

# City Council Work Session

Tuesday, June 17, 2014

6:00 p.m.

Gymnasium – Frederick Douglass Elementary School

## AGENDA

### 1.0 Call to Order

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

### 3.0 Items for Discussion:

**3.1 Presentation:** Virginia First Cities Activities & Legislative Priorities Update – Kelly Harris-Braxton, Executive Director

**3.2 Motion** to authorize the execution of a Memorandum of Understanding with Winchester Public Schools regarding unused funds – Mary Blowe, Finance Director (pages 3-6)

**3.3 Presentation:** History of Meadow Branch Avenue – Tim Youmans, Planning Director

**3.4 O-2014-25:** AN ORDINANCE TO ADOPT SECTIONS 14-169 OF THE WINCHESTER CITY CODE PERTAINING TO ABANDONED VEHICLES – Kevin Sanzenbacher, Chief of Police (pages 7-13)

**3.5 R-2014-28:** Resolution – Authorization to apply for and accept the proceeds of the State Homeland Security Grant Program 2014 – Lynn Miller, Emergency Management Coordinator (pages 14-23)

### 4.0 Executive Session

**4.1 MOTION TO CONVENE IN EXECUTIVE SESSION PURSUANT TO §2.2-3711(A)(7) OF THE CODE OF VIRGINIA FOR THE PURPOSE OF RECEIVING LEGAL ADVICE AND STATUS UPDATE FROM THE CITY ATTORNEY AND LEGAL CONSULTATION REGARDING THE SUBJECT OF SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE BY THE CITY ATTORNEY AND MATTERS OF ACTUAL OR PROBABLE LITIGATION AND PURSUANT TO §2.2-3711(A) (7) OF THE CODE OF VIRGINIA FOR THE PURPOSE OF DISCUSSION AND CONSIDERATION OF INFORMATION**

REGARDING THE SUBJECT OF THE EMPLOYMENT, ASSIGNMENT, APPOINTMENT, AND PERFORMANCE OF SPECIFIC PUBLIC OFFICERS APPOINTEES, AND EMPLOYEES OF THE CITY OF WINCHESTER INCLUDING THE APPOINTMENT OF OR PROSPECTIVE APPOINTMENT OF MEMBERS TO CERTAIN BOARDS AND COMMISSIONS.

## **5.0 Monthly Reports**

**5.1** Police Department (page 24)

## **6.0 Adjournment**



# CITY COUNCIL ACTION MEMO

**To:** Honorable Mayor and Members of City Council  
**From:** Mary Blowe, Finance Director  
**Date:** June 17, 2014  
**Re:** Addressing unexpended funds at fiscal year end for WPS

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**THE ISSUE:** State Code section 22.1-100 states that school systems must return unexpended school funds at fiscal year end to the locality.

**RELATIONSHIP TO STRATEGIC PLAN:** With this change, we can work together to create a high performing organization.

**BACKGROUND:** City of Winchester staff members have been working with personnel at Winchester Public schools to ensure we are in compliance with State code section 22.1-100 and also allow Winchester Public Schools (WPS) an opportunity to spend necessary funds to complete projects during the year. Timing is a challenge for the school system as many minor capital projects need to be completed during the summer time.

**BUDGET IMPACT:** Budget impact would be determined annually by the City's auditors as to the amount that will be returned to the locality. WPS will follow the City's budgeting and capital projects review and timetable during the annual budget process.

**OPTIONS:** The City could require a number of options from the WPS, such as:

- Schools must return all unexpended funds at fiscal yearend, cancelling all contracts or encumbrances (purchase orders)

**RECOMMENDATIONS:** City staff recommends the option for WPS to return expended funds and closely work with the City to ensure project completion through the budget process.

Rouss City Hall  
15 North Cameron Street  
Winchester, VA 22601

Telephone: (540) 667-1815  
FAX: (540) 723-0238  
TDD: (540) 722-0782  
Website: [www.winchesterva.gov](http://www.winchesterva.gov)

**This Memorandum of Understanding (MOU) is entered into by and between the City of Winchester, VA and Winchester Public Schools.**

