

City Council Work Session

Tuesday, April 16, 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 Strategic Plan Quarterly Update – Doug Hewett (pages 3-8)

4.0 Items for Discussion:

4.1 R-2013-23 – Resolution: Approval to refund \$3,586.67 for prorated Business License Taxes for tax year 2012 to Hampton Inn – Ann Burkholder (pages 9-12)

4.2 R-2013-24 – Resolution: Approval of the Personal Property Tax Relief Rate for tax year 2013 at the proposed rate for fifty-three percent (53%) – Ann Burkholder (pages 13-15)

4.3 R-2013-25: Resolution: Authorization to apply for a Department of Justice Byrne Justice Assistant Program grant to support the purchase of equipment and services for the Winchester Police Department and to execute those transactions – Kevin Sanzenbacher (pages 16-38)

4.4 R-2013-26: Resolution: Authorization to submit an application for a Virginia Enterprise Zone during the 2014 designation round - Jim Deskins (pages 39-43)

5.0 Liaison Reports

6.0 Executive Session

6.1 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 SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE BY THE CITY ATTORNEY AND MATTERS OF ACTUAL OR PROBABLE LITIGATION.

7.0 Monthly Reports

7.1 Fire & Rescue Department (pages 44-46)

7.2 Police Department (pages 47)

8.0 Adjourn

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council
From: Doug Hewett, Assistant City Manager
Date: April 16, 2013
Re: 1st Quarter Strategic Plan Update

ISSUE:

Has City Council's interest been met in the work efforts reflected in the attached 1st Quarter Strategic Plan Update?

RELATIONSHIP TO STRATEGIC PLAN:

This report reflects the implementation efforts of the strategic plan, and as such, clarifies the City Council's vision for our community.

BACKGROUND:

Earlier this year, the City Council engaged Lyle Sumek to facilitate a community strategic plan. The plan that was created has four main elements; Vision Statement 2028, Goals 2018, Mission Statement, and Policy/Management Agendas 2013-2014. The full strategic plan, along with quarterly updates of this plan, can be found online at <http://www.winchesterva.gov/government/strategic-plan>.

To ensure that the plan is accomplished and to provide opportunities for City Council input, quarterly reports are provided. During this quarterly report, City Council is encouraged to ask questions and provide direction to staff as to whether or not their interests are being met. Following the quarterly report, the City Manager and staff will continue implementing the various elements of the plan with the direction provided by City Council.

Updates will be provided primarily on the projects listed on the Policy and Management Agendas. These 26 items represent the major work plan established by the City Council during their strategic planning retreat, and are considered along with the day-to-day operations of the city, the items that will help the community achieve the Goals 2018 and fulfill the Vision 2028.

BUDGET IMPACT:

The proposed FY 2014 budget provides for the implementation of the 26 strategic plan items.

OPTIONS:

1. Accept the report as provided with guidance to the City Manager on areas of interest
2. Request additional information on particular items listed in the report
3. Clarify interest in the report and provide a different direction to staff on particular items

RECOMMENDATIONS:

This report is provided for information only. It is appropriate for the City Council to comment and/or ask questions about items listed in this report, and provide additional direction to staff.

1st Quarter Strategic Plan Update

April 16, 2013



Completed



Unsuccessful



Point of Information



Deferred



Ahead of Schedule



Behind Schedule



On Schedule

Goal	Priority	Dashboard	Target for Action	1 st Quarter Report
Goal I : Grow the Economy	Top Priority		Wards Plaza Development	<ul style="list-style-type: none"> Contracted with S. Patz and Associates to study site for a possible mixed-use development. Study to be completed within 90-120 days.
			Conference Center Strategy	<ul style="list-style-type: none"> EDA received four responses to market validation/financial analysis RFP with Strategic Advisors Group, SAG, selected and will begin May 6. Analysis should be completed within 120 days.
			Career Training Education - Career Pathways	<ul style="list-style-type: none"> Coordination efforts continue with Lord Fairfax Community College, Shenandoah University, Winchester Public Schools, and Valley Health to create health care curricula. Valley Health will host a one-week Health Academy later this summer to offer students opportunities to shadow professionals and obtain hands-on experience. A kickoff event for this initiative was held on April 15 at the Winchester Medical Center.
			Major Employer Attraction Strategy*	<ul style="list-style-type: none"> Developed draft performance contract for review by management and legal. Draft funding formula for the Economic Development Commission is also being reviewed.
	High Priority		Meadow Branch Avenue Development	<ul style="list-style-type: none"> S. Patz and Associates contracted to update the market study that suggested age-restricted housing and medical related office space.
			South Pleasant Valley Development	<ul style="list-style-type: none"> S. Patz and Associates contracted to update the market study. Completing property appraisals and moving forward with property acquisition for right of way along Monticello Street.
			Economic Development Performance Standards and Metrics*	<ul style="list-style-type: none"> Draft performance standards developed and being reviewed by management, and once finalized, will be incorporated into the City/EDC contract and for reporting purposes by the EDA.
			Enterprise Zone Implementation Plan*	<ul style="list-style-type: none"> Staff is preparing for the 2014 designation round and will present information to the City Council on April 16, with the goal to have all required steps completed in time to submit another application on June 1 before the June 28 deadline.

Goal	Priority	Dashboard	Target for Action	1 st Quarter Report
	Moderate Priority		Winchester Towers Redevelopment	<ul style="list-style-type: none"> One of three sites discussed as a possible location for a conference center. Site will be reviewed as part of the conference center strategy for possible 'best use' determination.
			Amphitheater Concept and Direction	<ul style="list-style-type: none"> Staff has developed a Project Matrix for the project that highlights certain goals and tasks and establishes a project schedule Parks & Recreation staff members have been meeting with Shenandoah University faculty and students for the past six weeks to plan the Shenandoah University Partnership with Community Day that took place on April 4, 2013. Students completed the following: <ul style="list-style-type: none"> Brush and debris cleanup at the Amphitheater site Identified a fall event that will be planned by the SU students Developed three renderings that highlights what the Amphitheater could look like in the future Shenandoah University students will be making a formal presentation on their designs to the Shenandoah University Board of Trustees on April 16 at Noon and the Parks & Recreation Advisory Board on April 22 at 6:30 p.m.
GOAL 2 – Develop a High-Performing City Organization	Top Priority		Consolidated City of Winchester and Winchester Public Schools Capital Improvement Program (CIP)	<ul style="list-style-type: none"> City Manager and Finance Director met with WPS Superintendent, Finance Director and Operation Services Director. Discussed the transition from the current practice used by schools to fund CIP and how we would transition to a comprehensive CIP in FY 14. Schools will provide the City with their CIP for FY14.
			Comprehensive Capital Improvement Plan*	<ul style="list-style-type: none"> Updated the 5-Year CIP that includes identified capital projects in excess of \$50,000. All of the projects total almost \$260 M. Prepared draft CIP for City Council review on April 23. Transitioning IT Master Plan into a similar document called an Information Technology Plan to give greater focus to IT needs and coordination citywide.
			City Reorganization Plan*	<ul style="list-style-type: none"> Hired Assistant City Manager and reorganized departments accordingly. Implemented cross departmental teams to work on strategic plan items and improve internal communication. Evaluated City positions for possible job restructuring/reductions, with on position eliminated in DSS. Scheduled training on new performance management system for all supervisors

