is necessary to bond a portion or all of the costs of these project costs.

**BUDGET IMPACT:** The impact will be the cost of the debt service, generally this is around \$80,000 per 1M of debt issued.

**OPTIONS:** City Council can choose to use cash for these projects, however, if this is chosen, we will need to take a look at our fund balance policy.

**RECOMMENDATIONS:** Staff recommends the approval of the bond reimbursement resolution to fund a portion of the JJC project, City Hall renovations and Meadow Branch Drive utilizing bond proceeds.

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

**WHEREAS**, the City of Winchester, Virginia (the “Borrower”), intends to finance various capital improvements for (a) road and street purposes, (b) courthouse building rehabilitation and renovation purposes and (c) renovations and improvements to City Hall (collectively, 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 \$5,300,000 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.

# CITY OF WINCHESTER, VIRGINIA

## PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL/COMMITTEE MEETING OF: April 28, 2015 CUT OFF DATE:     

RESOLUTION      ORDINANCE X PUBLIC HEARING     

**ITEM TITLE:**

Authorize Appropriations for the FY 2016 budget

**STAFF RECOMMENDATION:**

Approve as recommended or submit changes to send to the next meeting.

**PUBLIC NOTICE AND HEARING:**

First Reading May 12, 2015; Second Reading & Public Hearing May 26, 2015

**ADVISORY BOARD RECOMMENDATION:**

N/A

**FUNDING DATA:**

Total budget (without schools) proposed to be \$152,160,000

**INSURANCE:**

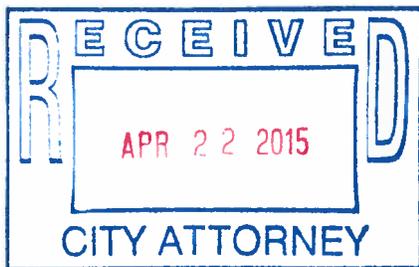
No liability assumed.

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	<i>[Signature]</i>	_____	<u>4/22/2015</u>
6. City Manager	<i>[Signature]</i>	_____	<u>22 April 2015</u>
7. Clerk of Council	_____	_____	_____

Initiating Department Director's Signature: *Mary Blowe* 4-22-15  
Date

Mary Blowe, Finance Director



APPROVED AS TO FORM:

*[Signature]* 4/22/2015  
CITY ATTORNEY



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15 North Cameron Street  
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**To:** Honorable Mayor and Members of City Council

**From:** Eden Freeman, City Manager

**Date:** April 28, 2015

**Re:** FY 2016 Proposed Budget

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**BACKGROUND:**

Over the last six months, City staff has worked to develop projected revenues and expenditures for FY 2016. We are fortunate to have approximately \$2,535,000 in additional revenue, however our expenses for many items are much higher than last year and there are several new mandates for the City. In addition, we also have a budget plan with no increases in VRS or health insurance rates. Included in the binder of information to be provided at the Council Work Session, is a summary of budget changes, general fund revenue and expenditures, personnel requests, five year capital improvement plan, equipment replacement plan, information technology plan and the summary of all funds. Outside agency requests are included in the general fund expenditures.

**CURRENT SITUATION:**

Our current revenue numbers are on target for FY 2015, so based on year to date results we have projected a revenue estimate for FY 2016. The total proposed budget for the general fund is \$83,115,000, which includes an increase to the general fund budget of approximately \$1,048,000, or 1.28% over FY 2015. The increases in expenditures reflected in the FY2016 Proposed Budget are primarily costs to support what is already in the base budget as well as items have been added which fit within the proposed budget or honor previous fiscal plans. Judicial system increases account for \$475,120 in the FY 2016 budget. The total proposed budget among all funds is \$152,160,000 (not including schools). This is an increase of \$1,852,000 or 1.23% over FY 2015. The total budget including schools is \$222,635,993.

**RECOMMENDATION:**

Staff is seeking feedback from City Council on the proposed budget, and requests comments or suggestions that they may want staff to explore and present at a future meeting.

*"To be a financially sound City providing top quality municipal services  
while focusing on the customer and engaging our community."*

The proposed schedule is as follows:

- April 28, 2015 – City Manager’s Recommended Budget presented in Work Session
- May 12, 2015 – First Reading of Budget Ordinance
- May 26, 2015 – Second Reading and Public Hearing of Budget Ordinance

**FISCAL AND POLICY IMPLICATIONS:**

There are no new tax rate increases proposed in this budget. As part of the budget adoption process, staff has entered in the proposed debt issuance to ensure compliance with our policies, which are debt as a percentage of assessed value and debt service as a percentage of general fund expenditures. Our policies have been reviewed and we are in compliance to date. The City will continue to be in compliance with the proposed FY 2016 budget plan.