- 1) **Purpose.** The purpose of this agreement between the City of Winchester, VA and the Winchester Public Schools, is to outline the responsibilities of both agencies as it relates to funds that are unspent at the end of the Fiscal year that were originally from the City of Winchester's General Fund. This is does not apply to any other funding sources such as grants, donations, State or Federal dollars.
- 2) **Roles and Responsibilities.** The City of Winchester will provide an annual appropriation to the Winchester Public Schools. At the end of each fiscal year, the independent auditors will determine the amount of unexpended funds from the City's annual schools appropriation to be returned back to the City's General fund (in compliance with State Code § 22.1-100 Unexpended school and educational funds). The amount of unexpended funds returned shall be recorded as an assigned fund balance for School Capital Projects in the City's General fund. It is the intent that Council shall at their discretion appropriate these unexpended funds from the Schools annual operating budget for schools capital improvement projects. The City's Finance department will make a transfer of said amount into an assigned fund for projects included in the Winchester Public Schools Capital Improvement Plan (CIP) / Capital Asset Replacement Plan (CARP)/Textbook , and prior year CIP/CARP projects which are not yet complete and have unexpended project balances. City school staff will follow the City's annual budget calendar to submit projects for the CIP and on the same forms as prescribed.
- 3) **Reporting Requirements.**
  - a) Each year during the budget process City schools shall present their needs for the upcoming year to City Council for their review prior to the first reading of the budget document.

This Memorandum of Understanding, and any exhibits, is the complete agreement between City of Winchester and Winchester Public Schools and may be amended only by written agreement signed by each of the parties involved.

The MOU must be signed by all partners. Signatories must be officially authorized to sign on behalf of the agency and include title and agency name.

**City of Winchester**

Authorized Official: \_\_\_\_\_ *Signature*

Craig Gerhart, Interim City Manager \_\_\_\_\_ *Printed Name and Title*  
Address: 15 North Cameron Street, Winchester, VA 22601 \_\_\_\_\_  
Telephone(s): 540-667-1815 \_\_\_\_\_  
E-Mail Address: [craig.gerhart@winchesterva.gov](mailto:craig.gerhart@winchesterva.gov)

**Winchester School Board, Chair**

Authorized Official: \_\_\_\_\_ *Signature*

\_\_\_\_\_ *Printed Name and Title*  
Address: \_\_\_\_\_  
Telephone(s): \_\_\_\_\_  
E-Mail Address: \_\_\_\_\_

0-2014-25

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL/COMMITTEE MEETING OF: June 17, 2014 CUT OFF DATE: June 12, 2014

RESOLUTION ORDINANCE XX PUBLIC HEARING

ITEM TITLE: Change in Ordinance 14-169 Abandoned Vehicles

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. Zoning Administrator	AMG		6/9/14
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. City Attorney	[Signature]		6/11/2014
6. City Manager	[Signature]	[Signature]	6/12/14
7. Clerk of Council			
Initiating Department Director's Signature: [Signature]			6/5/14 Date

editorial change needed



APPROVED AS TO FORM:

[Signature] 6/11/2014 CITY ATTORNEY

# CITY COUNCIL ACTION MEMO

**To:** Honorable Mayor and Members of City Council  
**From:** Chief Kevin L. Sanzenbacher  
**Date:** Work Session 6/17/14  
Council Session 7/8/14  
**Re:** Revisions to City Ordinance 14-169 Abandoned Vehicles

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**THE ISSUE:** Currently Chapter 14 Section 169 of the City Code regulating Abandoned Vehicles does not reflect current State law. The proposed ordinance would bring the City into compliance with Virginia law.

**RELATIONSHIP TO STRATEGIC PLAN:** Develop a High-Performing City Organization

**BACKGROUND:** Commonwealth law dealing with abandoned vehicles has changed over the years but the City Ordinance dealing with these vehicles has not kept up with statewide changes. The proposed ordinance will bring Winchester into compliance with current State law and also make it easier for members of the police department and the public to have abandoned vehicles removed from city streets and the private property.

**BUDGET IMPACT:** There should be no budget impact.

**DISSCUSSION:** The proposed changes bring the City into compliance with State law.

**RECOMMENDATION:** Staff recommends the Council adopted the ordinance as drafted.

## AN ORDINANCE TO ADOPT SECTIONS 14-169 OF THE WINCHESTER CITY CODE PERTAINING TO ABANDONED VEHICLES

WHEREAS, Winchester Police Department recognizes that current ordinance 14-169 is not in compliance with Virginia law; and

WHEREAS, it is the belief of WPD that abandoned vehicles should be removed as quickly as possible to keep the City of Winchester safe and clear of unwanted debris; and

WHEREAS, implementation of the proposed changes will bring the City into compliance with State law and make removal and disposal of abandoned vehicles easier for the police and the citizenry; and

WHEREAS, Common Council for the City of Winchester believes that the implementation of such changes will be of benefit to the citizens of the City of Winchester.

