



City Council  
Kevin Mumpower, Mayor  
Kevin Wingard, Vice Mayor  
Anthony Farnum, Council Member  
Bill Hartley, Council Member  
Neal Osborne, Council Member



BRISTOL, VIRGINIA CITY COUNCIL  
300 Lee Street, Bristol, Virginia 24201  
June 12, 2019

**6:00pm**

Call to Order  
Moment of Silence  
Pledge of Allegiance

- A. Mayor's Minute and Council Comments
- B. City Manager's Comments
- C. Matters to be Presented by Members of the Public- Non-Agenda Items.

**REGULAR AGENDA**

1. Presentation on 2020 Census.
2. Consider first reading of Ordinance to add new City Code Section 50-177 (Overnight Recreational Development Standards); revise existing Section 50-109 (b) AND Section 50-123 (b); and add Definitions to Section 50-28.
  - a. Staff Report
  - b. Public Comments
  - c. Council Motion and Second for First Reading of Ordinance (by caption only)
  - d. Council Discussion
  - e. Roll Call
  - f. Reading of Ordinance (by caption only)
3. Consider second reading and adoption of an Ordinance to Repeal Sections 66-46, 66-48, and 66-50 of the City Code of Ordinances.
  - a. Staff Report
  - b. Public Comments
  - c. Council Motion and Second for Second Reading of Ordinance
  - d. Council Discussion
  - e. Roll Call
  - f. Reading of Ordinance
  - g. Council Motion and Second for Adoption of Ordinance

- h. Council Discussion
  - i. Roll Call
4. Consider approval of assignment agreement with Tennessee Valley Authority and amendments to Landfill Gas Contract with Ingenco.
- a. Staff Report
  - b. Public Comments
  - c. Council Motion and Second
  - d. Council Discussion
  - e. Roll Call
5. Consider taking formal action to commit certain funds for an Emergency Reserve Fund.
- a. Staff Report
  - b. Public Comments
  - c. Council Motion and Second
  - d. Council Discussion
  - e. Roll Call
6. Consider taking formal action to commit certain funds for a Debt Service Reserve.
- a. Staff Report
  - b. Public Comments
  - c. Council Motion and Second
  - d. Council Discussion
  - e. Roll Call
7. Discussion of funding for school building needs.
8. Discussion of updates to Chapter 70 of the City Code of Ordinances, Solid Waste.
9. Consider closed session pursuant to §2.2-3711.A6, Code of Virginia, 1950, as amended. Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected (proprietary).
- a. Council Motion and Second
  - b. Roll Call
- 9.1 Certify Closed Session.
- a. Roll Call

## CONSENT AGENDA

- 10.1 Consider approval of minutes  
May 14, 2019  
May 28, 2019

May 30, 2019 Called Meeting

10.2 Consider a street closure request for the Annual Food City Race Night.

10.3 Consider a supplemental appropriation of \$986 to the FY19 Budget per the Items Listed Below.

City Sheriff

Appropriate the proceeds from sales of Inmate Holiday Packs.

|             |                  |                                |       |
|-------------|------------------|--------------------------------|-------|
| Expenditure | 4-001-33010-6014 | Operating Supplies & Materials | \$886 |
| Revenue     | 3-001-16090-0004 | Inmate Holiday Revenue         | \$886 |

Police Department

Appropriate restitution monies received to Maintenance of Machinery & Equipment.

|             |                  |                                  |       |
|-------------|------------------|----------------------------------|-------|
| Expenditure | 4-001-31010-3320 | Maintenance of Machinery & Equip | \$100 |
| Revenue     | 3-001-19010-0009 | Recovered Costs-Police Dept.     | \$100 |

10.4 Consider budget transfers for specific items listed below:

Department of Social Services

Approve the transfer of budgeted funds from vacancy insurance savings to the Department of Social Services.

|          |                  |                                    |          |
|----------|------------------|------------------------------------|----------|
| Decrease | 4-001-31010-2310 | Health Dental Insurance            | \$60,000 |
| Increase | 4-001-53010-8101 | Bldgs/Other Construction/Fix Equip | \$60,000 |

10.5 Reverse budget transfer that was erroneously presented twice. It was originally presented at the May 14, 2019 meeting and also listed on the May 28, 2019 agenda.

Reverse of Previous Transfer

Capital Projects – Fleet Maintenance

Approve the transfer of budgeted funds from Public Works to Fleet Maintenance in the Capital Projects fund. These funds were originally appropriated to Public Works for the purchase of the new city fuel tank. This expenditure is more accurately charged to Fleet Maintenance for the purchase of the fuel tank.

|          |                  |                    |           |
|----------|------------------|--------------------|-----------|
| Decrease | 4-009-41050-8112 | Other Improvements | \$200,000 |
| Increase | 4-009-41010-8101 | Other Equipment    | \$200,000 |

10.6 Consider purchase requisition totaling \$18,721.96.

Consider Purchase Requisitions –Total Amount: \$18,721.96

Public Works; \$18,721.96  
Winston Alley Milling, Paving

D. Adjournment

# The 2020 Census at a Glance



The U.S. Constitution requires that each decade we take a count—or a census—of America's population. The 2020 Census goal is to count everyone once, only once, and in the right place.

The census provides vital information for you and your community.

- It determines how many representatives each state gets in Congress.
- Communities rely on census statistics to plan for a variety of resident needs including new roads, schools, and emergency services.
- Businesses use census data to help provide more local jobs and places to shop.

Each year, the federal government distributes hundreds of billions of dollars to states and communities based on U.S. Census Bureau data.

In 2020, we will introduce new technology to make it easier than ever to respond to the census. For the first time, you will be able to respond online, by phone, or by mail. We will use data that the public has already provided to cut down on household visits. And, we are building a more accurate address list and automating our field operations—all while keeping your information confidential and safe.

*The Census Bureau is the leading source of statistical information about the nation's people. We provide snapshots on population size and growth and detailed portraits of our changing communities.*



U.S. Department of Commerce  
Economics and Statistics Administration  
U.S. CENSUS BUREAU  
[census.gov](http://census.gov)

## Foundation of a Successful Census



### Establish Where To Count

- Using aerial imagery and in-field work to identify new homes and buildings
- Partner with U.S. Postal Service
- Local governments input through the Boundary Annexation Survey and Local Update of Census Addresses
- Comprehensive review of all addresses



### Motivate People To Respond

- Partner with community leaders and trusted voices
- Use tailored messages
- Encourage self-response



### Count The Population

- Respond online, by phone, or by mail
- Visit households that do not respond
- Online forms in multiple languages
- Mailed Individual Census ID is not required for online response



### Release Census Results

- Deliver apportionment counts to the President by December 31, 2020
- Release counts for redistricting by April 1, 2021
- Make it easier for the public to access data





## Become a 2020 Census Partner

Your partnership sends a strong message to your community about the importance of the census and the benefits of being counted. By partnering with the Census Bureau, you can help:

- Assure people that it is important—and safe—to respond to the census.
- Ensure accurate census data, which guide funding decisions for your community and affect your community's representation in Congress.
- Spread the word about temporary census jobs in your community.



## Get Involved: What Can You Do Now?

- Create or join a Complete Count Committee and partner with other trusted voices and influential leaders in your area who are committed to increasing census participation. Encourage your peers to get involved too.
- Raise awareness by including census information in newsletters, social media posts, podcasts, mailings, and on Web sites.
- Help recruit census workers when jobs become available.



## You can make a difference

As an influential community, business, or organization leader, you can raise awareness and encourage participation.

## Key Dates

- 2017**
  - Local Update of Census Addresses—invitations sent to local governments for completion in 2018
  - Publish final 2020 residence criteria and situations
- 2018**
  - Question wording to Congress—March 31, 2018
  - 2018 End-to-End Census Test
  - Regional Census Centers opening
- 2019**
  - Opening Field Offices
  - Complete Count Committees established
- 2020**
  - Advertising—begins in early 2020
  - Begin self response
  - Census Day**—April 1, 2020
  - Nonresponse Followup—early April–late July
  - Apportionment counts to the President—December 31, 2020
- 2021**
  - Redistricting counts to the States—March 31, 2021

For more information, go to [census.gov](https://www.census.gov).