**DISCUSSION:**

As we compiled the information attached, we were cognizant of and allocated funds towards Councils goals, and believe that the FY2016 proposed Budget will assist the City as we work to achieve those goals for the citizens of the City of Winchester. While we have numerous financial challenges that are addressed in the FY16 Proposed Budget, the proposed budget will allow the City to provide excellent public services, while continuing to be good stewards of public funds.

# COMMON COUNCIL



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## AN ORDINANCE TO AUTHORIZE THE APPROPRIATION OF FUNDS FOR NECESSARY EXPENDITURES OF THE CITY OF WINCHESTER, VIRGINIA FOR THE FISCAL YEAR ENDING JUNE 30, 2016

WHEREAS, Council approves the following funds for the purposes herein specified for the fiscal year ending June 30, 2016:

### FY 2016 CITY OF WINCHESTER REVENUE & EXPENDITURE BUDGETS ALL FUNDS

<i>General Fund Revenues</i>		<i>General Fund Expenditures</i>	
Local Sources	72,919,400	General Government Administration	6,154,899
State	6,076,200	Judicial Administration	3,537,600
Federal	775,400	Public Safety	20,640,980
Other Financing Sources	3,344,000	Public Works	3,465,400
		Health & Welfare	836,053
<b><i>Total GF Revenues</i></b>	<b><i>83,115,000</i></b>	Education	28,725,590
		Parks, Recreation, Cultural	3,289,570
		Community Development	1,795,608
		Transfers	4,744,500
		Debt	9,924,800
		<b><i>Total GF Expenditures</i></b>	<b><i>83,115,000</i></b>
<hr/>			
<i>Social Services Fund Revenues</i>		<i>Social Services Fund Expenditures</i>	
State	2,957,674	Health & Welfare	7,329,000
Federal	2,049,476		
Other Financing Sources	2,321,850		
<b><i>Total Social Services Revenue</i></b>	<b><i>7,329,000</i></b>	<b><i>Total Social Services Expenditures</i></b>	<b><i>7,329,000</i></b>

**Highway Maintenance Fund  
Revenues**

Local	6,600
State	3,431,400
Other Financing Sources	590,000
<b>Total Highway Maint Revenue</b>	<b><u>4,028,000</u></b>

**Highway Maintenance Fund  
Expenditures**

Public Works	4,028,000
<b>Total Highway Maint Expenditures</b>	<b><u>4,028,000</u></b>

**Transit Fund  
Revenues**

Local Sources	87,300
State	227,300
Federal	858,400
Other Financing Sources	269,000
<b>Total Transit Revenue</b>	<b><u>1,442,000</u></b>

**Transit Fund  
Expenditures**

Public Works	1,442,000
<b>Total Transit Expenditures</b>	<b><u>1,442,000</u></b>

**Emergency Medical Services Fund  
Revenues**

Local	1,067,000
Other Financing Sources	7,000
<b>Total EMS Revenue</b>	<b><u>1,074,000</u></b>

**Emergency Medical Services Fund  
Expenditures**

Public Safety	1,074,000
<b>Total EMS Expenditures</b>	<b><u>1,074,000</u></b>

**Win-Fred Co Convention & Visitors Bureau  
Revenues**

Local	140,500
Other Financing Sources	139,500
<b>Total WFCVB Revenue</b>	<b><u>280,000</u></b>

**Win-Fred Co Convention & Visitors Bureau  
Expenditures**

Community Development	280,000
<b>Total WFCVB Expenditures</b>	<b><u>280,000</u></b>

**Law Library Fund  
Revenues**

Local	50,000
<b>Total Law Library Revenue</b>	<b><u>50,000</u></b>

**Law Library Fund  
Expenditures**

Judicial Administration	50,000
<b>Total Law Library Expenditures</b>	<b><u>50,000</u></b>

**Winchester Parking Authority**  
**Revenues**

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Local 1,227,000  
Other Financing Sources 29,000

**Total WPA Revenue** 1,256,000

**Winchester Parking Authority**  
**Expenditures**

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Public Safety 55,576  
Public Works 621,049  
Debt 579,375

**Total WPA Expenditures** 1,256,000

**City Capital Improvement Fund**  
**Revenues**

---

Local 715,000  
State 4,785,000  
Federal 1,000,000  
Other Financing Sources 8,500,000