Goal	Priority	Dashboard	Target for Action	1 st Quarter Report
	High Priority		Information Technology Master Plan Implementation*	<ul style="list-style-type: none"> Filled Computer Support Technician position. Prioritized hardware replacements, evaluated machines and ready to order approximately 80 devices starting mid-April 2013 Evaluated communications and collaboration tools options and selected premise based MS Exchange solution. FY 2014 funding currently at IT Strategic Plan recommended level. Shifting to centralized hardware and software procurement in FY 2014
			Communications and Marketing Plan*	<ul style="list-style-type: none"> Staff has begun development of the communications plan by reviewing the most recent citizen survey. We anticipate using information gained from the Downtown Branding project as well to complete our situational analysis. Many of the traditional tactics used by municipalities are already in use in Winchester. Future steps will look at how effective, accessible, and widely used are those tactics which includes our webpage, citizen newsletter, televising Council Meetings, citizen academies, Twitter, Facebook, etc. Published annual report and distributed electronically
	Moderate Priority		Community Events Policy	<ul style="list-style-type: none"> Staff has met several times to discuss the possible impacts of community events on city resources. Exploring options to capture costs for events this year and present a proposal to City Council that for future events, the event's sponsor would offset the City's costs.
Goal 3 – Continued Revitalization of Historic Old Town	Top Priority		Taylor Hotel Revitalization Project	<ul style="list-style-type: none"> Phase 1 completed that included partial demolition of the old theatre, one-story addition, structural stabilization, with roof, and excavating for an 'English basement' by Lantz Construction, Broadway, VA. Created public-private partnership with Wishneff and Associates for Phase 2 as Taylor Pavilion, LLC, Selected Key Construction, Winchester, VA for phase 2/project completion. Marketing property now with commercial real estate brokers.
			Events Coordinator and Community Events Expansion Strategy*	<ul style="list-style-type: none"> A Special Events Team has been assembled and meets twice a month in a working collaboration between Old Town Winchester, Park & Rec. and the Events Coordinator. The Special Events Coordinator is assisting existing events, developing new events and working to bring new events into the downtown. Five new events have been scheduled by the Events Coordinator: Friday Night Live Series: June 14, July 12, and August 9, Rockin Independence Eve - July 3, Salute to the Troops - July 20, The Old Town Beer and Wine Festival -Sept. 6 & 7, and the Octobeerfest -Oct. 18 & 19. OTDB has also added new events including a Sip N Stroll and Old Town Mall Rededication. An event evaluation matrix has been developed.

Goal	Priority	Dashboard	Target for Action	1 st Quarter Report
	High Priority		Historic Old Town Gateway Enhancements	<ul style="list-style-type: none"> Documenting the gateway conditions with images and observations from the Design Committee is underway. An initial needs assessment looking at downtown signage shows that signs need to be updated to direct people to the new Welcome Center and public restrooms. Evaluation of the Rte. 7 entrance corridor has led to suggestions for traffic safety improvements including an entrance corridor redesign.
			National Historic District Direction	<ul style="list-style-type: none"> Completed survey of properties by consultant resulting in 320 properties being identified as candidates for National Historic District listing. Council approved hiring consultant to pursue formal designation.
			Downtown Branding Development*	<ul style="list-style-type: none"> A Branding Task Force has been assembled and has held several meetings and is near completion of a Branding ID Statement. An initial scope of work for the branding campaign has been outlined. The Events Coordinator is taking a lead role in the branding campaign as outlined in his contract.
Goal 4 – Create a more livable City for all	Top Priority		New John Kerr Elementary School Direction and Funding	<ul style="list-style-type: none"> Staff has evaluated our debt policies and capacity for the construction of a new school. Additionally, staff continues to meet with the School System staff to develop a construction time frame and project budget. WPS contracted with Weldon Cooper School, UVA, to complete a growth patterns analysis. WPS will report to City Council by June on the preferred school location. \$20M has been programmed into the proposed FY14 budget for this project
	High Priority		City Gateway Beautification Project	<ul style="list-style-type: none"> Presented overview of Berryville Ave Corridor Enhancement District rezoning strategy at April 6 Planning Commission Retreat.
			Northend Redevelopment Strategy	<ul style="list-style-type: none"> Identified partnership between City, Habitat for Humanity and Faithworks. Identified property for possible acquisition, Community Housing Partnership's properties along Chase Street to be used for transitional housing towards homeownership. Community leadership and Ward 2 Councilors have been involved in the planning process. Additional activities underway for adaptive reuse of other key properties in the area.
			Comprehensive Zoning Ordinance Review	<ul style="list-style-type: none"> Funding has been included in the proposed FY 14 budget to hire a consultant to work with Zoning and Planning staff to revise the Zoning Ordinance. Started preliminary reviews of the Zoning Ordinance to identify areas within the Ordinance that need to be updated.

Goal	Priority	Dashboard	Target for Action	1 st Quarter Report
	Moderate Priority		Sidewalk and Street Master Plan	<ul style="list-style-type: none"> • City staff is currently working to complete both master plans in-house. • List of proposed sidewalk and paving improvements for FY2014 has been developed. • Current schedule is to complete drafts of each plan by the end of May. • Funding to implement the plans has been included in the FY 14 proposed budget.
			Stormwater Management Policy and Plan	<ul style="list-style-type: none"> • Staff provided City Council with a presentation on the City's stormwater needs and funding alternatives at the work session on February. 19. • City Council adopted a resolution on March 12 directing City staff to develop a detailed proposal for the implementation of a stormwater utility within the next year. • Staff is currently working with the City's stormwater consultant to develop a detailed list of action items, with completion dates for all the items, which will be included in the proposal.

B-2013-23

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL/COMMITTEE MEETING OF: 04/09/2013 **CUT OFF DATE:** _____

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

ITEM TITLE: Refund Hampton Inn of Winchester for Prorated Business License Taxes

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. Finance	<i>JD</i>		3/8/13
2. Treasurer	<i>RCMA</i>		3/08/13
3. _____			
4. _____			
5. City Attorney	<i>[Signature]</i>		3/13/2013
6. City Manager	<i>[Signature]</i>		3-25-13
7. Clerk of Council			

Initiating Department Director's Signature: *[Signature]* 03/08/13
Date



APPROVED AS TO FORM:
[Signature] 3/13/2013
CITY ATTORNEY

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council
From: Ann T. Burkholder, Commissioner of the Revenue *ATB*
Date: 03/08/2013
Re: Refund for Prorated Business License Taxes

THE ISSUE: Hampton Inn of Winchester has requested a refund for prorated Business License taxes in tax year 2012.

RELATIONSHIP TO STRATEGIC PLAN: This is a matter of fair and equitable taxation, which relates to Goal 2: Create a high-performing City organization.

BACKGROUND: Hampton Inn of Winchester transferred ownership of its business to another entity during tax year 2012. Pursuant to Code of the Winchester §28-12, the taxpayer has applied for a prorated refund to ensure the licensed privilege is taxed only for that fraction of the year during which it was exercised within the City.

City Code §27-8, in accordance with Code of Virginia §58.1-3981 requires City Council approval of any refunds in excess of \$2,500.00

BUDGET IMPACT: Minimal.

OPTIONS: When appropriate, the office of the Commissioner of the Revenue offers the option of either a credit on the account towards future taxes or a refund.

RECOMMENDATIONS: Pursuant to City Code §27-8, the Commissioner of the Revenue respectfully requests that the City Council, with the consent of the City Attorney, authorize the Treasurer to issue a refund in the amount of \$3,586.67 to Hampton Inn of Winchester.

RESOLUTION

WHEREAS, Hampton Inn of Winchester has requested a refund of Business License Taxes for tax year 2012; and

WHEREAS, the office of the Commissioner of the Revenue has certified that Hampton Inn of Winchester has properly requested and is entitled to this refund; and

WHEREAS, the office of the Commissioner of the Revenue wishes to maintain accurate and equitable tax records.

NOW therefore be it RESOLVED, that Common Council hereby approves the refund of \$3,586.67 for prorated Business License Taxes and directs the City Treasurer to refund said amount together with any penalties and interest paid thereon.



Ann T. Burkholder, Commissioner of the Revenue
15 North Cameron Street
Winchester, VA 22601
Email: commrevenue@ci.winchester.va.us

Telephone: (540) 667-1815
FAX: (540) 667-8937
TDD: (540) 722-0782
Website: www.winchesterva.gov

Certificate of the Commissioner of the Revenue

Hampton Inn of Winchester transferred ownership of its business to another entity during tax year 2012. Pursuant to Code of the Winchester §28-12, the taxpayer has applied for a prorated refund to ensure the licensed privilege is taxed only for that fraction of the year during which it was exercised within the City.