To get involved in your community, contact us!

[Empty white rounded rectangular box for contact information]

**BRISTOL, VIRGINIA CITY COUNCIL  
AGENDA ITEM SUMMARY**

Meeting Date: June 12, 2019

Department: Planning/Community Development

Bulk Item: Yes  No

Staff Contact: Sally Morgan, City Planner

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**AGENDA ITEM WORDING:**

Consideration of First Reading of Ordinance to add new City Code Section 50-177 (Overnight Recreational Development Standards); revise existing Section 50-109 (b) AND Section 50-123 (b); and add Definitions to Section 50-28.

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**BACKGROUND:**

The Planning Commission has developed a new zoning code section to address campgrounds, RV parks, and overnight cabins, along with revisions to the list of permitted uses in B-3 and A zoning districts, and four new definitions in Section 50-28. These types of developments and standards are not currently included in City Code.

A joint public hearing of the City Council and Planning Commission was held on May 28. No public comments were received at the public hearing.

The Planning Commission met on June 3, 2019 and voted to forward the proposed zoning amendment with two revisions from the first draft. One of which is to establish a minimum total contiguous lot area of two acres, and the second proposed change is to clarify the section regarding internal road construction.

Staff will provide information at the June 12 meeting in response to questions asked by Council regarding Sugar Hollow Campground and along with a map of B-3 areas in the City.

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**PREVIOUS RELEVANT ACTION:**

March 18, 2019 and April 15, 2019 – Planning Commission reviewed and discussed draft ordinance

April 30, 2019 – Planning Commission voted to forward the latest draft to City Council for a joint public hearing.

May 13 and 20 – Joint Public Hearing was advertised in Bristol Herald-Courier

May 28, 2019 – Joint Public Hearing was held

June 3, 2019 – Planning Commission voted to forward amendment to the City Council with a favorable recommendation (incorporating two revisions to the draft)

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**STAFF RECOMMENDATION:**

Staff recommends the first reading of the proposed ordinance by caption only.

Ordinance # \_\_\_\_\_  
First Reading Date: \_\_\_\_\_  
Second Reading Date: \_\_\_\_\_  
Enacted: \_\_\_\_\_  
Effective: \_\_\_\_\_



CITY OF BRISTOL, VIRGINIA  
CITY COUNCIL



**ORDINANCE #**

TITLE: CREATING REGULATIONS ADDRESSING OVERNIGHT RECREATIONAL DEVELOPMENT; AN ORDINANCE AMENDING ARTICLE II ZONING OF THE CITY CODE FOR BRISTOL VIRGINIA; CREATING A NEW SECTION 50-177: OVERNIGHT RECREATIONAL DEVELOPMENT STANDARDS UNDER DIVISION 10 -- SUPPLEMENTAL REGULATIONS IN ADDITION TO ADDING DEFINITIONS UNDER SECTION 50-28 AND REVISING AND ADDING OVERNIGHT RECREATIONAL DEVELOPMENT AS A PERMITTED USE IN SECTION 50-109 AND 50-123.

**SECTION 1.** The City Council finds that:

**WHEREAS**, the City does not currently allow for campground and RV parks as there is no mention of such a land use in Chapter 50, Article II Zoning; and

**WHEREAS**, the City needs to allow such recreational developments in certain places with certain development standards to encourage attractive overnight lodging options; and

**WHEREAS**, encouraging tourism development and promoting Bristol as a place to stay when visitors come to the city are key objectives included in the City Comprehensive Plan; and

**WHEREAS**, a joint public hearing with the Planning Commission was held on the 28th day of May 2019 at Council's regular meeting; and

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF BRISTOL, VIRGINIA:**

**SECTION 2.** The City Code of Bristol, Virginia is hereby amended to read as follows:

1 ARTICLE II ZONING

2 50-28 Definitions (add in alphabetical order to the list of definitions):

3  
4 Cabin: A small dwelling built and designed for temporary, recreational use as a part  
5 of an overnight recreational development.

6  
7 Campsite: A designated plot of ground within a campground or recreational vehicle  
8 park intended for the occupancy of camping tents or recreational vehicles.

9  
10 Overnight Recreational Development: An area that is occupied or intended for  
11 temporary occupancy in recreational vehicles, tents, yurts, or recreational cabins, and  
12 is governed by an overall site development plan. The terms “campground,” “RV  
13 park,” and “overnight cabin development” are all considered overnight recreational  
14 developments.

15  
16 Recreational Vehicle (or RV): A mobile unit primarily designed as temporary living  
17 quarters for recreational or camping use, whether independently mobile or pulled by  
18 another vehicle.

19  
20 50-109 (b) Permitted Uses in B-3 (Intermediate Business)

21 Add (44) Overnight Recreational Development

22  
23 50-123 (b) Permitted Uses in A (Agricultural)

24 Add (11) Overnight Recreational Development

25  
26 Add New Section 50-177 under Supplementary Regulations

27 50-177 Overnight Recreational Development Standards

28  
29 (a) Purpose: The purpose of these standards is to provide regulations for the  
30 development of attractive, well-maintained commercial campgrounds,  
31 recreational vehicle parks, and recreational cabins. This section is intended for  
32 unified developments occupying a single or adjacent tracts of land under one  
33 ownership, and not a subdivision with individual landowners.

34  
35 (b) Procedure for application: Each application for an overnight recreational  
36 development shall follow the following procedure:

- 37 1. Initial Application Meeting. Prior to submittal of a site plan for an overnight  
38 recreational development and before any site improvements are made, the  
39 applicant shall meet with appropriate city staff to review conceptual site plans,  
40 and other information relating to the proposed application.  
41 2. Formal Application. Following the initial meeting, a formal application shall  
42 be filed with a preliminary Site Plan drawn on a scale of not less than one inch  
43 equals fifty (50) feet with the following information. If the proposed location  
44 requires a special exception permit, this step shall be required as part of the  
45 special exception application.

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- a. Project location, present zoning, adjacent zoning, adjacent land use, acreage and general topographic contours;
- b. Proposed private street layout and dimensions, including a typical cross section of proposed streets and proposed minimum and maximum grades;
- c. Location of all individual campsites, structures, parking spaces and pads, and common recreational space facilities;
- d. Existing utilities and proposed connections to existing or proposed new water, sewer, electric, and storm water drainage facilities.
- e. Landscaping and buffering plan for the development;
- f. Flood plain information, including identified floodway and flood elevation data;
- g. Existing easements, covenants, right-of-ways, or other restrictions located on the property;
- h. Other additional information as may be reasonably required by city staff on the preliminary site plan, including but not limited to, utilities, drainage, lighting, and other features.

3. Final Site Plan and Final Construction Drawings. Following approval of the preliminary site plan or the application for Special Exception, if applicable, the applicant shall prepare a final site plan and construction drawings consistent with the provisions of Article VII, Division 3.

(c) Phased Development. In the case of a phased development, final approval may be granted in phases. All improvements for each phase shall be completed prior to the issuance of a letter of completion, and no campsites or overnight cabins shall be occupied in the applicable phase until a certificate of occupancy or letter of completion has been issued. Improvements may be required within the development but outside the proposed phase, when it is determined by the City Engineer, Building Official, or the Virginia Department of Health to be necessary for public health or safety.

(d) In accordance with Section 50-601 (d), the final site plan is null and void if construction or development has not commenced within six months of site plan approval. A time extension may be granted in compliance with 50-601 (d) (3). In the case of a required Special Exception, any substantial design changes in the final site plan from the preliminary site plan as presented to the Planning Commission shall require approval of the Planning Commission and City Council through the special exception process, provided in Section 50-39.