**Total CIP Revenue** 15,000,000

**City Capital Improvement Fund**  
**Expenditures**

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Public Works 13,115,000  
Parks, Recreation, Cultural 885,000  
Transfers 1,000,000

**Total CIP Expenditures** 15,000,000

**Utilities Operating Fund**  
**Revenues**

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Local 20,992,000  
Federal 289,000  
Other Financing Sources 223,000

**Total Utilities Revenue** 21,504,000

**Utilities Operating Fund**  
**Expenditures**

---

Public Works 9,448,800  
Transfers 1,600,000  
Debt 10,455,200

**Total Utilities Expenditures** 21,504,000

**Utilities Capital Improvement Fund**  
**Revenues**

---

Other Financing Sources 5,500,000

**Total Utilities CIP Revenue** 5,500,000

**Utilities Capital Improvement Fund**  
**Expenditures**

---

Public Works 5,500,000

**Total Utilities CIP Expenditures** 5,500,000

**Employee Benefits Fund**  
**Revenues**

---

Local 455,000  
Other Financing Sources 683,000

**Total Employee Ben Revenue** 1,138,000

**Employee Benefits Fund**  
**Expenditures**

---

General Government Administration 1,138,000

**Total Employee Ben Expenditures** 1,138,000

<b><i>Equipment Operating Fund Revenues</i></b>		<b><i>Equipment Operating Fund Expenditures</i></b>	
Local	1,485,000	General Government Administration	1,515,000
Other Financing Sources	30,000		
<b><i>Total Equipment Revenue</i></b>	<b><u>1,515,000</u></b>	<b><i>Total Equipment Expenditures</i></b>	<b><u>1,515,000</u></b>
<b><i>Other Post-Employment Benefits Fund Revenues</i></b>		<b><i>Other Post-Employment Benefits Fund Expenditures</i></b>	
Local	480,000	General Government Administration	480,000
<b><i>Total OPEB Revenue</i></b>	<b><u>480,000</u></b>	<b><i>Total OPEB Expenditures</i></b>	<b><u>480,000</u></b>
<b><i>NW Regional Jail Authority Capital Fund Revenues</i></b>		<b><i>NW Regional Jail Authority Capital Fund Expenditures</i></b>	
Local	1,219,000	Debt	1,219,000
<b><i>Total NWRJA Revenue</i></b>	<b><u>1,219,000</u></b>	<b><i>Total NWRJA Expenditures</i></b>	<b><u>1,219,000</u></b>
<b><i>Fred-Winc Service Authority Fund Revenues</i></b>		<b><i>Fred-Winc Service Authority Fund Expenditures</i></b>	
Local	4,444,000	Public Works	4,444,000
<b><i>Total FWSA Revenue</i></b>	<b><u>4,444,000</u></b>	<b><i>Total FWSA Expenditures</i></b>	<b><u>4,444,000</u></b>
<b><i>Northwestern Regional Juvenile Detention Revenues</i></b>		<b><i>Northwestern Regional Juvenile Detention Expenditures</i></b>	
Local	1,921,428	Public Safety	2,786,000
State	808,351		
Federal	18,000		
Other Financing Sources	38,221		
<b><i>Total NRJDC Revenue</i></b>	<b><u>2,786,000</u></b>	<b><i>Total NRJDC Expenditures</i></b>	<b><u>2,786,000</u></b>
<b>Total City Revenue</b>	<b>152,160,000</b>	<b>Total City Expenditures</b>	<b>152,160,000</b>

<b>School Food Services Fund Revenues</b>	
Local Sources	801,505
State	38,424
Federal	1,295,111
<b>Total Food Services Revenue</b>	<b><u>2,135,040</u></b>

<b>School Food Services Fund Expenditures</b>	
Food Services	2,134,040
Operations & Maintenance	1,000
<b>Total Food Services Expenditures</b>	<b><u>2,135,040</u></b>

<b>School Operating Fund Revenues</b>	
Local Sources	613,634
State	21,607,399
Other Financing Sources	29,059,397
<b>Total School Operating</b>	<b><u>51,280,430</u></b>

<b>School Operating Fund Expenditures</b>	
Technology	2,698,736
Instruction	38,312,189
Attendance & Health	2,485,362
Pupil Transportation	2,223,833
Operations & Maintenance	5,556,310
Facilities	4,000
<b>Total School Operating</b>	<b><u>51,280,430</u></b>