Pursuant to Code of the City of Winchester §27-8 and §58.1-3981 of the Code of Virginia, I certify that Hampton Inn of Winchester is due a refund of \$3586.67 for prorated Business License taxes.

Verified by Commissioner of the Revenue:

Handwritten signature of Ann T. Burkholder in black ink.

Ann T. Burkholder

Date: 03/08/13

Consent by City Attorney:

Handwritten signature of Anthony C. Williams in blue ink.

Anthony C. Williams

Date: 3/13/2013

R-2013-24

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL/COMMITTEE MEETING OF: 04/09/2013 **CUT OFF DATE:** _____

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

ITEM TITLE: Personal Property Tax Relief Rate for Tax Year 2013

STAFF RECOMMENDATION: Approve

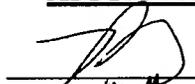
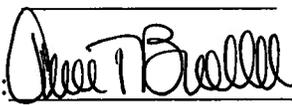
PUBLIC NOTICE AND HEARING:

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. Finance			3-8-13
2. Treasurer			3/8/13
3. _____			
4. _____			
5. City Attorney			3/13/2013
6. City Manager			4-5-13
7. Clerk of Council			
Initiating Department Director's Signature: 			03/08/13
			Date



APPROVED AS TO FORM:

 3/13/2013
CITY ATTORNEY

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council
From: Ann T. Burkholder, Commissioner of the Revenue
Date: March 08, 2013
Re: Personal Property Tax Relief Rate for Tax Year 2013

THE ISSUE: Approval of the Personal Property Tax Relief Rate for tax year 2013 at the proposed rate of fifty-three percent (53%).

RELATIONSHIP TO STRATEGIC PLAN: This is a matter of fair and equitable taxation, which relates to Goal 2: Create a high-performing City organization.

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 a combined result of various external and internal factors, the City's qualifying personal property assessment has risen 19% over the past two tax years. As we have a set amount of state funds to distribute equitably, this necessitates a corresponding drop in the tax relief rate.

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. This recommendation is based upon considerations of economic and historical trending, consultation with other City departments and greatly improved data accuracy.

RECOMMENDATION: The Commissioner of the Revenue recommends a Personal Property Tax Relief Rate for calendar tax year 2013 at fifty-three percent (53%) for qualifying vehicles in the City of Winchester.



THE COMMON COUNCIL

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

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 2013 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: May 14, 2013 **CUT OFF DATE:** 4/16/13

RESOLUTION XX ORDINANCE PUBLIC HEARING

ITEM TITLE: Byrne Department of Justice Grant

STAFF RECOMMENDATION: The Chief of Police requests 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. Finance Director	<i>B</i>		<i>4-3-14</i>
2. _____			
3. _____			
4. _____			
5. City Attorney	<i>AW</i>		<i>4/8/2013</i>
6. City Manager	<i>[Signature]</i>		<i>4-11-13</i>
7. Clerk of Council			
Initiating Department Director's Signature: <i>Chief K L H</i>			<i>4/3/14</i> Date



APPROVED AS TO FORM:

[Signature] *4/8/2013*
CITY ATTORNEY

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council
From: Chief Kevin L. Sanzenbacher 
Date: April 3, 2013
Re: Grant Request

THE ISSUE: We have recently been informed that additional grant funding may be available through the Byrne Justice Assistance Grant (JAG) program to support the WPD fitness initiative. We are requesting the Common Council authorize the Department to pursue this grant opportunity.

RELATIONSHIP TO STRATEGIC PLAN: Developing a high performance organization.

BACKGROUND: The Department of Justice (DOJ), through the Byrne Grant Program, has funds available to local jurisdictions for use in innovative programs such as the WPD fitness initiative. In November 2009, the WPD submitted an initial request to compete for funding to the DOJ to support the fitness program. This grant was awarded in 2010 and the funds were made available in July of that year for FY11. These funds have been used to purchase new training equipment, hire professional services to assist officers in preparation, pay for physical assessments, and support mentoring and training through overtime. Since that time this grant has been renewed two additional times and has provided us support in FY 12 and FY 13.

In March of 2013, the WPD received a notice that additional funding is available. We are requesting the Council approve our pursuing this opportunity and acceptance of this grant funding if awarded.

This funding will help us cement the many accomplishments we have made to date and will support us in our efforts to inculcate the fitness program into our culture. Specifically the money will be used to pay for the annual physical for personnel, purchase additional equipment to complete the gym and replace treadmills that are wearing out due to high usage.

BUDGET IMPACT: This grant would be for a maximum of \$16,885 with a 5% match or \$890 maximum. The PD has asked for \$5,000 in the FY 14 budget for this initiative- none of which would be needed if this full grant were awarded. In-kind service can be substituted for the match and in previous years existing operating funds were used to meet this requirement.

STAFF RECOMMENDATION: The Police Department requests that the Council grant the authority to accept this grant. Our success to date include:

- Our employee gym at the Timbrook annex has been furnished with new exercise equipment;
- Each employee has undergone a complete physical exam;
- 100% of sworn employees were tested in our first year and were determined to be fit for duty;
- Those employees who have not passed their initial assessment, and want help, have undergone remedial training with a local fitness trainer;
- On-going coaching and mentoring has occurred to help employees prepare for the initial assessment and focus on areas of weakness following the testing;
- Baseline data on sick leave and on-duty injuries has been gathered and will continue to be evaluated.

BUDGET IMPACT: None- match funding can be taken from operating budget.

OPTIONS: The only option is to not accept the grant and pay for the medical physicals requested from the City operating budget.

RECOMMENDATIONS: Staff recommends Council approve this request.

**A RESOLUTION TO AUTHORIZE THE WINCHESTER
POLICE DEPARTMENT TO APPLY FOR A
DEPARTMENT OF JUSTICE BYRNE JUSTICE
ASSISTANCE GRANT**

WHEREAS, the Winchester Police Department is striving to be one of the best police agencies in the country; and

WHEREAS, the City recognizes the importance of having a well equipped and fit police force; and

WHEREAS, the Department of Justice Byrne Justice Assistance Program has grant funding available that may be available to the City; and

WHEREAS, the City of Winchester's primary concern is the protection of life and property for the citizens.

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Winchester, Virginia hereby authorizes the Winchester Police Department to apply for a Department of Justice Byrne Justice Assistance Program grant to support the Department's purchase of equipment and services and authorizes the City Manager to execute these transactions.



Commonwealth of Virginia
Virginia Department of Criminal Justice Services

Grant Application

Grant Program:	Byrne JAG Program	Congressional District(s)	10 th
Applicant:	City of Winchester- Police Department	Faith Based Organization?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicant Federal ID Number:	546001683	Best Practice?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Jurisdiction(s) Served and Zip Codes:	City of Winchester, Virginia		
Program Title:	Law Enforcement Fitness Program	Certified Crime Prevention Community?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Grant Period:	July 1, 2013- June 30, 2014	DUNS NUMBER:	069380574
Type of Application:	<input type="checkbox"/> New <input checked="" type="checkbox"/> Continuation of Grant Number <u>13-C2150AD11</u> <input type="checkbox"/> Revision of Grant Number _____		<input type="checkbox"/> Rural <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban

	Project Director	Project Administrator	Finance Officer
Name:	Rob Bower (New)	Dale Iman (New)	Mary Blowe
Title:	Lieutenant	City Manager	Finance Director
Address:	231 E. Piccadilly Street Suite 130 Winchester, VA 22601	15 N. Cameron Street Winchester, VA 22601	15 N. Cameron Street Winchester, VA 22601
Phone:	540-662-4131	540-667-1815	540-667-1815
Fax:	540-542-1314	540-772-3618	540-723-2038
E-Mail:	rbower@ci.winchester.va.us	diman@ci.winchester.va.us	mblowe@ci.winchester.va.us

Signature of Project Administrator:

Brief Project Description:

The Winchester Police Department hopes to improve its record for recruiting and retaining officers by continuing its comprehensive fitness program. This program provides mentoring for new applicants, especially female and minority candidates, to assist them with the mandatory physical ability test. Incumbent officers are required to undergo a complete physical appraisal and fitness program designed to extend their careers and make them more productive workers. The funds requested will provide funds needed for the further development and continuation of this program.