(e) Applicable State or City Requirements. An overnight recreational development shall comply with the following requirements:

- 1. Any campground shall be properly approved by the Virginia Department of Health and comply with applicable standards in Code of Virginia Title 35.1 and related Virginia administrative code;
- 2. Any cabin structures must meet requirements of the Virginia Residential Code;

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3. Any development under this Section shall comply with city and/or state standards for land disturbance, storm water management, and any other applicable city or state requirements.

(f) Development Standards

1. **There shall be a minimum total contiguous lot area of two (2) acres for any development.**
2. All campsites and cabins shall be designed to provide a setback of at least thirty-five (35) feet from a public right-of-way and twenty-five (25) feet from any adjoining property boundary, and each site shall be a width of at least twenty-five (25) feet.
3. Any accessory uses or structures shall meet the setbacks in (f) 1. Any accessory structure shall be at least fifteen (15) feet from the edge of any internal street.
4. Each campsite shall have pads and/or parking spaces improved with asphalt, concrete, crushed stone, impermeable or permeable pavers, or other material if approved by the City Engineer.

(g) Road Access and Internal Streets. An overnight recreational development shall meet the following street access and construction requirements:

1. The development shall have a minimum of fifty (50) feet of street frontage on a public, city-maintained street which provides sufficient access to an arterial roadway.
2. Each campsite and overnight cabin must have direct access to an internal street in the development. All internal streets shall be private and shall, at a minimum, be constructed to standards contained in this section.
3. Access shall be constructed to ensure all vehicles utilize transportation circulation within the development and are only permitted ingress and egress from the development from approved, limited access driveway entrances, as shown on the approved site plan.
4. Private streets shall be indicated on the approved site plan. All private streets shall:
  - a. Be a minimum sixteen (16) feet in width if two-way streets are utilized or a minimum ten (10) feet in width if one-way streets are utilized, with adequate turning radius at all intersections.
  - b. Be paved for a minimum of forty (40) feet from the intersection with the public, city-maintained street or the full length of the street if it is less than forty (40) feet in length from the public street. **The remaining portion of the internal streets shall be improved with asphalt, concrete, crushed stone, impermeable or permeable pavers, or other material if approved by the City Engineer.**
  - c. Unless otherwise approved, all dead end streets/drives shall be designed with a cul-de-sac having a minimum pavement radius of 30 feet.

(h) Utilities. Overnight recreational developments shall meet the following utility infrastructure requirements:

1. The development shall be provided with public water service with adequate fire flow.

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2. Fire hydrants shall be located at each entrance of the development.
3. The development shall provide for solid waste disposal utilizing an adequate number of waste dumpsters that are shielded from view with proper screening.
- (i) Fires. Any fire pits for recreational use and cooking shall be no more than a 3 foot by 3 foot in size. Any local, state, and federal restrictions on burning bans shall apply within the development.
- (j) Accessory Uses. The overnight recreational development may include other structures and uses that are a component of the overall development and for use only by those guests staying at the development. These uses shall be only incidental to the primary use of the property for overnight accommodations. These types of uses would include the following:
  1. Small grocery store and concessions
  2. Bathhouse and restroom facilities
  3. Laundry facilities
  4. Common living or clubhouse space
  5. Recreational facilities such as playgrounds, swimming pools, tennis courts, ballfields, picnic areas, and game rooms.
- (k) Landscaping and Buffering. The overnight recreational development shall meet the following requirements to provide sufficient open space and protect adjoining properties:
  1. A minimum of twenty-five (25) percent of the overall Overnight Recreational Development must be green space including the required landscaping and buffering areas.
  2. The green space should be dispersed to provide a break in the impervious surfacing of the development and be landscaped to improve the esthetic quality of the development.
  3. A peripheral boundary shall be provided. The area within the peripheral boundary shall remain as open space without any type of development, except for the direct ingress and egress to and from the property, signage, and fencing.
  4. The peripheral boundary shall be along the full length of all outer property line boundaries of the proposed development site. Its width shall be a minimum of twenty-five (25) feet along the length of property lines that abut residentially used or zoned property and shall be a minimum width of ten (10) feet along the length of property lines which abut non-residentially used or zoned property and along public roadways.
- (l) Permanent and Long-Term Occupancy Prohibited No campsite or overnight cabin shall be used as a permanent or long-term living place.
  1. Continuous occupancy beyond sixty (60) days in any 12-month period shall be presumed to be permanent occupancy and is prohibited.

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- 2. Any action toward removal of wheels of an RV, except for temporary short-term repair, is prohibited.
- 3. No permanent external appurtenances such as carports, additions, or patio may be attached to any camping unit or RV.
- 4. Any operator of a campground, RV park, or overnight cabin development shall maintain records of occupancy sufficient to demonstrate compliance with the prohibition against permanent occupancy. Such records shall include the initial date of arrival and final departure for the party of each responsible camper, RV, or cabin renter.

**SECTION 3. Severability Clause**

If any section, paragraph, sentence, clause, word or phrase of this ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

**SECTION 4. Compilation**

Section 2 of this ordinance shall be incorporated and made a part of the Bristol, Virginia City Code, with applicable changes in numbering of Articles, Divisions and Sections as required.

**SECTION 5. Effective Date**

This ordinance shall take effect 30 days after the second reading.

**PASSED AND ADOPTED** by the City Council of the City of Bristol, Virginia, at a regularly scheduled meeting of said Council held on the \_\_\_ day of June, 2019.

|                               |       |
|-------------------------------|-------|
| Mayor Kevin Mumpower          | _____ |
| Vice Mayor Kevin Wingard      | _____ |
| Council Member Bill Hartley   | _____ |
| Council Member Neal Osborne   | _____ |
| Council Member Anthony Farnum | _____ |

(SEAL)

Attest: Nicole Storm  
CLERK OF THE CITY OF  
BRISTOL, VIRGINIA

CITY COUNCIL

By \_\_\_\_\_  
Clerk

By \_\_\_\_\_  
Mayor

**BRISTOL, VIRGINIA CITY COUNCIL  
AGENDA ITEM SUMMARY  
Item #3**

Meeting Date: June 12, 2019  
Department: Personnel/Human Resources  
Staff Contact: Randall Eads

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**AGENDA ITEM WORDING:**

Consider second reading and adoption of an ordinance to repeal sections 66-46, 66-48, and 66-50 of the City Code of Ordinances, relating to personnel.

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**ITEM BACKGROUND:**

Sections 66-46, 66-48, and 66-50 have previously been codified in Chapter 66-Personnel, Article II-Standards for Employees, Division 2-Leave.

Management has identified changes that need to be made to the above code sections for compliance with state and federal labor laws. Management requests that these sections be repealed, which will be replaced by Council approved personnel policies as part of the employee handbook.

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**PREVIOUS RELEVANT ACTION:**

Public hearing advertised on 5/6 and 5/13. Public hearing held on 5/14. First reading held on 5/28.

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**STAFF RECOMMENDATIONS:**

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**DOCUMENTATION:**      Included   x                Not Required           

**MOTION:** Motion for second reading of the ordinance. Motion for adoption of the ordinance.

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## Ordinance 19-5

BE IT ORDAINED by the City Council for the City of Bristol, Virginia has repealed sections 66-46, 66-48, and 66-50 of the City Code of Ordinances, related to personnel.