NOW therefore be it ORDAINED that Section 14-169 of the Winchester City Code is hereby adopted as follows:

### ARTICLE VIII. ABANDONED VEHICLES

#### SECTION 14-139. DEFINITIONS.

For the purposes of this article, the following words and phrases shall have the meanings ascribed to them by this section:

Abandoned motor vehicle means a motor vehicle, trailer, or semitrailer or part thereof that:

1. Is inoperable and is left unattended on public property for more than (48) hours; or in violation of a state law or local ordinance, or
2. Has remained illegally on public property for a period of more than forty-eight (48) hours; or
2. Has remained for more than 48 hours on private property without the consent of the property's owner, regardless of whether it was brought onto the private property with the consent of the owner or person in control of the private property, or
3. Has remained without consent on private property, including but not limited to any commercial parking place, motor vehicle storage facility or establishment for the service, repair, maintenance or sale of motor vehicles, whether or not such vehicle was brought onto or left at such property with or without the consent of the owner or person in control of the property, for more than forty-eight (48) hours.
3. Is left unattended on the shoulder of a primary highway.

Demolisher means any person whose business is to convert a motor vehicle, trailer or semitrailer into processed scrap or scrap metal or otherwise to wreck or dismantle such vehicles. (Ord. of 2-14-78)

“Scrap metal processor” means any person who is engaged in the business of processing motor vehicles into scrap for remelting purposes who, from a fixed location, utilizes machinery and equipment for processing and manufacturing ferrous and nonferrous metallic scrap into prepared grades, and whose principal product is metallic scrap.

“Vehicle removal certificate” means a transferable document issued by the Department for any abandoned motor vehicle that authorizes the removal and destruction of the vehicle.

**Cross reference**--Open storage of inoperative vehicles in certain zoning districts, §16-25.  
**State Law References**--Authority of city to adopt ordinance similar to this article, Code of Virginia, §46.2-1201. See also, §46.2-1213, 46.2-1217; Similar provisions, Code of Virginia, §46.2-1200.

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#### **SECTION 14-140. ABANDONED MOTOR VEHICLES PROHIBITED, AUTHORITY TO IMPOUND; PENALTY**

The City may take into custody any abandoned motor vehicle. In such connection, the City may employ its own personnel, equipment and facilities or hire persons, equipment and facilities or firms or corporations ~~who~~ that may be independent contractors for the purpose of removing, preserving, and storing, and selling at public auction abandoned motor vehicles. (Ord. of 2-14-78) 46.2-1200.1.

No person shall cause any motor vehicle to become an abandoned motor vehicle as defined in § 46.2-1200. In any prosecution for a violation of this section, proof that the defendant was, at the time that the vehicle was found abandoned, the owner of the vehicle shall constitute in evidence a rebuttable presumption that the owner was the person who committed the violation. Such presumption, however, shall not arise if the owner of the vehicle provided notice to the Department, as provided in § 46.2-604, that he had sold or otherwise transferred the ownership of the vehicle.

A summons for a violation of this section shall be executed by mailing a copy of the summons by first-class mail to the address of the owner of the vehicle as shown on the records of the Department of Motor Vehicles. If the person fails to appear on the date of return set out in the summons, a new summons shall be issued and delivered to the sheriff of the county, city, or town for service on the accused personally. If the person so served then fails to appear on the date of return set out in the summons, proceedings for contempt shall be instituted.

Any person convicted of a violation of this section shall be subject to a civil penalty of no more than \$500. If any person fails to pay any such penalty, his privilege to drive a motor vehicle on the highways of the Commonwealth shall be suspended as provided in § 46.2-395. All penalties collected under this section shall be paid into the state treasury to be credited to the Literary Fund as provided in § 46.2-114. Similar provision, Code of Virginia 46.2-1200.1

**State Law Reference**--Similar provisions, Code of Virginia, §46.2-1201.

#### **SECTION 14-141. NOTICE OF IMPOUNDMENT.**

~~(a) When an abandoned motor vehicle is taken into custody pursuant to this article, the Chief of Police shall notify, within fifteen (15) days thereof, by registered or certified mail, return receipt requested, the owner of record of the vehicle and all persons having security interests therein of record, that the vehicle has been taken into custody. The notice shall describe the year, make, model and serial number of the vehicle, set forth the location of the facility where the vehicle is~~

being held, inform the owner and any persons having security interests of their right to reclaim the vehicle within three (3) weeks after the date of the notice, upon payment of all towing, preservation and storage charges resulting from placing the vehicle in custody, and state that the failure of the owner or persons having security interests to exercise their right to reclaim the vehicle within the time provided shall be deemed a waiver by the owner and all persons having any security interests of all right, title and interest in the vehicle and consent to the sale of the vehicle at public auction.