Project Budget	DCJS Funds		Local Match	Total Requested
	Federal	State		
Personnel	\$3,451	\$0	\$182	\$3,632
Consultants	\$7,049	\$0	\$371	\$7,420
Travel	\$1,816	\$0	\$96	\$1,915
Equipment	\$3,909	\$0	\$206	\$4,115
Supplies/Other	\$660	\$0	\$35	\$695
Indirect Costs	\$0	\$0	\$0	\$0
Total Requested	\$16,885	\$0	\$890	\$17,777

PROJECT NARRATIVE

This request is for fourth year funding for the Winchester Police Department Fitness Initiative. As stated in the prior year's submittal, our goal is to assist sworn employees with enhancing their overall health and wellness by instituting fitness requirements. Our second stated goal was to assist potential applicants with attaining our high standards for fitness to qualify them for hiring. We are happy to report that the funding has been extremely helpful in attaining our goals and we hope approval of this year's request will solidify those successes and institutionalize the progress we have already made.

Accomplishments:

- Our employee gym at the Timbrook Public Safety Building has seen such an increase in usage since moving to a new location that has provided us more space. The former gym has been turned into an additional physical training area using mats purchased last year;
- Each employee has undergone a complete physical exam administered by a physician of their choice;
- 92% of sworn employees participated in the fall fitness assessment. The complete battery of assessments was performed on each participating employee.
- Five officers did not participate in the fall fitness assessment due to injuries received outside of work;
- 96% of the employees that completed the fall assessment passed;
- The employees who have not passed are undergoing remedial training and will be retested in the near future according to our policy. Failure to pass again will result in a full fitness for duty assessment by our Occupational Medical provider. However, these officers have shown substantial progress and we are confident they will pass;
- The assessment criteria has been reevaluated and has been found to be consistent with our goals;
- WPD currently has two vacancies. We attribute this success in part to the level of professionalism imparted by the fitness standard;
- Future funds will be used to cement these gains by keeping employees up-to-date and refreshed on health and fitness concerns;

All of these accomplishments were the direct result of assistance provided by the prior year funding. However, to continue and build on this success additional funding is needed to anchor the fitness regimen into the culture of the Department and continue to support individual efforts.

The results of this program to date have been extremely positive. Some indicators of success include:

- Totals dollars paid for workers compensation claims declined after the first year of implementing the program. In fact 2010 claims totaled almost 80% (\$72936 to \$14817) less in 2010 than they did on 2008; In 2011, there was an increase in worker's compensation claims due to major injuries that occurred which were not exercise related (officers were injured by a moving vehicle and a bicycle accident). In 2012 we have encountered a decrease in \$34,513 from the previous year's total of \$55,089 with 18 total claims and only 8 of them being related to physical training.
- A steady increase in multiple employees losing and maintaining a healthy weight;
- Publicity received from the local media has produced nothing but positive comments from the community;
- A number of officers have developed off-duty routines involving activities like running and long distance biking and even families have become involved in the fitness activity;
- Enhancements to the gym have been so well received and usage of the facility has increased due to the larger gym and new equipment;
- Members of the Department have lectured to other LE groups on the benefits of the program and several other agencies have contacted the WPD for information;
- WPD has provided tours of its exercise facilities to neighboring jurisdictions;
- Anecdotal information from potential recruits indicates they are looking at the WPD because of our commitment to professionalism as demonstrated by fitness initiative.

The department continues to experience a significant increase in productivity. Although we are not claiming the fitness program is a cause for this increased activity there we are confident that our improved gym has increased overall health and morale. We believe this may be just one side effect of increased pride employees are taking in being a part of an organization that places so much emphasis on well being and their ability to be prepared for any eventuality.

Project Description:

The level of funding requested will allow us to continue to build on this success by paying the non-reimbursed amount for the next round of officer medical physicals. This will also allow us to make additional equipment purchases for the new gym and support our five in-house trainers to prevent burn-out on the part of personnel who have had to shoulder the brunt of work to get us to our

current position. This funding will also allow our Project Director to attend the Cooper Institute Law Enforcement Fitness Specialist Training. This valuable training will allow him to relay key information to our officers and provide a lasting improvement to the Department.

I believe we have clearly demonstrated that we have the ability to make sure these funds are used in the appropriate manner and goals are being met. To date we have met all of the goals and objectives we identified in our initial request. These have either been met on time or ahead of schedule. In addition, we have produced data to support the hypothesis that a healthier police officer will be more productive and less prone to injury and illness. However, without funding the total cycle of this project we may not be able to sustain gains made and completely validate our hard evidence that can then be shared with other jurisdictions.

Steps for the next funding cycle include:

- Complete fourth round of sworn officer physicals (complete by October 2013-staff);
- Utilize new trainers and new training space to continue fitness training process(ongoing-staff);
- Remedial and ongoing fitness training for identified personnel through in-house trainers/external resources (complete October 2013-consultant, staff);
- Assemble a workbook that will provide a detailed narrative that discusses the proper uses of exercise equipment (complete September 2013-consultant);
- Send the Project Director to the Cooper Institute Law Enforcement Fitness Specialist Training

Funding to sustain this program was included in the FY 14 City budget; however, the current economic conditions are forcing Winchester, like many other jurisdictions, to maintain a status quo budget this year. We hope within the next several years the economic conditions will improve to allow the City to totally fund this project. We also hope to have additional evidence to prove that this program is self-sustaining through savings in sick leave and on-duty injuries. However, without continued grant funding at this point the project may never reach full fruition.

BUDGET NARRATIVE

Continued funding of this grant will be utilized for the following items/services:

- **Purchase of Additional Fitness Equipment:** During the early part of 2012, the Winchester Police Department acquired space that would provide 600 more square feet of workout room. This additional space has prompted a need for an additional treadmill and a striking bag due to increased usage of the new facility. .
- **Continued Overtime:** Many of our incumbent officers continue to need remedial training and guidance in order to meet the standards. The funds requested will continue to pay our fitness officers overtime to plan and conduct these sessions, which they would not be able to do in the course of their regular duties. Overtime funds will also continue to allow us to give our fitness officers time to conduct the testing process in a manner to insure successful completion without injury.
- **Officer Physicals:** Funds will continue to be utilized for annual medical physicals for our officers, as well as any additional stress tests and procedures needed, per doctor's order. The average cost per physical exam is approximately \$60.00 for 82 people.
- **Consultants:** Funds will be provided to a consultant in order to assemble a workbook that will provide a detailed narrative that discusses the proper uses of exercise equipment. Consultant funds will also be used to provide officers with training that will allow them to properly instruct other officers how to properly use the equipment.
- **Travel and Subsistence for Project Personnel:** Funds will be used to cover air travel and subsistence for the Project Director while he attends the Cooper Institute Law Enforcement Fitness Specialist Training in Dallas, Texas, which is the closest to our jurisdiction. This is a valuable conference that will allow our Project Director to provide additional training to our officers.

- **Supplies and Other Expenses:** Funds will be used to cover the admission fee for the Project Director to attend the Cooper Institute Law Enforcement Fitness Specialist Training.