<b>Federal Grants Fund Revenues</b>	
Federal	3,183,167
<b>Total Federal Grants Revenue</b>	<b><u>3,183,167</u></b>

<b>Federal Grants Fund Expenditures</b>	
Technology	72,837
Instruction	3,107,250
Pupil Transportation	3,080
<b>Total Federal Grants Expenditures</b>	<b><u>3,183,167</u></b>

<b>Textbook Fund Revenues</b>	
Other Financing Sources	100,000
<b>Total Textbook Revenue</b>	<b><u>100,000</u></b>

<b>Textbook Fund Expenditures</b>	
Instruction	100,000
<b>Total Textbook Expenditures</b>	<b><u>100,000</u></b>

<b>School Fundraising Fund Revenues</b>	
Local Sources	58,000
Other Financing Sources	392,000
<b>Total Fundraising Revenue</b>	<b>450,000</b>

<b>School Fundraising Fund Expenditures</b>	
Facilities	450,000
<b>Total Fundraising Expenditures</b>	<b>450,000</b>

<b>School Capital Improvements Fund Revenues</b>	
Other Financing Sources	200,000
<b>Total Capital Improv Revenue</b>	<b>200,000</b>

<b>School Capital Improvements Fund Expenditures</b>	
Facilities	200,000
<b>Total Capital Improv Expenditures</b>	<b>200,000</b>

<b>School Construction Fund Revenues</b>	
Other Financing Sources	8,000,000
<b>Total School Const Revenue</b>	<b>8,000,000</b>

<b>School Construction Fund Expenditures</b>	
Facilities	8,000,000
<b>Total School Const Expenditures</b>	<b>8,000,000</b>

<b>School Insurance Fund Revenues</b>	
Local Sources	5,028,756
<b>Total Insurance Revenue</b>	<b>5,028,756</b>

<b>School Insurance Fund Expenditures</b>	
Other Non-instructional Operations	1,702,748
Transfers	3,326,008
<b>Total Insurance Expenditures</b>	<b>5,028,756</b>

<b>School Scholarship Fund Revenues</b>	
Local Sources	91,600
Other Financing Sources	7,000
<b>Total Insurance Revenue</b>	<b>98,600</b>

<b>School Scholarship Fund Expenditures</b>	
Other Non-instructional Operations	98,600
<b>Total Insurance Expenditures</b>	<b>98,600</b>

<b>Schools Revenue Budgets</b>	<b>70,475,993</b>	<b>Schools Expenditures Budget</b>	<b>70,475,993</b>
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<b>Total City &amp; Schools Revenue</b>	<b>222,635,993</b>	<b>Total City &amp; Schools Expenditures</b>	<b>222,635,993</b>
<b>Less transfers between funds</b>	<b>(46,929,905)</b>	<b>Less transfers between funds</b>	<b>(46,929,905)</b>
<b>Total Revenue Budget</b>	<b>175,706,088</b>	<b>Total Expenditure Budget</b>	<b>175,706,088</b>

WHEREAS, there is available in the general fund an unencumbered and unappropriated sum sufficient to meet such appropriations, and

WHEREAS, by adoption of this Ordinance, Council hereby authorizes the payment of the monetary bonuses described herein in accordance with §15.2-1508 of the Code of Virginia; and

WHEREAS, all appropriations shall lapse at the end of the budget year to the extent that they shall not have been expended or lawfully obligated or encumbered, and

WHEREAS, all ordinances and parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

NOW THEREFORE BE IT ORDAINED, by the Common Council of the City of Winchester that the funds specified herein are hereby appropriated for the purposes specified for the fiscal year ending June 30, 2016.

**Ordinance No. 2015-\_\_**

**ADOPTED** by the Common Council of the City of Winchester on the \_\_\_\_ of June, 2015.

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

*Kari J. Van Diest  
Deputy Clerk of the Common Council*

# CITY OF WINCHESTER, VIRGINIA

## PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL/COMMITTEE MEETING OF: April 28, 2015 CUT OFF DATE: \_\_

RESOLUTION X ORDINANCE \_\_\_ PUBLIC HEARING \_\_

**ITEM TITLE:** A Resolution that Discourages the City of Winchester City Council from Participating in Ex Parte Communication after an Item is presented during a City Council Work Session until their Formal Ruling during a City Council Regular Meeting

