

**CITY OF WINCHESTER, VIRGINIA**

**PROPOSED CITY COUNCIL AGENDA ITEM**

**CITY COUNCIL/COMMITTEE MEETING OF:** January 13, 2015 **CUT OFF DATE:** \_\_

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

**ITEM TITLE:** Adoption of Resolution that Implements the Revised and Updated Term Structure in the Handley Board of Trustees' By-Laws

**STAFF RECOMMENDATION:** Approval

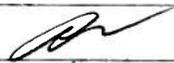
**PUBLIC NOTICE AND HEARING:** N/A

**ADVISORY BOARD RECOMMENDATION:** The Handley Board of Trustees recommends the adoption of this resolution.

**FUNDING DATA:** N/A

**INSURANCE:** N/A

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

<u>DEPARTMENT</u>	<u>INITIALS FOR APPROVAL</u>	<u>INITIALS FOR DISAPPROVAL</u>	<u>DATE</u>
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. City Attorney		_____	1/21/2015
6. City Manager		_____	2 Jan 2015
7. Clerk of Council	_____	_____	_____

Initiating Department Director's Signature:  6 Jan 2015  
City Manager Date



**APPROVED AS TO FORM:**  
  
 CITY ATTORNEY 1/21/2015

# CITY COUNCIL ACTION MEMO

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

**From:** Eden Freeman, City Manager

**Date:** 1/13/15

**Re:** Adoption of Resolution that Implements the Revised and Updated Term Structure in the Handley Board of Trustees' By-Laws

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## **THE ISSUE:**

Does the Winchester Common Council concur with the Handley Board of Trustees' adopted resolution that revises and updates their term structure?

## **RELATIONSHIP TO STRATEGIC PLAN:**

Goal Three: Develop a High Performing Organization

## **BACKGROUND:**

The Handley Board of Trustees adopted a resolution with a proposed implementation date of July 1, 2014 that revised and updated the term structure for their board. However, the Winchester Common Council is required to adopt any resolution that amends the Handley Board of Trustees' by-laws prior to their implementation.

The adopted Handley Board of Trustees' resolution amended their By-Laws as followed:

**Section 2. Selection of Trustees.** Trustees shall serve for a term of six years each, with staggered terms. At the expiration of each term, the Trustees whose terms are expiring shall either be reappointed or be replaced by a new Trustee who will be appointed by the Common Council of the City of Winchester to serve for a six-year term. Each Trustee shall continue to serve until his successor is duly elected, notwithstanding the expiration of his term. Trustees may serve a maximum of two successive terms in addition to any unexpired term to which the Trustee may have been appointed in the event of a vacancy. It is intended that the term of the replacement Trustee so elected shall expire so that the staggered terms of Trustees shall remain unaffected.

## **BUDGET IMPACT:**

None

**OPTIONS:**

1. Approve the enclosed resolution
2. Provide additional direction to staff, and/or take no action at this time.

**RECOMMENDATIONS:**

City Staff recommends the adoption of the enclosed resolution

**A RESOLUTION SUPPORTING THE HANDLEY BOARD OF TRUSTEES' RESOLUTION THAT REVISES AND  
UPDATES THEIR TERM STRUCTURE WITHIN THEIR BY-LAWS**

**WHEREAS**, at the request of the Winchester City Council in 1896, the State Legislature created the Handley Board of Trustees to receive and manage the assets bequeathed by Judge John Handley and to fulfill the terms of his will, and;

**WHEREAS**, the Handley Board of Trustees is governed by its by-laws, and;

**WHEREAS**, the Handley Board of Trustees has the authority to amend its by-laws, and;

**WHEREAS**, the Winchester City Council is required to adopt a resolution that supports any proposed alterations to the Handley Board of Trustees' by-laws before they are implemented.

**NOW THEREFORE BE IT RESOLVED**, that the Winchester City Council supports the Handley Board of Trustees' resolution that revises and updates their term structure within their by-laws.

## CERTIFICATE OF RESOLUTION

### HANDLEY BOARD OF TRUSTEES

The Handley Board of Trustees has approved, consistent with approval by the Common Council of the City of Winchester, the revised and updated term structure for The Handley Board of Trustees. Effective July 1, 2014, the By-Laws have been amended as follows:

**Section 2. Selection of Trustees.** Trustees shall serve for a term of six years each, with staggered terms. At the expiration of each term, the Trustees whose terms are expiring shall either be reappointed or be replaced by a new Trustee who will be approved by the Common Council of the City of Winchester to serve for a six-year term. Each Trustee shall continue to serve until his successor is duly elected, notwithstanding the expiration of his term. Trustees may serve a maximum of two successive terms in addition to any unexpired term to which the Trustee may have been appointed in the event of a vacancy. It is intended that the term of the replacement Trustee so elected shall expire so that the staggered terms of Trustees shall remain unaffected.