ITEMIZED BUDGET

1. Personnel/Employees				DCJS FUNDS		APPLICANT MATCH		TOTAL
a. Name of Employees	Position Titles	Annual Salary Rate	Hours Devoted	FEDERAL	STATE	CASH	IN-KIND	
Amanda Baker	Lieutenant	70,948.80	15 OT	\$722		\$38		\$760
Daniel Clark	Corporal	54,184.00	15 OT	\$552		\$29		\$581
Brittney Neer	Corporal	50,356.80	15 OT	\$513		\$27		\$540
Andrew Perlick	Corporal	48,048.00	15 OT	\$489		\$26		\$515
Jonathan Funk	Corporal	46,342.40	15 OT	\$471		\$25		\$496
Rob Bower	Lieutenant	69,201.60	15 OT	\$704		\$37		\$741
TOTAL				\$3,451	\$0	\$182	\$0	\$3,632
b. Fringe Benefits								\$0
FICA % =								\$0
RETIREMENT =								\$0
OTHER (Itemize) =								\$0
TOTAL				\$0	\$0	\$0	\$0	\$0
TOTAL PERSONNEL (A+B)				\$3,451	\$0	\$182	\$0	\$3,632

2. Consultants (including Travel and Subsistence)		DCJS FUNDS		APPLICANT MATCH		TOTAL
		FEDERAL	STATE	CASH	IN-KIND	
a. Individual Consultants						
Type: Professional Workout Book		\$855		\$45		\$900
Hours Devoted:						\$0
TOTAL		\$855		\$45		\$900
b. Organizations and Associations						
Type: Medical Physicals - \$60 x 82 Employees		\$4,674		\$246		\$4,920
Type: Health Education \$40 x 40 Hours		\$1,520		\$80		\$1,600
Fee:						\$0
Time Devoted:						\$0
TOTAL		\$6,194	\$0	\$326	\$0	\$6,520
c. Consultants' Subsistence and Travel						
Number of Days:						\$0
Rate/Day:						\$0
TOTAL		\$0	\$0	\$0	\$0	\$0
TOTAL CONSULTANTS (a+b+c)		\$7,049	\$0	\$371	\$0	\$7,420

3. Travel and Subsistence for Project Personnel				DCJS FUNDS		APPLICANT MATCH		TOTAL
				FEDERAL	STATE	CASH	IN-KIND	
a. Local Mileage = No. of Miles X Rate Per mile		X						\$0
b. Non Local Mileage = No. of Miles X Rate Per mile		X						\$0
c. Subsistence = number of days X rate per day	5	X	\$37.00	\$173		\$9		\$185
d. Air or other fares				\$1,643		\$87		\$1,730

		TOTAL TRAVEL:	\$1,816	\$0	\$96	\$0	\$1,915
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ITEMIZED BUDGET Continued

4. Equipment				DCJS FUNDS		APPLICANT MATCH		TOTAL
Type	Quantity	Unit Price	Purchase or Rental	FEDERAL	STATE	CASH	IN-KIND	
T3X Treadmill Ac110	1	\$3,615	Purchase	\$3,434		\$181		\$3,615
Striking Bag	1	\$500	Purchase	\$475		\$25		\$500
TOTAL EQUIPMENT:				\$3,909	\$0	\$206	\$0	\$4,115

5. Supplies and Other Expenses			DCJS FUNDS		APPLICANT MATCH		TOTAL
Type	Quantity	Price	FEDERAL	STATE	CASH	IN-KIND	
Cooper Institute Law Enforcement Specialist Training	1		\$660		\$35		\$695
							\$0
							\$0
							\$0
							\$0
							\$0
							\$0
TOTAL SUPPLIES AND OTHER:			\$660	\$0	\$35	\$0	\$695

6. Indirect Cost			DCJS FUNDS		APPLICANT MATCH		TOTAL
			FEDERAL	STATE	CASH	IN-KIND	
TOTAL INDIRECT COST:			\$0	\$0	\$0	\$0	\$0

GRAND TOTAL:	\$16,885	\$0	\$890	\$0	\$17,777
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7. Cash Funds		DCJS FUNDS	APPLICANT MATCH	TOTAL
		FEDERAL	STATE	
Cash funds from sources other than grant program supporting this project- (itemize). Do not add to requested Project Budget Summary accounts.)				
TOTAL:				

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GENERAL GRANT CONDITIONS AND ASSURANCES

The applicant, for federal funds administered by DCJS, gives assurances and certifies with respect to the grant that it will comply with the following requirements:

1. The applicant assures that fund accounting, auditing, monitoring, and such evaluation procedures as may be necessary to keep such records as the Department of Criminal Justice Services shall prescribe shall be provided to assure fiscal control, proper management, and efficient disbursement of funds received under this grant.
2. **REPORTS:** Each applicant shall submit such reports as the DCJS shall reasonably request. Financial and progress reports shall be submitted to the DCJS on the **12th working day** following the close of each quarter unless otherwise informed.
3. **GRANT CLOSEOUT:** The last quarterly report of a project using federal funds must indicate any unpaid obligations, which exist at the expiration of the grant. The applicant has 90 days to liquidate any unpaid obligations and submit a final financial report.
4. **UNUSED FUNDS:** Any funds that have been requested, but unexpended at the end of the grant period will be refunded by check made payable to the **Treasurer, Commonwealth of Virginia**, and will accompany the final financial report when it is submitted to DCJS. (Most state agencies must use DPB form 27 and an IAT to return unused grant funds.) The check should be mailed to the attention of the Finance Department, Department of Criminal Justice Services, 1100 Bank Street, 12th Floor, Richmond, VA, 23219.
5. **INSPECTION AND AUDIT:** The applicant agrees to comply with the organizational audit requirements of OMB Circular A-133, "Audits of State, Local Governments and Non-Profit Institutions." In conjunction with the beginning date of the award, the audit report period of the local government entity to be audited under the single audit requirement is the start-date of the project through the end-date of the project as noted on the Statement of Grant Award/Acceptance. The audit report shall be submitted no later than one (1) year from the end-date of the grant award as stated on the Statement of Grant Award/Acceptance, and for each audit cycle thereafter covering the entire award period as originally approved or amended. The management letter must be submitted with the audit report. A copy of all audits must be forwarded to the Finance Department, Department of Criminal Justice Services.
6. The applicant will comply, where applicable, with the following:
 - National Environment Policy Act of 1969 (42 U.S.C. § 4321);
 - Flood Plain Management and Wetland Protection Procedures (28 CFR 63);
 - National Historic Preservation Act (16 USC 470);
 - Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970. (42 U.S.C. § 4601 et seq.);
 - Clean Air Act, P. L. 88-206, 42 USC 1857, et seq;
 - Safe Drinking Water Act, P. L. 93-523, 42 USC 3001, et seq;
 - Endangered Species Act of 1973, P. L. 93-205, 16 USC 1531, et seq;

- Wild and Scenic Rivers Act, P. L. 90-542, 16 USC 1271, et seq;
 - Fish and Wildlife Coordination Act, P. L. 85-624, 16 USC 661, et seq;
 - Historical and Archaeological Data Preservation Act, P. L. 93-291, 16 USC 2469, et seq;
 - Coastal Zone Management Act of 1979, P. L. 92-583, 16 USC 1451, et seq. and the Coastal Barrier Resources Act of 1982 (P.L. 97-348);
 - Animal Welfare Act of 1970, P. L. 91-579, 7 USC 2131, et seq;
 - Impoundment Control Act of 1974, P. L. 93-344, 31 USC 1401, et seq; and
 - The Fair Labor Standards Act, if applicable.
7. **POLITICAL ACTIVITY:** The restrictions of the Hatch Act, Pub. L. 93-433, 5 USC Chapter III, (as amended), concerning the political activity of government employees are applicable to applicant staff members and other state and local government employees whose principal employment is in connection with activities financed, in whole or in part, by grants. Under a 1975 amendment to the Hatch Act, such state and local government employees may take an active part in political management and campaigns except they may not be candidates for office.
8. **DISCRIMINATION PROHIBITED:** No person shall, on the grounds of race, religion, color, national origin, sex, or handicap be excluded from participation in, be denied the benefits or be otherwise subjected to discrimination under or denied employment in connection with, grants awarded pursuant to the Justice Assistance Act of 1984, and the implementing regulations 28 CFR Part 42, Subparts C, D, E, and G, or any project, program, activity, or subgrant supported or benefiting from the grant. The applicant must comply with the provisions and requirements of Title VI of the Civil Rights Act of 1964 and its implementing regulations 28 CFR 41.101 et seq. The applicant must further comply with Section 504 of the Rehabilitation Act of 1973, as amended, and its implementing regulations; the Age Discrimination Act of 1973, as amended, and its implementing regulations and Title IX of the Education Amendments of 1972; Title 11 of the Americans with Disabilities Act (ADA)(1990); (42 USC. 12131-12134 & 28 CFR 35).
9. **EQUAL EMPLOYMENT OPPORTUNITY PROGRAM:** Each applicant certifies that it has executed and has on file, an Equal Employment Opportunity Program which conforms to the provisions of 28 CFR Section 42.302 or that in conformity with the foregoing regulation; no Equal Employment Opportunity Program is required.