**STAFF RECOMMENDATION:** Approval

**PUBLIC NOTICE AND HEARING:** N/A

**ADVISORY BOARD RECOMMENDATION:** N/A

**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.

<u>DEPARTMENT</u>	<u>INITIALS FOR APPROVAL</u>	<u>INITIALS FOR DISAPPROVAL</u>	<u>DATE</u>
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. City Attorney		_____	9/22/2015
6. City Manager		_____	21 Aug 2015
7. Clerk of Council	_____	_____	_____
Initiating Department Director's Signature:	 City Manager	_____	21 Aug 2015 Date



APPROVED AS TO FORM:

  
CITY ATTORNEY 9/22/2015

# CITY COUNCIL ACTION MEMO

**To:** Honorable Mayor and Members of City Council

**From:** Eden Freeman, City Manager

**Date:** April 28<sup>th</sup>, 2015

**Re:** A Resolution that Discourages the City of Winchester City Council from Participating in Ex Parte Communication after an Item is presented during a City Council Work Session until their Formal Ruling during a City Council Regular Meeting

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**THE ISSUE:** Ex parte communication could provide substantial misinformation to members of City Council during the time between Council's initial review of an agenda item during a work session and their formal review or ruling during a regular meeting.

**RELATIONSHIP TO STRATEGIC PLAN:** Goal Four: Develop a High Performing Organization

**BACKGROUND:** Attorneys, applicants, agents, engineers, and other citizens oftentimes contact members of City Council during the time between Council's initial review of an item during a work session and their formal consideration during first reading and regular meeting review. In addition to making efforts to persuade individual members to support their position, these individuals often provide supplemental information in furtherance of their efforts to influence the individual Council member's final vote on a matter. This ex parte communication could potentially deliver misinformation to members of City Council or award individual members of the governing body with additional information that others would not be privy to. Additionally, while Virginia Open Meetings laws do not expressly prohibit this type of contact, individual members having discussions with third party advocates outside of the view of other members and the general public seems contrary to the legislative intent expressed in §2.2-3700 of the Code of Virginia which states: "The provisions of this chapter shall be liberally construed to promote an increased awareness by all persons of governmental activities and afford every opportunity to citizens to witness the operations of government." In recent years, members of Council have voluntarily decided to follow the practice described in the attached Resolution. In accordance with Council's instructions, this Resolution memorializing the informal practice has been prepared for Council's consideration.

**BUDGET IMPACT:** None.

**OPTIONS:**

1. Approve the attached resolution
2. Modify and approve the attached resolution
3. Reject the attached resolution

**RECOMMENDATIONS:** City Staff recommends the approval of the attached resolution.

**RESOLUTION PERTAINING TO THIRD PARTY LOBBYING WITH INDIVIDUAL COUNCIL MEMBERS ON MATTERS FORMALLY BEFORE COMMON COUNCIL**

WHEREAS, it is the belief of Common Council that public business should be conducted in an open forum in an atmosphere of governmental transparency; and

WHEREAS, the Code of Virginia sets specific limitations on matters which are permitted to be discussed in Closed Sessions of Common Council; and

WHEREAS, matters which have proceeded beyond a Work Session which require formal action of Common Council are considered to be "matters formally before Council"; and

WHEREAS, it is the belief of Common Council that the public has a right to view and participate in deliberations regarding matters that are formally before Council which are not expressly excluded under the Closed Meeting provisions of the Code of Virginia; and

WHEREAS, it is the belief of Common Council that all members of Council should be privy to the same information when considering a matter that is formally before Council; and

WHEREAS, it is the belief of Common Council that discussions regarding matters formally before Council by individual members of Common Council outside of formal meetings of Council are contrary to governmental transparency, effective operations, and the general legislative intent of the Virginia Open Meetings laws; and

WHEREAS, it is the belief of Common Council that matters formally before Council should not be discussed by individual members of Council with third parties advocating or opposing such matters formally before Council outside of the formal meetings of Common Council unless consent has been given to do so by Common Council as a whole.

NOW therefore be it RESOLVED that Common Council hereby expresses its intent that individual members of Common Council should not discuss matters formally before Council with third parties advocating or opposing such matters outside of the formal meetings of Common Council unless consent has been given to the individual member to do so by Common Council which consent may be granted by general consensus or agreement of the members of Council expressed in any Closed or Open meeting.

BE it further RESOLVED that any such contacts from third parties advocating or opposing matters formally before Common Council shall be referred to the City Manager and/or City Attorney as applicable in order that they may facilitate bringing such concerns before Common Council as a whole in order that the issues may be fully reviewed and considered as part of Council's formal deliberations.