(b) ~~If records of the state division of motor vehicles contain no address for the owner or no address of any person shown by such records to have a security interest, or if the identity and address of the owner and all persons having security interests cannot be determined with reasonable certainty, notice by publication once in a newspaper of general circulation in the area where the motor vehicle was abandoned shall be sufficient to meet all requirements of notice pursuant to this section as to any person who cannot be notified pursuant to the provisions of this section. Any such notice shall be within the requirements prescribed for notice by mail, and shall have the same contents required for a notice by mail.~~

(e) ~~The consequences and the fact of failure to reclaim an abandoned motor vehicle shall be as set forth in a notice given in accordance with and pursuant to this section. (Ord. of 2-14-78)~~

(a) When an abandoned motor vehicle is taken into custody, the city or city's agent shall initiate with the DMV, in a manner prescribed by the Commissioner, a search for the owner and/or lienholder of record of the vehicle, requesting the name and address of the owner of record of the motor vehicle and all persons having security interests in the motor vehicle on record in the office of the DMV, describing, if ascertainable, the motor vehicle by year, make, model, and vehicle identification number. A local government agency with a written agreement with the DMV shall be exempt from paying a \$25 fee to the DMV.

The Department shall check: (i) its own records, (ii) the records of a nationally recognized crime database, and (iii) records of a nationally recognized motor vehicle title database for owner and lienholder information. If a vehicle has been reported as stolen, the Department shall notify the appropriate law-enforcement agency of that fact. If a vehicle has been found to have been titled in another jurisdiction, the Department shall notify the applicant of that jurisdiction. In cases of motor vehicles titled in other jurisdictions, the Commissioner shall issue certificates of title on proof satisfactory to the Commissioner that the persons required to be notified by registered or certified mail have received actual notice fully containing the information required by this section.

(b) If the DMV confirms owner or lienholder information, the DMV shall notify the owner, at the last known address of record, and lienholder, at the last known address of record, of the notice of interest in their vehicle, by certified mail, return receipt requested, and advise them to reclaim and remove the vehicle within 15 days, or, if the vehicle is a manufactured home or a mobile home, 120 days, from the date of notice. Such notice, when sent in accordance with these requirements, shall be sufficient regardless of whether or not it was ever received. Following the notice required in the subsection, if the motor vehicle remains unclaimed, the owner and all persons having security interests in the motor vehicle shall have waived all right, title, and interest in the motor vehicle.

Whenever a vehicle is shown by the Department's records to be owned by a person who has indicated that he is on active military duty or service, the Department shall notify the requestor of such information. Any

person having an interest in such vehicle under the provisions of this article shall comply with the provisions of the federal Service members Civil Relief Act (50 U.S.C. app. 501 et seq.).

- (c) If records of the Department contain no address for the owner or no address of any person shown by the Department's records to have a security interest, or if the identity and addresses of the owner and all persons having security interests cannot be determined with reasonable certainty, the person in possession of the abandoned motor vehicle shall obtain from the Department in a manner prescribed by the Commissioner, a Vehicle Removal Certificate. The vehicle may be sold or transferred to a licensee or a scrap metal processor, as defined in § 46.2-1600. State Law Reference--Similar provisions, Code of Virginia, §46.2-1202 and 46.2-1202.1.

#### **SECTION 14-142. SALE.**

- (a) If an abandoned motor vehicle has not been reclaimed as provided for in §14-141 (state code 46.2-1202), the City or its authorized agent shall, notwithstanding the provisions of §46.2-617 of the Code of Virginia, sell the vehicle at public auction. For purposes of this article, the term "public auction," when conducted by any county, city, or town, shall include an Internet sale by auction. The purchaser of the motor vehicle shall take title thereto free and clear of all liens and claims of ownership of others, shall receive a sales receipt at the auction from the sale, and shall be entitled to apply to and receive from the DMV, upon application therefor pursuant to ~~§46.2-603 of the Code of Virginia~~, a certificate of title and registration card therefor. The sales receipt at such a sale shall be sufficient title only for purposes of transferring the vehicle to a demolisher for demolition, wrecking or dismantling, and in such case, no further titling of the vehicle is necessary; however, such demolisher shall provide the DMV acceptable documentation indicating that the vehicle has been demolished.
- (b) From the proceeds of the sale of an abandoned motor vehicle, the City or its authorized agent shall reimburse itself for the expenses of the auction, the cost of towing, preserving and storing the vehicle which resulted from placing it in custody, and all notice and publication costs incurred pursuant to §14-141. Any remainder from the proceeds of such sale shall be held for the owner of the *abandoned motor vehicle* or any persons having security interests therein, as their interests may appear, for ~~ninety (90)~~ (60) days, and then shall be deposited into the city treasury. (Ord. of 2-14-78)