The applicant organization having 50 or more employees who would receive amounts of \$500,000 or more, or grants which in the aggregate exceed \$500,000 or more, in any fiscal year must submit a copy of their Equal Employment Opportunity Plan (EEOP) to the DCJS for review. For continuation grant funding that exceed these amounts in any fiscal year the applicant must submit a statistical update from the previous year's plan.

10. The applicant assures that in the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin or sex against a recipient of funds, the recipient will forward a copy of the finding to the DCJS.

11. **RELEASE OF INFORMATION:** All records, papers and other documents kept by recipients of DCJS funds, and their contractors, relating to the receipt and disposition of such funds, are required to be made available to the DCJS. These records and other documents submitted to DCJS and its applicants pursuant to other provisions of the Act, including plans and application for funds, are required to be made available to DCJS under the terms and conditions of the Federal Freedom of Information Act, 5 USC 552.
12. **INFORMATION SYSTEMS:** With respect to programs related to criminal justice information systems, the applicant agrees to comply with the provisions of 28 CFR, Part 20 governing the protection of the individual privacy and the insurance of the integrity and accuracy of data collection. The applicant further agrees:
- That all computer programs (software) developed with funds provided by this grant will be made available to the DCJS for transfer to authorized users in the criminal justice community without cost other than that directly associated with the transfer. The software will be documented in sufficient detail to enable potential users to adapt the system, or portions thereof, to usage on a computer of similar size and configuration.
 - To provide a complete copy of the computer programs and documentation, upon request, to the DCJS. The documentation will include but not be limited to system description, operating instruction, program maintenance instructions, input forms, file descriptions, report formats, program listings, and flow charts for the system and programs.
 - That whenever possible all application programs will be written in standardized programming languages (i.e., ANSI, Cobol, FORTRAN, Basic, etc.) for use on general operating systems (e.g., DOS, CP/M, UNIX, etc.) that can be utilized on at least three different manufacturers computers of similar size and configuration.
 - To avail itself, to the maximum extent possible, of computer software already produced and available without charge. The Department of Criminal Justice Services should be contacted to determine availability of software prior to any development effort.
13. **CONFIDENTIALITY OF RESEARCH INFORMATION:** Research information identifiable to an individual, which was obtained through a project funded wholly or in part with DCJS grant funds, shall remain confidential and copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding (28 CFR Part 22).
14. **CRIMINAL INTELLIGENCE SYSTEMS OPERATING POLICIES:** The applicant agrees to be in compliance with all policies as expressed under the Code of Federal Regulations, 28 CFR 23, concerning the operation of criminal intelligence systems funded with DCJS funds.
15. **COPYRIGHT:** Except as otherwise provided in the conditions of the award, the author is free to arrange for copyright without approval when publication or similar materials are developed from work under a DCJS supported project. Any such copyright materials shall be subject to the DCJS's right to reproduce them, translate them, publish them, use and dispose of them, and to authorize others to do so for government purposes. In addition, communications in primary scientific or professional journals publishing initial reports or research or other activities and supported in whole or in part by the DCJS project funds may be copyrighted by the journal with the understanding that individuals are authorized to make or have made by any means available to them, without regard to the copyright of the journal, and without royalty, a single copy of any such article for their own use. State employees who

develop copyrights during work hours, or within the scope of their employment, or when using state-owned or state-controlled facilities, the copyrights vest in the Commonwealth.

16. **PATENTS:** If any discovery or invention arises or is developed in course of or as a result of work performed under this grant, the applicant shall refer the discovery or invention to DCJS. The applicant hereby agrees that determination of rights to inventions made under this grant shall be made by the DCJS or its duly authorized official representative, who shall have the sole and exclusive powers to determine whether or not and where patent application should be filed and to determine the disposition of all rights in such inventions, including title which may issue thereon. The determination of the DCJS or its duly authorized representative shall be accepted as final. In addition, the applicant hereby agrees and otherwise recognizes that the DCJS shall acquire at least an irrevocable non-exclusive royalty-free license to practice and have practiced throughout the world for governmental purposes any invention made in the course of or under this grant. The grant shall include provisions appropriate of effectuating the purpose of this condition in all contracts of employment, consultant's agreements, or contracts.
17. The applicant assures that funds made available under this grant will not be used to supplant state or local funds, but will be used to increase the amounts of such funds that would be, in the absence of these funds, made available for drug law enforcement activities.
18. Confidential expenditures for services, evidence and/or information must comply with the requirements stated in the Administrative Guide and Application Procedures Manual.
19. **BIO MEDICAL EXPERIMENTATION:** The applicant assures that no grant funds will be used for any bio-medical or behavior control experimentation on individuals or any research involving such experimentation.
20. The applicant agrees to complete a **Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion**, prior to finalizing any financial agreements pursuant to 28 CFR 67.510 (Code of Federal Regulations). This includes consultants under any award.
21. The applicant must state the percentage of the total cost of this program supported by federal funds and the dollar amount of federal funds for this program. This statement shall be on all press releases, requests for proposals; bid solicitation and other documents describing the program whether funded in-whole or in-part with federal funds.
22. The grantee agrees that any publication (written, visual, or sound, but excluding press releases newsletters, and issue analyses) issued by the grantee or by any Applicant describing programs or projects funded in-whole or in-part with Federal Funds, shall contain the following statement:

This project was supported by the Department of Criminal Justice Services (DCJS) grant # 13-C2150AD11, with funds made available to the Commonwealth of Virginia from the Office of Justice Programs, U.S. Department of Justice.

Points of view or opinions contained within this document are those of the author and do not necessarily represent the official position or policies of the Virginia Department of Criminal Justice Services or the United States Department of Justice.

The applicant also agrees that one copy of any such publication will be submitted to the DCJS to be placed on file and distributed as appropriate to other potential applicants or

interested parties. DCJS may waive the requirement for submission of any specific publication upon submission of a request providing justification from the applicant.

23. Applicants with federal grants that procure goods or services that have an aggregate value of \$500,000 or more must specify in any announcement of the awarding of the contract for the procurement of the goods and services involved (including construction services) a) the amount of Federal funds that will be used to finance the acquisition; and b) expresses the amount announced pursuant to paragraph (a) as a percentage of the total cost of the planned acquisition. This complies with Public Law 102-141, section 623 (formally the Stevens Amendment).

CERTIFICATION

I certify that all the information presented is correct, that there has been appropriate coordination with affected agencies, and that the applicant will comply with the provisions of all other federal and state laws and rules and regulations that apply to this award.



Authorized Official (Project Administrator)

3/22/13

Date

**U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER**

**CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND
OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grantor cooperative agreement over \$100,000 as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions:

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements¹ and subcontracts) and that all subrecipients shall certify and disclose accordingly.