~~Sec. 66-46.— Annual leave.—~~

~~(a) Provision of credits. (1) Annual leave credits for regular, full-time employees, hired before January 1, 2014, who have not opted to participate in the hybrid retirement plan, and all employees eligible to receive enhanced retirement benefits in hazardous duty positions, and all employees hired on or after January 1, 2014, with Virginia Retirement System creditable services, shall be provided for each completed calendar month of service at the rate of one work day for employees with less than five full years of continuous service, 1/4 work days for employees with five or more full years of continuous service, and 1/2 work days for employees with ten or more full years of continuous service. Annual leave credits may be accumulated not to exceed, at the date of separation or at the end of any fiscal year, 24 work days for employees with less than five full years of service, 30 work days for employees with five or more full years of service and 36 work days for employees with ten or more full years of service. (2) All full-time employees hired on or after January 1, 2014, and employees hired before January 1, 2014, who have opted to participate in the hybrid retirement plan, with the exception of employees eligible for enhanced retirement benefits in hazardous duty positions and employees hired with Virginia Retirement Service creditable service, shall receive annual leave as set forth in the applicable City of Bristol Human Resources policy. Any and all future changes to paid time off shall be subject to city council approval. (b) Use of credits. The annual leave credits provided may be used, at the option of the employee, to provide paid absences for vacation and other personal purposes (including sickness) or for absences in excess of credits available for other kinds of leave. However, as a matter of policy, a major portion of annual leave should be used at one time in a course of a 12-month period. (1) No annual leave credit shall be provided for service less than a full semimonthly pay period or 15 calendar days, whichever is the lesser; the credit for a full semimonthly pay period or more than 15 calendar days but less than one calendar month shall be one-half a work day. (2) No annual leave credit shall be provided during any period of absence immediately following an absence of 60 calendar days.~~  
(Code 1966, § 2-13.1; Ord. No. 14.01, 2-11-14)

~~Sec. 66-48.— Sick leave.—~~

~~(a) Provision of credits. (1) Sick leave credits for regular full-time employees, hired before January 1, 2014, who have not opted to participate in the hybrid retirement plan, and all employees eligible to receive enhanced retirement benefits in hazardous duty positions, and all employees hired on or after January 1, 2014, with Virginia Retirement System creditable services, shall be provided at the rate of 1/4 days for each calendar month of service completed. No sick leave credit shall be provided for service less than a full semimonthly pay period or 15 calendar days, whichever is the lesser period, in a month; the credit for a full semimonthly pay period or more than 15 calendar days but less than one calendar month shall be one-half a workday. No sick leave credit shall be provided during any period of absence immediately following an absence of 60 calendar days. In case of illness or injury which is not compensable under the Virginia Workers' Compensation Act (Code of Virginia, § 65.2-100 et seq., as amended, repealed, reenacted or recodified from time to time), the city manager may grant additional credits beyond what the employee has accumulated; provided, however, that it is clearly established that the illness or injury was contracted in the course and by reason of the performance of duties assigned to the employee. (2) All full-time employees hired on or after January 1, 2014, and employees hired before January 1, 2014, who have opted to participate in the hybrid retirement plan, with the exception of employees eligible for enhanced retirement benefits in hazardous duty positions and employees hired with Virginia Retirement Service creditable service, shall receive sick leave as set forth in the applicable City of Bristol Human Resources policy. Any and all future changes to paid time off shall be subject to city council approval. (b) Use of credits. (1) Verification. The justification for any sick leave use shall be subject to verification by the department director concerned and the city manager by requirement of a certificate of a physician, describing the disability, stating that the employee was unable by reason of his disability to be on duty during the entire period covered by the application and, where extended absence is indicated, the probable duration of the disability. For any absence in excess of 60 work days within a 12-month period such a certificate must be provided and filed with the city manager at the end of the 60 days and monthly thereafter. (2) Justifications. Leave credit may be used for authorized absences as follows: a. Personal illness or injury incapacitating the employee from performing his duties. b. Exposure to a contagious disease which jeopardizes the health of others. c. Appointment for examination and treatment related to health when such appointment cannot reasonably be scheduled during non-work hours. d. Illness or death in the immediate family requiring the attendance of the employee. "Family of an employee" shall be regarded as parents, wife, husband, child, brother, sister or any other relatives living in the household of the employee. e. Pregnancy, miscarriage, abortion or childbirth incapacitating the employee [from performing her duties].~~  
(Code 1966, § 2-13.2; Ord. No. 08-04, 2-12-08; Ord. No. 14.01, 2-11-14)

19-5

Sec. 66-50. — Compensatory leave. —

~~(a) Compensatory leave may be granted to any regular full-time employee for all authorized overtime work on an hour-for-hour basis. This applies to work overtime on rest days and holidays. Compensatory leave shall not be granted merely to permit an employee to do regular work which, because of an excessive volume of work, could not be performed in regular working hours. All compensatory leave shall be taken within 12 months of the date on which it was earned. (b) Whenever a holiday, as provided in section 66-41, falls on a nonworking day other than Sunday, such day shall be included in computing the employee's compensatory leave. (Code 1966, § 2-13.4)~~

First Reading:            May 28, 2019

Second Reading:        \_\_\_\_\_

Adopted:                \_\_\_\_\_

\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*  
\*\*  
\*

**PASSED AND ADOPTED** by the City Council of the City of Bristol, Virginia, at a regularly scheduled meeting of said Council on \_\_\_\_\_, 2019.

(SEAL)

Attest: Nicole Storm  
Clerk of the City of Bristol, Virginia

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

**BRISTOL, VIRGINIA CITY COUNCIL  
AGENDA ITEM SUMMARY**

Meeting Date: 6/12/19  
Department: Public Works/City Attorney  
Staff Contact: Wallace McCulloch/Randall Eads

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**AGENDA ITEM WORDING:**

Consider approval of assignment agreement with Tennessee Valley Authority and amendments to Landfill Gas Contract with Ingenco.

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**ITEM BACKGROUND:**

The proposed amendments will release the City from certain liabilities relating to the landfill gas project. The amendments will reduce the percentage of revenue received from 5% to 2%. City staff recommends increasing the revenue percentage for higher gas flows. The current gas flows average around 500 cfm. To date, the City has received no revenue from the landfill gas project.

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**PREVIOUS RELEVANT ACTION:**

July 2011- City issued RFP for landfill gas project.  
June 2012- Landfill Gas Purchase Agreement between City and Ingenco signed.  
December 2015- Ingenco facility at landfill completed.  
April 2016- Landfill Gas Purchase Agreement amended.

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**STAFF RECOMMENDATIONS:**

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**DOCUMENTATION:**      Included   X        Not Required           

**MOTION:**   Motion to approve assignment agreement with Tennessee Valley Authority and amendments to Landfill Gas Contract with Ingenco.

# ASSIGNMENT AGREEMENT

TV-63426A, Supp. No. \_\_\_\_

This Agreement is among BVU AUTHORITY (“**Distributor**”), a Virginia public authority; the CITY OF BRISTOL, VIRGINIA also known as BRISTOL VIRGINIA UTILITIES (“**City**”), a Virginia municipal corporation; and TENNESSEE VALLEY AUTHORITY (“**TVA**”), a corporate agency and instrumentality of the United States of America created and existing under and by virtue of the Tennessee Valley Authority Act of 1933, as amended

TVA and the City entered into contract number TV-63426A, effective January 1, 2008, as amended (“**Power Contract**”), under which the City purchases all of its power requirements from TVA for resale.

By an Act of the General Assembly of the Commonwealth of Virginia, Va. Code Ann § 15.2-7201 (2010), the powers, assets, and debts of the utilities department of the City have been converted to be the powers, assets, and debts of Distributor.

Distributor is acting pursuant to the powers and responsibilities with which it has been vested by the General Assembly.

The City and Distributor have requested TVA’s consent to the assignment of the Power Contract and other agreements from the City to Distributor, and TVA is willing to consent to the assignment, subject to the terms and conditions below.

In consideration of the premises and the agreements below, the parties agree as follows:

## **SECTION 1 - POWER CONTRACT ASSIGNMENT**

1.1 The City assigns to Distributor the Power Contract and all effective amendments to the Power Contract, including all rights and obligations included therein.