**State Law Reference--**Similar provisions, Code of Virginia, §46.2-1203.

#### **~~SECTION 14-143. VEHICLES ABANDONED IN GARAGES.~~**

- ~~(a) Any motor vehicle, trailer, semitrailer or part thereof left for more than ten (10) days in a garage operated for commercial purposes, after notice by registered or certified mail, return receipt requested, to the owner to pick up the vehicle, or for more than ten (10) days after the period when, pursuant to contract, the vehicle was to remain on the premises, shall be deemed an abandoned motor vehicle, and may be reported by the garage keeper to the Chief of Police. All abandoned motor vehicles left in the garages may be taken into custody by the City in accordance with §14-140, and shall be subject to the notice and sale provisions contained in §§14-141 and 14-142; provided that, if such vehicle is reclaimed in accordance with §14-141, the person reclaiming such vehicle shall, in addition to the other charges required to be paid, pay the charges of the garage keeper, if any; and provided further that, if such vehicle is sold pursuant to §14-142, the garage keeper's shall be entitled to none of the excess of the proceeds of sale.~~
- ~~(b) Except as otherwise provided in this article, nothing herein shall be construed to limit or restrict any rights conferred upon any person under §§43-32 through 43-36 of the Code of Virginia.~~

**Underlined** – new text

**~~Strikeout~~**- removed

**CITY OF WINCHESTER, VIRGINIA**

**PROPOSED CITY COUNCIL AGENDA ITEM**

**CITY COUNCIL/COMMITTEE MEETING OF: 6.17.2014 CUT OFF DATE:**

**RESOLUTION x    ORDINANCE       PUBLIC HEARING**

**ITEM TITLE:** State Homeland Security Grant - Communications Equipment

**STAFF RECOMMENDATION:** Recommendation that Council act on the resolution in the affirmative

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

**ADVISORY BOARD RECOMMENDATION:** N/A

**FUNDING DATA:** If grant is awarded it will be fully funded, no match required.

**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. 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>Police</u>	<i>[Signature]</i>		<u>6/14/14</u>
2. <u>Fire &amp; Rescue</u>	<i>[Signature]</i>		<u>6/12/14</u>
3. <u>Emergency Communications</u>	<i>[Signature]</i>		<u>6/12/14</u>
4. _____			
5. City Attorney			
6. City Manager	<i>[Signature]</i>		<u>6/12/14</u>
7. Clerk of Council			

Initiating Department Director's Signature: \_\_\_\_\_

*[Signature]*

06.12.2014  
Date



**APPROVED AS TO FORM:**



**CITY ATTORNEY**

06122014

# CITY COUNCIL ACTION MEMO

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

**From:** L. A. Miller, Emergency Management Coordinator

**Date:** June 12, 2014

**RE:** 2014 State Homeland Security Grant Program – Communications Equipment

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**THE ISSUE:** Application and Acceptance of proceeds through State Homeland Security Grant Program to communications equipment.

**RELATIONSHIP TO STRATEGIC PLAN:** Goal 2 – Develop High Performing Organization; Objectives 2, 4 & 5, Goal 4 – Create a more livable city for all, Objective 4

**BACKGROUND:** See Attached Staff Report

**BUDGET IMPACT:** No Impact on Budget as no match is required.

**OPTIONS:** Permit City Manager to execute required documents to apply for and accept grant if award is offered.

Permit City Manager to execute required documents to apply for and accept grant if awarded with contingencies.

Decline participation in grant program.

**RECOMMENDATIONS:** Staff recommends City Council permit the City Manager to review and execute all necessary documents to apply for and accept the proceeds of the SHSP-2014 Communications Equipment Grant.

## STAFF REPORT

**Title:** State Homeland Security Program (SHSP) – 2014 Grant – Communications Equipment

**Background:** During the discussion relating to the Public Safety Communications project discussions involved the potential to seek out grant opportunities and if appropriate apply for such. The SHSP is a grant program that utilizes funds passed down from the Federal Government to the states to support various programs on a state and local level. The SHSP Grant program has been reviewed by the departments of Emergency Management, Police, Fire & Rescue, Emergency Communications and Finance and determined applicable to the City. The conclusion drawn by the departments is that participation in the grant program may be beneficial to the fiscal well being of the city and operationally advantageous to the various departments. If awarded the proceeds of the grant will provide resources to create and sustain interoperability internally and externally and will compliment the Public Safety Communications program currently underway.

**Current Situation:** The City is currently involved with a Public Safety Communications Project and proceeds of this grant if awarded will contribute to and compliment the overall program providing interoperability internally and externally for response personnel.

**Fiscal and Policy Implications:** The SHSP Grant program compliments and works in conjunction with current city goals and projects without the allocation or reallocation of existing funds. The program also works in a collaborative effort with the city's strategic plan.