**2. DEBARMENT, SUSPENSION, AND OTHER
RESPONSIBILITY MATTERS
(DIRECT RECIPIENT)**

As required by Executive Order 12549, Debarment and Suspension, and Implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(C) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

**3. DRUG-FREE WORKPLACE
(GRANTEES OTHER THAN INDIVIDUALS)**

As required by the drug-Free Workplace Act of 1988, and implemented at 28 CFR Parts 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620---

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about---

(1) The dangers of drug abuse in the workplace:

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace:

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will---

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted---

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check if there are workplaces on file that are not identified here.

Section 67.630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check if the State has elected to complete OJP form 4061/7.

**DRUG-FREE WORKPLACE
(GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620---

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address: City of Winchester-Police Department, 231 E. Piccadilly Street, Winchester, VA 22601

Law Enforcement Fitness Program

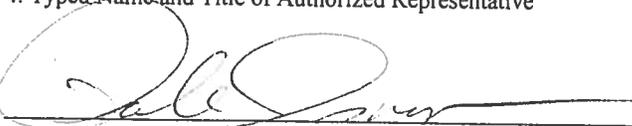
546001683

2. Application Number and/or Project Name

3. Grantee IRS/Vendor number

Dale Iman, City Manager

4. Typed Name and Title of Authorized Representative



5. Signature

3-22-13

6. Date

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL/COMMITTEE MEETING OF: April 16, 2013 **CUT OFF DATE:** ___

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

ITEM TITLE: Resolution authorizing the City Manager to sign and submit an application for Virginia Enterprise Zone designation to the Virginia Department of Housing and Community Development

STAFF RECOMMENDATION: Approval

PUBLIC NOTICE AND HEARING: Authorize advertisement of Virginia Enterprise Zone pursuant for purposes of receiving public comment and hold public hearing May 14th, 2013.

ADVISORY BOARD RECOMMENDATION: The Economic Development Authority recommends the City's pursuance of this designation

FUNDING DATA: Approximately \$500,000 from the City's General Fund (Depends on number of applicants)

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	<u> B </u>	<u> </u>	<u> 4-5-13 </u>
2. _____	<u> </u>	<u> </u>	<u> </u>
3. _____	<u> </u>	<u> </u>	<u> </u>
4. City Attorney	<u> [Signature] </u>	<u> </u>	<u> 4/8/2013 </u>
5. City Manager	<u> [Signature] </u>	<u> </u>	<u> 4/15/13 </u>
6. Clerk of Council	<u> </u>	<u> </u>	<u> </u>

Initiating Department Director's Signature: [Signature] 4/5/13
Date

Economic Development Director



APPROVED AS TO FORM:

 [Signature]
CITY ATTORNEY 4/8/2013

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council
From: Jim Deskins, Economic Redevelopment Director
Date: 4/16/2013
Re: Virginia Enterprise Zone Designation

THE ISSUE: City Staff has a strong desire to submit an application for a Virginia Enterprise Zone during the 2014 designation round.

RELATIONSHIP TO STRATEGIC PLAN: Will assist in the City's desire to grow the economy,

BACKGROUND: The Virginia Enterprise Zone program is a partnership between state and local government that encourages job creation and private investment. VEZ accomplishes this by designating Enterprise Zones throughout the state and providing two grant-based incentives, the Job Creation Grant (JCG) and the Real Property Investment Grant (RPIG), to qualified investors and job creators within those zones, while the locality provides local incentives. This application process is highly competitive, but would be a substantial tool in leveraging the economic growth of the City.

BUDGET IMPACT: Approximately \$500,000 from the City's General Fund.

OPTIONS: Council may approve or disapprove our pursuance of this designation.

RECOMMENDATIONS: City Staff recommends that we pursue this coveted designation.

RESOLUTION

Whereas, the Common Council of the City of Winchester has a desire to obtain a Virginia Enterprise Zone by the beginning of calendar year 2014, and;

Whereas, the Commonwealth of Virginia is accepting applications for new zones and for redesignation of expiring zones, and;

Whereas, the projected budget for funding for the incentives for the proposed Virginia Enterprise Zone is approximately \$500,000 from the city's general fund, and;

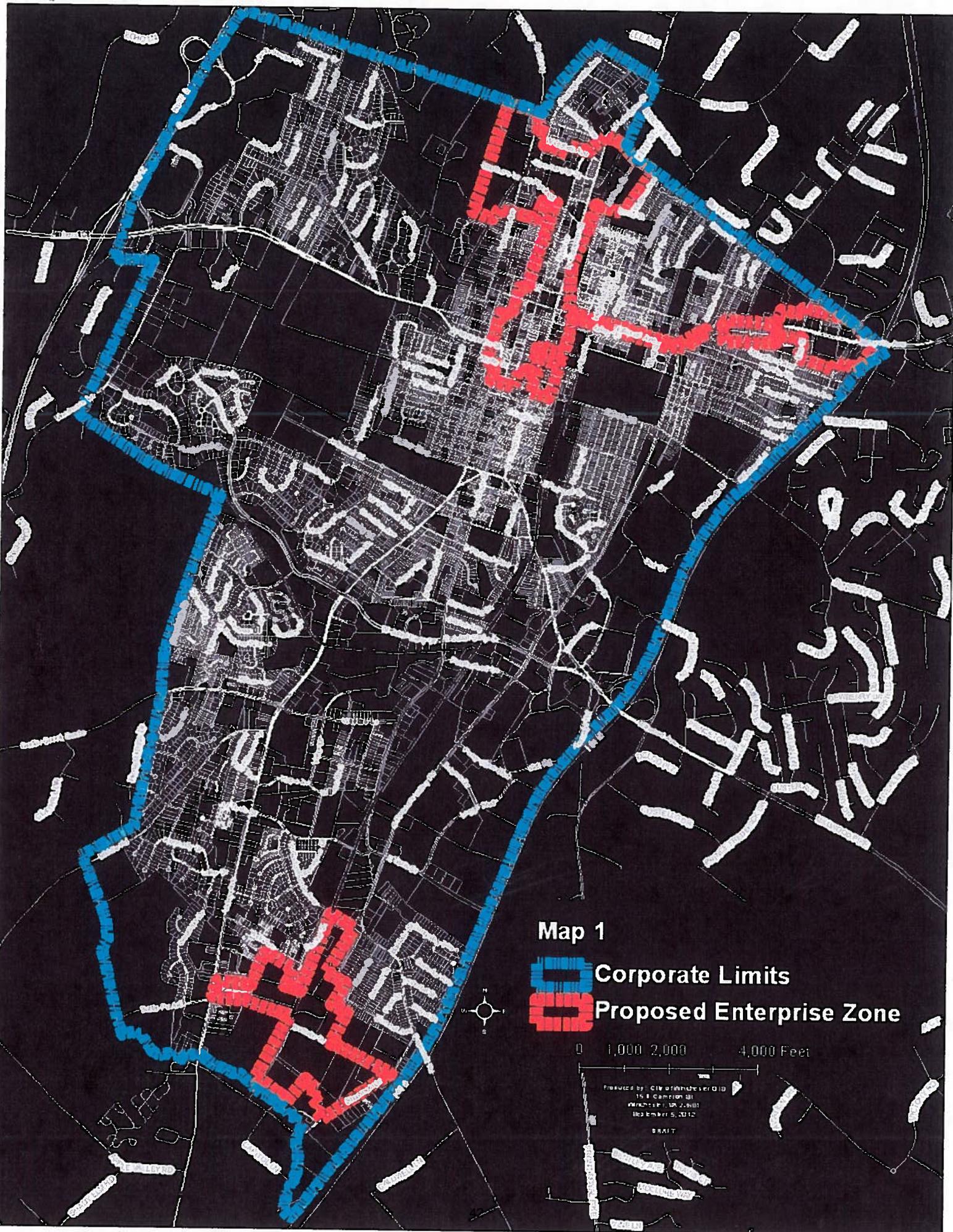
Whereas, the Common Council of the City of Winchester strongly supports the need for the Virginia Enterprise Zone and desires to apply for a new Virginia Enterprise Zone designation, and;

Whereas, the Common Council of the City of Winchester has been presented with a map designating the proposed Enterprise Zone.