1.2 TVA consents to such assignment in accordance with section 12 of the Power Contract subject to the following terms:

(a) Distributor must assume all the duties, liabilities, disabilities, and obligations of the City under the Power Contract, all effective amendments to the Power Contract, and all the listed agreements provided for in section 1.3 below;

(b) the City will be entitled to receive from the revenues of Distributor (after the transfer thereof to Distributor) only payments in lieu of taxes in accordance with, and subject to the limitations contained in the Power Contract. The City must not impose, at any time, any other charge or tax upon Distributor, Distributor’s electric system property or operations, or the sale, purchase, use, or consumption of electric energy supplied by Distributor; however, in the event of any such charge or tax, such tax equivalent which the City would otherwise be entitled to under the Power Contract will be reduced each year by the aggregate amount of the charge or tax so imposed without prejudice to TVA’s right to enforce the provisions of this subsection 1.2(c) or any provision of the Power Contract which may be violated by the imposition of said charge or tax;

(c) All arrangements relating to the transfer of the City’s electric system to Distributor must be consistent in all respects with the Power Contract; and

(d) In the event that Distributor ceases to exist for any reason, all rights and obligations of Distributor under the Power Contract and related agreements will become the rights and obligations of the City, without further action by TVA, the City, or Distributor.

1.3 The City also assigns the following agreements to Distributor, including all rights and obligations of the City included therein, and TVA consents to such assignment:

- (a) Comprehensive Services Program Agreement, Contract No. 00060985, effective June 19, 2007;
- (b) License Agreement, Contract No. 00061620, effective June 18, 2007;
- (c) Agreement, Contract No. 00062912, effective December 21, 2007;
- (d) Energy Right® Program Agreement, Contract No. 00068084, effective March 10, 2008;
- (e) Load Forecast Information Agreement, contract number 0032LFIA, effective February 21, 2012;
- (f) Energy Right® Solutions for the Home eScore Program Agreement, eScore Contract No. 31138036, effective July 1, 2015;
- (g) Commercial and Industrial Efficiency Advice and Incentive Agreement, Contract No. 3923, effective September 21, 2010, as amended;
- (h) Energy Right® Solutions for the Home New Homes Program Agreement, New Homes Contract No. 47155878, effective August 22, 2017; and
- (i) Deed and Bill of Sale, contract number TV-49389A, effective July 17, 1978.

1.4 Distributor is bound for the full performance of the Power Contract and the listed agreements provided for in section 1.3 above. Upon any future assignment duly consented to by TVA and consistent with the Power Contract, such assigns by acceptance of such transfer or assignment will likewise become bound for the full performance of the Power Contract and the listed agreements provided for in subsection 1.3 above.

## **SECTION 2 - ECONOMIC DEVELOPMENT**

Section 16(b)(2) of the Power Contract is deleted and replaced with the following:

The parties agree that Distributor may annually designate a fund of not more than \$500,000 from each year's electric system budget for economic development projects; provided, however, that before expending any of such funds for economic development purposes, Distributor must make a determination that the electric system benefit is expected to be commensurate with the expenditure. The annual amount of said fund may be increased in subsequent years upon request from the Board of Distributor and approval by TVA. Any economic development policy and associated expenditures of Distributor must be consistent with TVA's regulatory requirements and in accordance with Distributor's Board-approved policies and procedures.

**SECTION 3 - REFERENCES**

The Power Contract and the agreements listed in section 1.3 above are amended in the respects necessary to make all references to the City, also known as Bristol Virginia Utilities, refer to Distributor; provided, however, the following provisions of the Power Contract will continue to refer to the City for the purposes of payments in lieu of taxes:

- (a) the third sentence of section 1 of the Power Contract
- (b) section 6(a)(4) of the Power Contract; and
- (c) section 2 of the Schedule of Terms and Conditions attached to and made part of the Power Contract.

**SECTION 4 - RATIFICATION OF POWER CONTRACT**

The Power Contract and the related agreements listed in section 1.3 above, as supplemented and amended by this Agreement, are ratified and confirmed as the continuing obligations of Distributor and TVA.

The parties are signing this Agreement to be effective on the date of TVA's signature.

**BVU AUTHORITY**

By \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**CITY OF BRISTOL, VIRGINIA**

By \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**TENNESSEE VALLEY AUTHORITY**

By \_\_\_\_\_

Director  
Power Customer Contracts

Date: \_\_\_\_\_

## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (the “MOU”) dated June 7, 2019 is by and between the City of Bristol (“Bristol”) and INGENCO Renewable Development (“INGENCO”) and is intended to set forth the understanding between Bristol and INGENCO with respect to the Maintenance Service Agreement and the Maintenance Cost Sharing Agreement as referenced in that proposed Second Amendment to the Landfill Gas Purchase Agreement between Bristol and INGENCO (the “Second Amendment”). This MOU is indicative and non-binding and does not create a binding obligation between the parties and may be amended from time to time. A binding obligation may only be created by the negotiation and execution of definitive documentation with respect to the obligations set forth in such documentation including that proposed Second Amendment referenced above.

### I. MAINTENANCE SERVICE AGREEMENT (“MSA”)

As set forth in the draft Second Amendment, Bristol and INGENCO wish to have Bristol enter into an MSA with a qualified third-party to provide operation, maintenance and project management related to the Landfill and the Gas System (as those terms are defined in the LGPA). Included below is an in-exhaustive list of the scope of services to be included in that MSA.

1. Basic Level of Monthly Maintenance
  - a. The City of Bristol owns the landfill in Bristol. The City will therefore be responsible for contracting the monthly maintenance to a reliable, experienced contractor. (CEC, etc.).
    - i. It includes tuning wells, pulling and cleaning well pumps, raising wells, etc.
    - ii. All of these services would need to be performed whether or not the gas was being flared by the city or sold to Ingenco.
2. Process
  - a. Since the City owns the landfill, and the gas collection system, it is the City that must be the party-in-interest to the MSA and ultimately approve and initiate all routine and extraordinary maintenance on the gas collection system. Ingenco must not direct any work to be done.
  - b. Ingenco may make recommendations to the City for maintenance. However, the City must approve and contract any agreed upon maintenance.
  - c. The City and Ingenco agree to meet once a month, and as needed, to discuss ongoing maintenance and any issues with the gas collection system. Ingenco can make any recommendations at this monthly meeting.
3. Operational Metrics
  - a. Gas collection system vacuum shall be maintained at less than -50 inches of water but under no circumstances shall exceed -65 inches of water. Landfill fire prevention is a concern if operations occur outside these bounds.
    - i. This needs to be automated. Can we automate? **Yes**
    - ii. Ingenco will provide a data feed to monitor hill vacuum
  - b. Oxygen level must be maintained below 5% at each well.
    - i. City must make this a requirement for the monthly maintenance contractor.
  - c. Flare must be activated if generators are shut down for longer than 8 hours.
    - i. Can we automate this?
    - ii. Bristol needs to fix flare if it doesn't start
  - d. At all times, Gas wells, gas collection lines, and flare are property of the City.

4. Gas Collection System Enhancements
  - a. If any system enhancements are desired, such as new gas wells, new gas collection lines, new air lines, etc., the following litmus test must be applied: Would the system enhancements be required for the City to meet its permit if Ingenco was not there and the city was flaring all the gas?
    - i. If the answer is yes, then the city must pay for the required system improvements.
    - ii. If the answer is no, then Ingenco must pay for the system improvements.
  - b. All construction activities will be performed in accordance with the QA/QC procedures outline in the facility permit.

**II. MAINTENANCE COST-SHARING AGREEMENT (“MCSA”)**

As set forth in the draft Second Amendment, Bristol and INGENCO wish to share certain costs related to the MSA by negotiating and entering into a Maintenance Cost-Sharing Agreement (“MCSA”). Included below is a description of the understanding between Bristol and INGENCO of that allocation of costs between them as related to the MSA.