**Discussion:** I would be glad to respond to any questions or comments at this time.

**A RESOLUTION TO AUTHORIZE THE SUBMITTAL OF AN APPLICATION FOR THE 2014 STATE HOMELAND SECURITY PROGRAM FOR THE PURCHASE OF COMMUNICATIONS EQUIPMENT**

**WHEREAS**, Virginia Department of Emergency Management has made available a grant opportunity through the State Homeland Security Program, 2014; and

**WHEREAS**, the public safety agencies of the city strive to perform their responsibilities in a professional and efficient manner; and

**WHEREAS**, radio communications is a vital link in the overall performance of duties and responsibilities; and

**WHEREAS**, this grant opportunity has the potential of supplementing communications equipment in a coordinated effort with the Public Safety Communications project currently being undertaken by the City; and

**WHEREAS**, the Common Council of the City of Winchester is a strong proponent of Public Safety.

**NOW THEREFORE, BE IT RESOLVED** that the Common Council of the City of Winchester, Virginia hereby authorizes the City Manager to apply for and accept the proceeds of the State Homeland Security Program, 2014 if awarded.

# Radios

## Title

Improving Communication Capabilities by the Incorporation of Interoperable Communication Devices

## Applicant Region Description

The City of Winchester has a growing permanent population of approximately 28,000 and is the only significant urban place in the Northern Shenandoah Valley. The estimated population density of the community is 3,043 people per square mile, but due to Winchester being the financial, employment, cultural, educational center of the region, the daytime population that swells to more than 70,000 creating a population density of roughly 7,600 people per square mile. Winchester is 9.2 miles in size and is surrounded entirely by Frederick County. Winchester's proximity to Baltimore and Washington DC allows the community to attract visitors from two of the largest metropolitan areas in the country due to the community's colorful Civil War and cultural heritage. Supplementing the attraction to Winchester through tourism resources is the Winchester Medical Center. This facility is a 445-bed, non-profit hospital and is a regional referral center offering a broad spectrum of services that includes diagnostic, medical, surgical and rehabilitative care. Winchester Medical Center is a resource for 400,000 residents in a region known as the Top of Virginia, plus neighboring West Virginia and Maryland. Also, the Winchester is home to Shenandoah University, a comprehensive private university that has an enrollment of approximately 3,800 students across more than ninety programs in seven schools. The institution has been recognized as a premier regional university by U.S. News and World Report's 2012 Best Colleges and Universities.

The City is organized under the Council-Manager form of government. The governing body, the Common Council, is elected by voters under a ward system and consists of a nine member body, including a Mayor that is elected at large. Within the City's government, the police department and fire & rescue department will be the participants in this project. Their ability to coexist and implement a large scale project is highly beneficial and further promotes the success of this joint venture.

## Proposal Description

This project focuses on the creation and continuation of radio communications interoperability between various city departments (Fire & Rescue, Law Enforcement, Public Works, Transit, Schools and others) as well as to support day to day mutual aid operations between the city and jurisdictional agencies outside the city such as Virginia State Police, Frederick County Sheriff, Fire & Rescue and others.

## **Threat**

Winchester's growing urban population and proximity to large metropolitan areas such as Washington, DC and Baltimore make Winchester increasingly susceptible to violent crime and potential terrorism activity. The City's location on the high traffic Interstate-81 further promotes the possibility of dangerous illicit activity occurring within the community. This highway has long been established as a premier distribution route for tractor trailers and other large shipping concerns. Supplementing Winchester's established shipping route recognition, the Virginia Inland Port is located just a short drive south of the city. The inland port serves as an operational extension of the Port of Norfolk located in southeast Virginia. Countless shipping containers from across the globe travel through the city and in close proximity of the city creating the potential for a major incident either from an accidental cause or from terrorist related or criminal activity. The transportation activity alone necessitates the need for dependable interoperable radio communications.

Winchester's pedestrian oriented downtown region further promotes and identifies the community's susceptibility to large-scale disasters. The downtown area has recently undergone a major renovation and has initiated the promotion of public events that attract thousands of people. This massive influx of attendees creates greater potential for dangerous criminal activity and the need for a state of the art interoperable communications system that will effectively operate internally and externally and requires first responders in the community to be on notice. Winchester's unique relationship of being an essential distribution point for the United States and a walkable community with a vibrant downtown community and growing population make the potential for violent criminal activity and major events a substantial risk.