Now Therefore Be It Resolved that the Common Council of the City of Winchester is applying for a Virginia Enterprise Zone designation, and;

Be It Further Resolved that the Common Council of the City of Winchester authorizes the city manager or his designee acting as program administrator to submit all information needed to apply for the Virginia Enterprise Zone designation, and;

Be It Further Resolved that the Common Council of the City of Winchester authorizes the City Manager or his designee acting as program administrator to carry out all program administrative and reporting requirements on its behalf, including those requirements related to the identification and sale of all surplus public land as defined by the Virginia Enterprise Zone regulations throughout the life of the zone.



Map 1

-  Corporate Limits
-  Proposed Enterprise Zone



0 1,000 2,000 4,000 Feet

Produced by City of Braitheiser 010
158 Canyon St
Wichita, KS 67201
December 5, 2012

BRAIT

TO THE CITIZENS OF WINCHESTER:

Enterprise Zone Application Public Hearing Notice

The City of Winchester, Virginia will hold a public hearing on May 14 at 7:00 P.M. at Rouss City Hall, 15 N. Cameron Street, Winchester, Virginia 22601 to solicit input on the proposed Enterprise Zone Application to the Department of Housing and Community Development due June 28, 2013. The proposed zone boundaries and incentives will be available for discussion. All interested citizens are urged to attend. Further information may be obtained from the Director of Economic Development Jim Deskins. 540-667-1815 x 1435.

The City strives to make the hearings accessible to all. Please advise Mr. Deskins of accommodations the City can make to help you participate in the hearing.

2013 Department Statistics

Month	Incidents											Casualties		Training Hours		Resuscitation Efforts	
	EMS	Fire	Total	Struc. Fire	Fire Other	ALS 1	ALS 2	BLS	Pt. Ref.	Mutual Aid Given	Mutual Aid Recvd.	Fire	Civ.	Dept. Personnel	LFCC Ride-Along Students	Cardiac Arrest	Cardiac Arrest Saved
January	349	96	445	5	91	160	2	137	21	50	13	1	0	935	0	2	0
February	309	65	374	2	63	138	1	109	25	18	13	0	1	424	0	3	1
March	390	103	493	7	96	171	6	161	23	40	7	0	1	879	12	4	2
April			0		0												
May			0		0												
June			0		0												
July			0		0												
August			0		0												
September			0		0												
October			0		0												
November			0		0												
December			0		0												
TOTAL	1048	264	1312	14	250	469	9	407	69	108	33	1	2	2238	12	9	3

10 Years of Incidents										
2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
4932	5288	5711	5673	5571	5365	5407	5539	5541	5756	

Other Monthly Activity:

10 Volunteer members representing all 4 stations graduated from the Frederick/Winchester Fire and EMS Academy

2013 Fire Marshal Division Statistics

Month	City Fire Property Dollar Loss/Save			Plan Review		Inspections/Investigations								Public Education			
	Loss	Value	Saved	#	Revenue	Fire Insp.	Follow-up	Sprinkler	Alarm	Supres.	Site	Other Insp.	Investig.	Smoke Alarms Installs	Car Seat Installs	Pub Ed Children	Pub Ed Adult
January	\$100.00	\$175,000.00	\$174,900.00	2	\$75.99	10	18	2	3	1	1	0	0	0	13	2	17
February	\$600.00	\$107,000.00	\$106,400.00	9	\$0.00	16	9	3	0	0	0	0	1	2	10	64	53
March	\$0.00	\$0.00	\$0.00	11	\$758.30	14	18	8	0	1	2	42	0	4	8	15	40
April					\$0.00												
May					\$0.00												
June					\$0.00												
July					\$0.00												
August					\$0.00												
September					\$0.00												
October					\$0.00												
November					\$0.00												
December					\$0.00												
TOTAL	\$700.00	\$282,000.00	\$281,300.00	22	\$834.29	40	45	13	3	2	3	42	1	6	31	81	110

2013 EMS Revenue Recovery Statistics

	Total billed	Payment Adj.	Net Collectable	Total paid by insurance	Patient Payment	Refunds	Total Deposit	Total Revenue	Increase from FY2012	Percent Increase From FY2012
JULY	\$126,778.90	\$21,512.42	\$105,266.48	\$69,364.80	\$5,366.65	\$0.00	\$73,835.07	\$73,835.07	(\$2,281.10)	-3%
AUGUST	\$143,434.00	\$31,262.09	\$112,171.91	\$83,892.28	\$5,421.17	\$2,427.97	\$85,798.55	\$159,633.62	\$12,214.35	8%
SEPTEMBER	\$145,099.30	\$25,338.00	\$119,761.30	\$67,392.94	\$3,194.94	\$0.00	\$70,587.88	\$230,221.50	\$11,373.22	5%
OCTOBER	\$151,279.00	\$30,455.99	\$120,823.01	\$83,952.79	\$6,885.54	\$3,280.83	\$90,522.32	\$320,743.82	\$27,083.04	9%
NOVEMBER	\$139,664.00	\$23,070.15	\$116,593.85	\$72,876.46	\$4,703.19	\$0.00	\$76,839.29	\$397,583.11	\$30,812.59	8%
DECEMBER	\$156,079.00	\$30,216.80	\$125,862.20	\$66,724.82	\$4,728.38	\$3,950.43	\$67,502.77	\$465,085.88	\$29,527.90	7%
JANUARY	\$153,217.00	\$23,317.61	\$129,899.39	\$94,279.43	\$4,180.03	\$588.22	\$97,584.19	\$562,670.07	\$59,324.28	12%
FEBRUARY	\$127,137.10	\$20,025.73	\$107,111.37	\$85,719.94	\$5,775.19	\$0.00	\$90,886.34	\$653,556.41	\$76,411.27	13%
MARCH	\$162,980.00	\$2,102.22	\$160,877.78	\$59,355.82	\$4,860.73	\$1,069.33	\$63,058.79	\$716,615.20	\$65,268.50	10%
APRIL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			
MAY	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			
JUNE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			
TOTALS	\$1,305,668.30	\$207,301.01	\$1,098,367.29	\$683,559.28	\$45,115.82	\$11,316.78	\$716,615.20			65%



A Virginia Accredited Law Enforcement Agency

Timbrook Public Safety Center
 231 East Piccadilly Street
 Winchester, VA 22601

Telephone: (540) 545-4700
 FAX: (540) 542-1314
 Website: www.winchesterva.gov

**WINCHESTER POLICE DEPARTMENT
 MONTHLY COUNCIL REPORT
 March 2013**

5 YEAR TREND FOR MAJOR CRIMES- March

	2008	2009	2010	2011	2012
THEFT	51	66	62	59	38
GRAND THEFT	4	20	15	22	11
MVT	3	0	1	1	4
ROBBERY	5	3	5	2	1
RAPE	1	0	0	1	1
B&E	9	8	3	8	11

5 YEAR TREND ENFORCEMENT -Enforcement for March-5 year trend

	2009	2010	2011	2012	2013
Felony Arrests	31	23	26	12	37
Misdemeanor Arrests	132	130	174	181	154
Legal Document - Felony	108	55	28	46	36
Legal Document - Misdemeanor	30	123	128	202	160
DUI Arrests	23	21	30	27	21
Incident Reports	338	295	303	333	276
Field Contacts Documented	23	14	36	78	17
Speeding - Radar	84	60	197	95	43
Speeding - Non Radar	3	1	0	3	2
Traffic Violations	225	207	496	229	218
Vehicle Crash Investigations	59	68	51	65	37
Parking Violations	69	199	266	196	222

Our annual report for 2012 can be found on our website at www.winchesterpolice.org/forms/index.html and up-to-date crime maps are available at www.crimereports.com.