The current terms, and eligibility for reappointment, are as follows:

John W. Truban	-	Second term expires June 30, 2016
Harry S. Smith	-	First term expires June 30, 2016
Mary S. Riley	-	Second term expires June 30, 2019
John S. Campbell	-	First term expires June 30, 2016
John B. Schroth	-	Second term expires June 30, 2017
R. William Bayliss, III	-	First term expires June 30, 2016
Jeffrey Webber	-	First term expires June 30, 2016
Dennis J. McLoughlin, Sr.	-	First term expires June 30, 2019
Nate L. Adams	-	First term expires June 30, 2019

The following terms are to be extended in order to coordinate with three classes of six-year staggered terms of three Board members each, per the By-Laws as amended:

John W. Truban	-	Current term extended to June 30, 2018
Mary S. Riley	-	Current term extended to June 30, 2020
John S. Campbell	-	Current term extended to June 30, 2018
John B. Schroth	-	Current term extended to June 30, 2018
Dennis J. McLoughlin, Sr.	-	Current term extended to June 30, 2020
Nate L. Adams	-	Current term extended to June 30, 2020

Following these restructurings, the classes are as follows:

*Class of 2018*

John W. Truban  
John S. Campbell  
John B. Schroth

*Class of 2020*

Mary S. Riley  
Dennis J. McLoughlin, Sr.  
Nate L. Adams

*Class of 2022*

Harry S. Smith  
R. William Bayliss, III  
Jeffrey Webber

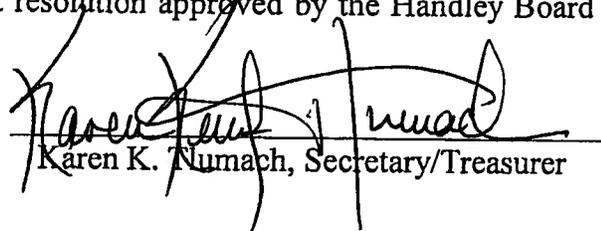
*Class of 2024*

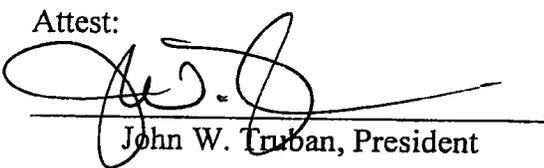
Truban Replacement  
John S. Campbell  
Schroth Replacement

*Class of 2026*

Riley Replacement  
Dennis J. McLoughlin, Sr.  
Nate L. Adams

I certify that this is a true and correct resolution approved by the Handley Board of Trustees to be effective July 1, 2014.

  
Karen K. Numach, Secretary/Treasurer

Attest:  
  
John W. Truban, President

Board of Trustees July 1, 2014

8/27/2014 3.46

Last Name	First Name	MI	Appointed	Fill Initial Unexpired	First Full Term	Old Bylaws		New Bylaws		Class of 2024	Class of 2026
						Second Full Term	Current Terms	Second Full Term	Current Terms		
Truban	John	W.	11/10/1987	6/30/1992	6/30/2004	6/30/2016	6/30/2018				
Truban Replacement											
Smith	Harry	S.	2/9/1999	6/30/2004	6/30/2016	6/30/2022	6/30/2022		X		
Riley	Mary	S.	7/1/2001		6/30/2013	6/30/2019	6/30/2020				
Riley Replacement											
Campbell	John (Shep)	S.	4/9/2002	6/30/2010	6/30/2016	6/30/2022	6/30/2018			X	
Schroth	John	B.	10/11/2005		6/30/2011	6/30/2017	6/30/2018				
Schroth Replacement											
Bayliss III	R.	William	7/1/2010		6/30/2016	6/30/2022	6/30/2022		X		
Webber	Jeffrey		7/1/2010		6/30/2016	6/30/2022	6/30/2022		X		
McLoughlin, Sr.	Dennis	J.	7/1/2013		6/30/2019	6/30/2025	6/30/2020				X
Adams III	Nate	L.	7/1/2013		6/30/2019	6/30/2025	6/30/2020				X