## **Vulnerability**

The City currently does not have the capacity to efficiently communicate during large-scale emergencies. The radios and related materials requested in this proposal will provide interoperability capabilities between departments of the City of Winchester, Frederick County and the Virginia State Police and other agencies. Communications between internal and external agencies is essential in decreasing response times during critical incidents, facilitating coordinated operations and effectively insuring situational awareness. The necessity of rapid, dependable and effective communications and a coordinated response is necessary during times of crisis as proven during the September 11<sup>th</sup> attacks as well as other cataclysmic events. Ensuring Winchester and the surrounding area is capable to coordinate a speedy response during emergency situations is of the utmost importance. The lack of interoperable radio communications places citizens and responders in jeopardy and negatively impacts overall operations.

## **Consequence**

Without the purchase of this radio equipment, the City as a whole will continue to lack the necessary resources to match the risk. Communication is paramount for first responders to effectively address the needs of the community and perform in a professional and efficient manner. Without proper communication, an emergency situation may increase in severity impacting the civilian population as well as the abilities of first responders. Internal agencies or jurisdictions do

not reside on an island to an extent that emergency operations can be handled independently. Only through interoperability in communications, training, exercising and policy development may an agency and/or jurisdiction adequately address emergency incidents. The sharing of resources is vital and interoperable communications is the basis.

### **Proposal Necessity**

During emergencies, updated interoperable communication systems are mission critical to saves lives, protect property and preserve communities. After action reports of incidents have identified a common denominator, the lack of interoperable communications. The need for interoperable communications is emphasized through the Commonwealth's Strategic Plan for Statewide Communications whereby statewide interoperable communications is a requirement within the plan. Adequate, swift and reliable communications are vitally important during emergencies and disasters. Interoperable communications can protect millions and can save countless lives. Interoperable communications contributes not only to the ability to respond in a timely manner but facilitates the securing of vital resources that are needed to address the incident. Resources such as personnel, medical supplies, apparatus and equipment only scratch the surface of those items that are necessary to address incidents. Without the ability to communicate through interoperable, media time and lives will be lost.

### **Results Evaluation**

The implementation of this communication equipment will provide intrajurisdictional communications for Police, Sheriff, Emergency Management, Fire & Rescue and other city departments. It will also create interjurisdictional communications interoperable communications with Frederick County, other regional agencies, the Virginia State Police and other state and federal agencies. The Department of Emergency Management in a cooperative effort with the Emergency Communications Center (ECC), Police, Fire & Rescue and City Sheriff will conduct a thorough analysis of the equipment and its utilization to insure such is being utilized in an effective manner.

### **Project Management**

The project will be managed by the Department of Emergency Management in a cooperative effort with the ECC, Police, Sheriff, and Fire & Rescue to insure timely and effective implementation facilitating interoperable communications.

### **Budget Request**

- **VHF TRANSMIT ANTENNA SYSTEM** **\$5,186.00**  
OMNI, MEANDER COLLINEAR, 6.0 DBD, 150-160 MHZ, PIM RATED  
LDF4-50A CABLE: ½" LDF HELIAX POLY JKT PER FOOT  
L4TDM-PSA 7-16 DIN MALE PS FOR ½ IN CABLE

221213 CABLE WRAP WEATHERPROOFING  
 AVA5-50 CABLE: 7/8" AVA HELIAX POLY JKT PER FOOT  
 7/8" 7-16 DIN FEMALE POSITIVE STOP CONNECTOR  
 SG78-06B2A GROUNDING KIT FOR 7/8 IN COAXIAL CABLE  
 L5SGRIP 7/8" SUPPORT HOIST GRIP  
 SPD, 100 TO 512MHZ, FEMALE/FEMALE CONNECTOR, PIM RATED  
 LDF4-50A CABLE: 1/2" LDF HELIAX POLY JKT PER FOOT  
 L4TDM-PSA 7-16 DIN MALE PS FOR 1/2 IN CABLE