1. Costs for Ordinary Maintenance Services
  - a. Any maintenance that is required will have this litmus test applied to it: Would it be required for the city to meet its permit if Ingenco was not there and the city was flaring all the gas.
    - i. If the answer is yes, then the city must pay for the required maintenance.
    - ii. If the answer is no, then Ingenco must pay for this.
  - b. The city will cover the maintenance cost for eleven (11) gas wells and the collection system required to get the gas to the flare to satisfy permitting requirements. Any additional wells or enhancement to the collection system will be the financial responsibility of Ingenco.
    - i. If Ingenco requires 20 wells then the city’s share of maintenance costs will be 55% (11/20=0.55).
    - ii. If Ingenco requires the collection/transmission pipe to be larger than that required to flare 11 wells then Ingenco will pay the additional cost.
    - iii. If Ingenco requires improvements to a well to enhance gas production above that required to meet the permit requirements then Ingenco will pay the additional cost.
2. Maintenance required due to Negligence or Carelessness.
  - a. If either Ingenco or the City damages any part of the gas collection system, for any reason, and it needs to be repaired, the negligent party must pay for the repairs. All repairs must be done in a timely manner, or as soon as possible.

This MOU contains a list of concepts related to the MSA and the MCSA that the parties hereto agree are to be reflected in the MSA and MCSA but is not intended to be final, complete or exhaustive and may be amended from time to time. The parties agree that the concepts set forth in this MOU are non-binding and a binding commercial relationship is contingent upon the execution of: (i) that Second Amendment to the LGPA, (ii) an MSA between Bristol and a third-party service provider, and (iii) an MCSA between Bristol and INGENCO.

**City of Bristol, Virginia**

**INGENCO Renewable Development**

**By:** \_\_\_\_\_

**By:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Title:** \_\_\_\_\_

## **SECOND AMENDMENT TO THE LANDFILL GAS PURCHASE AGREEMENT**

This Second Amendment, made and entered into this [\_\_\_\_]th day of May, 2019, is by and between the City of Bristol, VA (“Bristol”) and INGENCO Renewable Development, LLC (“INGENCO”), and is intended to amend that certain Landfill Gas Purchase Agreement by and between Bristol and INGENCO, dated June 18, 2012 (the “Landfill Gas Agreement”), as amended by that Amendment to the Agreement, dated April 5, 2016 (the “First Amendment”) and further amended as set forth herein (the Landfill Gas Agreement as amended by the First Amendment and this Second Amendment is herein referred to as the “Second Amended Landfill Gas Agreement”). Capitalized terms used in this Second Amendment and not otherwise defined shall have the meanings set forth for such terms in the Landfill Gas Agreement, as amended by the First Amendment.

### **RECITALS**

**WHEREAS**, the Landfill Gas Agreement was entered into by Bristol and INGENCO on June 18, 2012;

**WHEREAS**, the Landfill Gas Agreement was amended by the First Amendment entered into on April 5, 2016;

**WHEREAS**, with respect to the INGENCO Facility, Commercial Operations Date was declared on December 18, 2015;

**WHEREAS**, the GSI Project Balance as of the execution date of this Second Amendment is seven hundred six thousand three hundred sixty-two and forty-two one-hundredth US dollars (\$706,362.42);

**WHEREAS**, with respect to the Landfill and the Gas System, Bristol desires to enter into a Maintenance Services Agreement (as defined below) to receive operations, maintenance and project management services which shall also be a Condition Precedent for certain purposes hereunder;

**WHEREAS**, with respect to the Maintenance Service Agreement, Bristol and INGENCO desire to enter into a Maintenance Cost Sharing Agreement (as defined below) to allocate costs incurred under the Maintenance Service Agreement between Bristol and INGENCO;

**WHEREAS**, as consideration for entering into this Second Amendment and subject to the Conditions Precedent hereunder, INGENCO desires to fully and forever release Bristol, and Bristol desires to be fully and forever released, from all obligations related to the GSI Project Balance;

**WHEREAS**, as consideration for entering into this Second Amendment, Bristol desires to amend the Royalty Payment percentage table as set forth in the Landfill Gas Agreement, as amended from time to time; and

**WHEREAS**, Bristol and INGENCO agree to cooperate in good-faith to effectuate certain amendments to that Renewable Standard Offer Contract (as defined below) entered into between INGENCO and the Tennessee Valley Authority.

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, Bristol and INGENCO agree to further amend the Landfill Gas Agreement as amended by the First Amendment, as follows:

1. **Condition Precedents**. For purposes of Section 5 of this Second Amendment, it shall be Conditions Precedent thereto that: (i) Bristol shall have entered into the Maintenance Service Agreement, as defined in Section 2 below; and (ii) INGENCO and TVA have amended that Renewable Standard Offer Contract, as defined in and subject to the cooperation duty as set forth in Section 6 below, with acceptance of the terms of such amendment to be within the sole discretion of INGENCO.
2. **Amendment to Section 2.2**. Section 2.2 of the Landfill Gas Agreement as amended by the First Amendment is deleted in its entirety and replaced with the following:

“2.2 Maintenance Service Agreement. At all times during the Term of this Agreement, Bristol shall be a party to an effective Maintenance Service Agreement related to its ownership and control of the Landfill and the Gas System. For purposes of this Agreement, “Maintenance Service Agreement” shall mean an agreement for the provision of operation, maintenance and project management services related to the Landfill and the Gas System and entered into between Bristol and a third-party service provider, on terms reasonably acceptable to Bristol and INGENCO.”

3. **Section 2.2.A**. A new Section 2.2.A shall be added to the Landfill Gas Agreement as amended by the First Amendment as follows:

“2.2.A Maintenance Cost Sharing Agreement. At all times during the Term of an effective Maintenance Service Agreement, Bristol and INGENCO shall each be a party to a Maintenance Cost Sharing Agreement. For purposes of this Agreement, “Maintenance Cost Sharing Agreement” shall mean an agreement between Bristol and INGENCO pursuant to which costs incurred under the Maintenance Service Agreement defined above shall be allocated between Bristol and INGENCO according to the following principles: All costs incurred under the Maintenance Service Agreement for the operation, maintenance and related projects at the Landfill and to the Gas System in the ordinary course, i.e., costs related to the ownership and operation of a landfill and gas collection system without regard to the existence of a third-party landfill purchase agreement, shall be for the account of Bristol. All costs incurred under the Maintenance Service Agreement for operation, maintenance and related projects at the Landfill and to the Gas System incremental to those incurred in the ordinary course, i.e., incremental costs related to ownership and operation of a landfill and gas collection system directly related to the existence of a third-party landfill purchase agreement, shall be for the account of INGENCO. All costs incurred under the Maintenance Service Agreement

and otherwise as the result of the negligence of a party shall be for the account of the negligent party.”

4. **Amendment to Section 2.3.** Section 2.3 of the Landfill Gas Agreement as amended by the First Amendment is amended by deleting the existing Royalty Payment percentage table set forth therein and replacing it with the following table for the purpose of calculating royalty payments:

| From LFG Flow of: (scfm) | To LFG Flow of: (scfm) | From LFG Flow of: (Dth/hour) | To LFG Flow of: (Dth/hour) | Bristol’s % of Revenue |
|--------------------------|------------------------|------------------------------|----------------------------|------------------------|
| 0                        | 499                    | 0.0                          | 15.1                       | 2.0%                   |
| 500                      | 749                    | 15.2                         | 22.7                       | 2.0%                   |
| 750                      | 999                    | 22.8                         | 30.3                       | 2.0%                   |
| 1000                     | 1249                   | 30.4                         | 37.9                       | 3.0%                   |
| 1250                     | 1499                   | 38                           | 45.5                       | 4.0%                   |
| 1500                     | 1749                   | 45.6                         | 53.1                       | 5.0%                   |
| 1750                     | 1999                   | 53.1                         | 60.7                       | 5.0%                   |
| 2000                     | 2249                   | 60.7                         | 68.3                       | 5.0%                   |
| 2250                     | 2499                   | 68.3                         | 75.9                       | 5.0%                   |
| 2500                     | And above              | 75.9                         | And above                  | 5.0%                   |

5. **GSI Project Balance Release.** Upon execution of this Second Amendment and satisfaction of the Conditions Precedent set forth in Section 1 above, INGENCO agrees to forgive, release and forever discharge Bristol from any and all repayment obligations related to the GSI Project Balance. INGENCO and Bristol agree to cooperate in the drafting, execution and filing, if necessary, of any documents or other evidence of this release of Bristol from the GSI Project Balance as may be requested by one party to the other party.
6. **Covenant to Cooperate.** Bristol agrees to cooperate with any reasonable request made by INGENCO to amend, revise and restate, as necessary, the terms and conditions of that Renewable Standard Offer Service Agreement between INGENCO and Tennessee Valley Authority dated September 26, 2012 (the “Renewable Standard Offer Contract”). Such cooperation may include, but in no way be limited to, the preparation and delivery of data evidencing the quantity of

landfill gas produced and sold by Bristol to INGENCO under the Landfill Gas Agreement as amended by the First Amendment and this Second Amendment.