- **VHF RECEIVE ANTENNA SYSTEM** **\$5,146.00**  
 OMNI, MEANDER COLLINEAR, 6.0 DBD, 150-160 MHZ, PIM RATED  
 LDF4-50A CABLE: 1/2" LDF HELIAX POLY JKT PER FOOT  
 L4TNM-PSA TYPE N MALE PS FOR 1/2 IN CABLE  
 L4TDM-PSA 7-16 DIN MALE PS FOR 1/2 IN CABLE  
 221213 CABLE WRAP WEATHERPROOFING  
 AVA5-50 CABLE: 7/8" AVA HELIAX POLY JKT PER FOOT  
 7/8" TYPE N FEMALE POSITIVE STOP CONNECTOR  
 SG78-06B2A GROUNDING KIT FOR 7/8 IN COAXIAL CABLE  
 L5SGRIP 7/8" SUPPORT HOIST GRIP  
 RF SPD, 125-1000MHZ DC BLOCK FLANGE MT NM ANTENNA, NF EQUIPMENT SIDE  
 FSJ4-50B CABLE: 1/2" SUPERFLEX POLY JKT PER FOOT  
 F4PNMV2-HC 1/2" TYPE N MALE PLATED CONNECTOR
- **INSTALLATION OF VHF ANTENNA SYSTEM** **\$7,415.00**
- **VHF BASE STATIONS** **Quantity 3 @\$9,075.00 EA** **\$27,225.00**  
 MTR 3000 BASE RADIO  
 ADD: VHF 100W POWER (136-174MHZ)  
 ADD: RACK MOUNT HARDWARE  
 ADD: MTR3000 CIRCULATOR VHF (144-160 MHZ)  
 ADD: 4 WIRE WIRELINE
- **LOW BAND BASE STATION W/ ANTENNA AND LINE FOR SIRS COMMUNICATIONS** **\$22,692.00**
- **APX 7000 MODEL 3.5 – DUAL BAND ENABLED, ENCRYPTION** **\$141,740.00**  
 APX PORTABLE HARDWARE, QTY 20  
 ADD: 7/800MHZ PRIMARY BAND, QTY 20  
 ADD: VHF SECONDARY BAND, QTY 20  
 ADD: LARGE COLOR DISPLAY WITH FULL KEYPAD, QTY 20  
 ADD: ENABLE DUAL BAND OPERATION, QTY 20  
 ADD: DIGITAL CAI, QTY 20  
 ASTRO 25 TRUCKING 9600 SW, QTY 20  
 SMARTZONE OPERATION, QTY 20  
 ADD: ADVANCED SYSTEM KEY – SOFTWARE KEY, QTY 20

ADD: AES ENCRYPTION, QTY 20

• <b>APX7000 ACCESSORIES</b>	<b>\$11,576.00</b>
IMPRES SINGLE USER CHARGER, QTY 20	
IMPRES RSM DISPLAY WITH JACK, W CHNL, QTY 20	
IMPRES MULTI-UNIT CHARGER, QTY 2	
• <b>DUAL BAND BASE STATIONS AND INSTALLATION, QTY 5</b>	<b>\$59,000</b>
<b>GRAND TOTAL</b>	<b>\$291,780.00</b>

### **Sustainment**

The materials will be monitored for continued maintenance. Items that cannot be repaired will be replaced.

- Requested amount for project
  - Equipment: \$291,780.00
- FY15
  - Equipment: NONE. Everything will be under warranty
- FY 16
  - \$500 per year for equipment upkeep and maintenance

### **Law Enforcement Explanation**

The communications equipment provides interoperability capabilities with neighboring jurisdictions for both analog and digital equipment.

- Law Enforcement Factor: 5%

### **Communications Component**

VHF Base Stations and antenna systems as well as dual band APX 7000 portables to operate on an 800 MHz system.

### **Project Plan**

- First Quarter: Purchase and installation of requested equipment.
- Second Quarter: Begin implementation and programming while beginning periodic maintenance.
- Third Quarter: Conduct scheduled maintenance
- Fourth Quarter and Extended: Continue scheduled maintenance

**Other Funding Sources**

**City of Winchester General Fund Revenue Budget**



**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  
May 2014**

*5 YEAR TREND FOR MAJOR CRIMES- MAY*

	2010	2011	2012	2013	2014
<b>THEFT</b>	77	71	72	44	74
<b>GRAND THEFT</b>	22	11	17	21	22
<b>MVT</b>	3	2	3	2	4
<b>ROBBERY</b>	0	2	0	2	0
<b>RAPE</b>	1	0	0	0	1
<b>B&amp;E</b>	10	13	15	9	8

*5 YEAR TREND ENFORCEMENT -Enforcement for MAY - 5 year trend*

	2010	2011	2012	2013	2014
Felony Arrests	25	33	27	21	45
Misdemeanor Arrests	131	215	185	169	200
Legal Document - Felony	31	18	33	50	43
Legal Document - Misdemeanor	167	133	163	197	141
DUI Arrests	26	15	27	24	24
Incident Reports	342	322	358	328	354
Field Contacts Documented	11	53	50	24	8
Speeding - Radar	113	188	87	57	75
Traffic Violations	417	560	247	345	389
Vehicle Crash Investigations	61	65	52	49	66
Warning Citations					56
Vehicle Stops				1102	1167
Parking Violations	155	215	102	173	116

Up-to-date statistics can be found at [www.winchesterpolice.org/crimestats/index1.html](http://www.winchesterpolice.org/crimestats/index1.html) and up-to-date crime maps are available at [www.winchesterpolice.org/crimemap/index1.html](http://www.winchesterpolice.org/crimemap/index1.html).

*“Committed to improving the quality of life for all people by preventing crime in the city.”*