7. **Multiple Counterparts.** This Second Amendment may be executed in multiple counterparts (including by facsimile transmission), each of which when executed and delivered shall be deemed to be an original for all purposes and all of which taken together shall constitute but one and the same instrument.
  
8. **Entire Agreement.** This Second Amendment constitutes the entire agreement and understanding of the parties with respect to its subject matter and supersedes all oral communication and prior writings with respect thereto.
  
9. **Warranties and Representations.** The Warranties and Representations contained in Article XIII of the Landfill Gas Agreement as amended by the First Amendment, shall be deemed to be made concurrent with the execution of and the entering into effect of this Second Amendment.
  
10. **Choice of Law.** This Second Amendment will be governed by and construed in accordance with laws of the Commonwealth of Virginia, without reference to choice of law doctrine. Each of the parties irrevocably waives all rights to trial by jury in any action or proceeding arising out of or relating to this Second Amendment.

[Signature page follows]

**In Witness Whereof**, the parties have executed this Amendment on the date first set forth above.

**City of Bristol, VA**

**INGENCO Renewable Development, LLC**

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

**BRISTOL, VIRGINIA CITY COUNCIL  
AGENDA ITEM SUMMARY**

Meeting Date: June 12, 2019  
Department: Finance  
Staff Contact: Tamrya Spradlin

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**AGENDA ITEM WORDING:**

Consider taking formal action to Commit certain funds for an Emergency Reserve Fund.

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**ITEM BACKGROUND:**

The City of Bristol, Virginia is in the process of identifying certain monies that will be separate from the General Fund Unassigned Fund Balance. Formal action by Council is required to Commit these funds. Future formal action will be required to release these funds from Committed status. This action is consistent with the City's current Fund Balance Policy. After the May 14<sup>th</sup> Council discussion, the Finance Committee revisited the potential Committed Funds and recommends this formal action to Council. \$1.4 million is available from FY18 excess funds above the City's Fund Balance policy. A super-majority (4 affirmative votes) vote of City Council will be required to release these funds from Committed status.

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**PREVIOUS RELEVANT ACTION:**

N/A

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**STAFF RECOMMENDATIONS:**

The Finance Committee recommends that Council Commit \$1,400,000 to an Emergency Reserve Account for future City needs. A super-majority vote of Council is required to release these funds from Committed status.

**DOCUMENTATION:**      Included \_\_\_\_ Not Required\_\_\_\_

**MOTION:** I move to Commit \$1,400,000 of General Fund monies to an Emergency Reserve Account. These funds can be released from Commitment by a super-majority vote of City Council.

**BRISTOL, VIRGINIA CITY COUNCIL  
AGENDA ITEM SUMMARY**

Meeting Date: June 12, 2019  
Department: Finance  
Staff Contact: Tamrya Spradlin

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**AGENDA ITEM WORDING:**

Consider taking formal action to Commit certain funds for a Debt Service Reserve.

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**ITEM BACKGROUND:**

The City of Bristol, Virginia is in the process of identifying certain monies that will be separate from the General Fund Unassigned Fund Balance and the Solid Waste Disposal Fund's Net Position. Formal action by Council is required to Commit these funds. Future formal action will be required to release these funds from Committed status. This action is consistent with the City's current Fund Balance Policy. After the May 14<sup>th</sup> Council discussion, the Finance Committee revisited the potential Committed Funds and recommends this formal action to Council. \$1,000,000 is available from the General Fund 18-19 budget. \$794,674 is available from the prior debt refinance, of which \$653,823 resides in the General Fund, \$140,851 resides in the Solid Waste Disposal Fund.

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**PREVIOUS RELEVANT ACTION:**

N/A

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**STAFF RECOMMENDATIONS:**

The Finance Committee recommends that Council Commit \$1,794,674 to a Debt Service Reserve Account. These funds will be expended in the future for debt service payments. A majority vote of Council is required to release these funds from Committed status.

**DOCUMENTATION:**      Included \_\_\_ Not Required \_\_\_\_\_

**MOTION:** I move to Commit \$1,653,823 of General Fund monies and \$140,851 of Solid Waste Disposal Fund monies to a Debt Service Reserve Account. These funds can be released from Commitment by a majority vote of City Council.

**BRISTOL, VIRGINIA CITY COUNCIL  
AGENDA ITEM SUMMARY**

Meeting Date: 6/12/19  
Department: City Clerk  
Staff Contact: Nicole Storm

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**AGENDA ITEM WORDING:**

Consider Approval of Minutes.

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**ITEM BACKGROUND:**

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**PREVIOUS RELEVANT ACTION:**

Approval of meeting minutes:

May 14, 2019 Regular Meeting  
May 28, 2019 Regular Meeting  
May 30, 2019 Called Meeting

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**STAFF RECOMMENDATIONS:**

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**DOCUMENTATION:**      Included  X       Not Required \_\_\_\_\_

**MOTION:**  I move to approve the consent agenda.

May 14, 2019

A REGULAR MEETING OF THE BRISTOL, VIRGINIA, CITY COUNCIL WAS HELD ON MAY 14, 2019 AT 6:00PM, 300 LEE STREET, BRISTOL, VIRGINIA WITH MAYOR KEVIN MUMPOWER PRESIDING. COUNCIL MEMBERS PRESENT WERE VICE MAYOR KEVIN WINGARD, ANTHONY FARNUM, WILLIAM HARTLEY, AND NEAL OSBORNE. CITY MANAGER/INTERIM CITY ATTORNEY, RANDALL EADS, AND CHIEF FINANCIAL OFFICER TAMRYA SPRADLIN WERE ALSO PRESENT.

Mayor Mumpower asked for a moment of silence, followed by the pledge of allegiance.

Mr. Hartley said that the Memorial Day service would be held on May 27<sup>th</sup> at noon in Cumberland Square Park. City Manager Randall Eads said that a joint meeting with the School Board would be held on May 30 in the School Board office.

Michael Pollard spoke about issues with trash collection and code violation issues. Jackie Nophlin spoke about the recent forum hosted by Virginia Organizing. Casey Almaroad spoke about school safety and accessibility issues. Victor Smith spoke about adding buttercups to the city ordinance about weeds.

1. Consider a Public Hearing on an Ordinance to Repeal Sections 66-46, 66-48, and 66-50 of the Code of Ordinances (Personnel).

Mayor Mumpower opened the public hearing. City Manager Randall Eads said that the city intends to repeal personnel policies that are contained in the Code of Ordinances with policies that would still require approval of council. Mayor Mumpower closed the hearing with no public comments made.

2. Consider a Public Hearing on the Sale of City-Owned Property at TBD Elbert Street.

Mayor Mumpower opened the public hearing. City Manager Randall Eads said that the city had received offers on two lots on Elbert Street at the end of the road. Mayor Mumpower closed the hearing with no public comments made.

3. Consider a Public Hearing on an Ordinance to Amend Chapter 70 of the City Code of Ordinances, Solid Waste.

Mayor Mumpower opened the public hearing. City Manager Randall Eads said that the Council had indicated they would like to see changes to the collection ordinance to clarify sections for citizens. Michael Pollard said that he hoped any revisions to the ordinance would include fair increases for all collections. Mayor Mumpower closed the hearing.

4. Consider Proclamation on National Travel and Tourism Week.

Mayor Mumpower read the proclamation.

WHEREAS travel has a positive effect on Virginia and the nation's economic prosperity and image abroad.

WHEREAS travel impacts business productivity and individual travelers' well-being.

WHEREAS travel to and within the U.S. provides significant economic benefits for the nation, generating more than \$2.5 trillion in economic output in 2018, with nearly \$1 trillion spent directly by travelers.

WHEREAS travel is among the largest private-sector employers in the U.S., supporting 15.7 million jobs in 2018 including 8.9 million directly in the travel industry and 6.8 million in other industries.

WHEREAS traveler spending directly generated tax revenues of \$171 billion for federal, state and local governments, funds used to support essential services and programs.

WHEREAS the travel and tourism industry contributed \$55.4 million to the Bristol Virginia economy, generated \$2.6 million in state tax revenues and \$1.6 million in local tax revenues and

May 14, 2019

510 jobs in Bristol, Virginia in 2017.

WHEREAS international travel to the U.S. is the nation's number one services export, and number two overall.

WHEREAS meetings, events and incentive travel are core business functions that help companies strengthen business performance, educate employees and customers and reward business accomplishments—which in turn boosts the U.S. economy. In 2018, domestic and international business travelers spent \$327.5 billion.

WHEREAS leisure travel, which accounts for more than three-quarters of all trips taken in the U.S., spurs countless benefits to travelers' health and wellness, creativity, cultural awareness, education, happiness, productivity and relationships.

WHEREAS travel is a pillar of economic growth, creating jobs at a faster rate than other sectors.

WHEREAS welcoming visitors from near and far always has been, and always will be, the enduring ethos of the travel industry and Bristol.

WHEREAS travel matters to Bristol.

Therefore, I, Mayor Mumpower, do hereby proclaim May 5-11, 2019 as National Travel and Tourism Week in Bristol, and urge the citizens of Bristol to join me and Discover Bristol in this special observance with appropriate events and commemorations.

Mr. Osborne made a motion to approve the proclamation which was seconded by Mr. Farnum. The motion carried by the following votes:

AYE: Farnum, Hartley, Osborne, Wingard, Mumpower.

Beth Rhinehart of the Chamber of Commerce thanked City Council for their support.

#### 5. Discussion on School Funding and Other Long-Term Alternatives.

City Manager Randall Eads said that City Council members had discussed a \$200,000 appropriation to the schools to begin safety and accessibility repairs, \$100,000 of which would be provided in June 2019 and the rest would be provided in July 2019. He said that the May 30 meeting would include a discussion of the long-term options to address these issues.

Mr. Farnum and Mr. Osborne agreed that this was a good first step. Mr. Wingard said he had not heard any conversation about fixing the existing buildings and that everyone needs to realize that the City is in a difficult financial position. Mr. Farnum asked about building safety vestibules at each school with the initial appropriation. Dr. Perrigan described the process for starting the work at the schools.

#### 6. Consider First Reading of the FY 2019-2020 Budget Ordinance.

City Manager Randall Eads went over the changes that were made to the recommended budget prior to the first reading, which included an appropriation to the Birthplace of Country Music museum, an increased appropriation to Discover Bristol, and funding for the Commonwealth Attorney's office.

Nancy Marney said she thought the City needed to put away at least \$1 million each year into a reserve fund.

Mayor Mumpower asked for the pleasure of council. Mr. Osborne made a motion for first reading of the budget by caption only which was seconded by Mr. Farnum.

Mr. Wingard said he did not support taking money away from building maintenance to fund outside agencies. Mayor Mumpower said that the City was not in a place to handle an economic downturn. Mayor Mumpower asked for a roll call. Council members made the following votes:

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Farnum: Yes.

Hartley: Yes.

Osborne: Absolutely yes.

Wingard: Absolutely no.

Mumpower: 100 percent fifty absolutely no.

City Manager Randall Eads read the ordinance by caption only.

**BUDGET ORDINANCE FOR FY 2019-2020**

**MAKING GENERAL FUND, COMMUNITY DEVELOPMENT BLOCK GRANT FUND, SOLID WASTE DISPOSAL ENTERPRISE FUND, CAPITAL PROJECT FUND, ASSET FORFEITURE FUND, TRANSIT ENTERPRISE FUND, SCHOOL OPERATING FUND, SCHOOL TEXTBOOK FUND, SCHOOL FOOD SERVICE FUND, SCHOOL CONSTRUCTION CAPITAL PROJECTS FUND, AND SCHOOL LOCAL CAPITAL PROJECTS FUND APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, AND ENDING JUNE 30, 2020, IN THE FOLLOWING AMOUNTS:**

**GENERAL FUND \$53,930,744**

**COMMUNITY DEVELOPMENT BLOCK GRANT FUND \$529,935**

**SOLID WASTE DISPOSAL ENTERPRISE FUND \$7,889,222**

**CAPITAL PROJECT FUND \$9,171,588**

**TRANSIT ENTERPRISE FUND \$468,607**

**ASSET FORFEITURE FUND \$102,000**

**SCHOOL OPERATING FUND \$28,228,491**

**SCHOOL TEXTBOOK FUND \$924,561**

**SCHOOL FOOD SERVICE FUND \$2,003,400**

**SCHOOL CONSTRUCTION CAPITAL PROJECTS FUND \$116,496**

**SCHOOL LOCAL CAPITAL PROJECTS FUND \$792,944**

**AND REGULATING PAYMENTS OUT OF THE CITY TREASURY; AND ALSO FIXING THE TAX RATE ON REAL AND PERSONAL PROPERTY FOR FISCAL YEAR 2020.**

SECTION 1: That the amounts named herein, aggregating \$53,930,744 are hereby appropriated from the General Fund for the use of the several departments of the City Government for the fiscal year beginning July 1, 2019, and ending June 30, 2020, as the same is set forth in the budget adopted pursuant to Section 3 hereof. That the amounts named herein, aggregating \$529,935 are hereby appropriated from the Community Development Block Grant Fund for the use of the City Government for the fiscal year beginning July 1, 2019, and ending June 30, 2020, as set forth in the budget adopted pursuant to Section 3 hereof. That the amounts named herein, aggregating \$7,889,222 are hereby appropriated from the Solid Waste Disposal Fund for the use of solid waste disposal and collection operations for the 2020 fiscal year. That the amounts named herein, aggregating \$9,171,588 are hereby appropriated from the Capital Project Fund for the use of the City Government for the fiscal year beginning July 1, 2019, and ending June 30, 2020, as set forth in the budget adopted pursuant to Section 3 hereof. That the amounts named herein, aggregating \$468,607 are hereby appropriated from the Transit Fund for the use of the City Government for the fiscal year beginning July 1, 2019, and ending June 30, 2020, as set forth in the budget adopted pursuant to Section 3 hereof. That the amounts named herein, aggregating \$102,000 are hereby appropriated from the Asset Forfeiture Fund for the use of the City Government for the fiscal year beginning July 1, 2019, and ending June 30, 2020, as set forth in the budget adopted pursuant to Section 3 hereof. That the amounts named herein, aggregating \$32,065,892 are hereby appropriated from School Funds for the use of general operations, textbook, food service and capital projects for the 2020 fiscal year.

SECTION 2: That the rate of taxation on Real Estate Property be fixed at \$1.17 (One Dollar and Seventeen Cents) on the hundred dollars assessed valuation for the Tax Year 2019 of Fiscal Year 2019-2020. That the rate of taxation on Personal Property for Automobiles, Trucks, and Horse Trailers, be fixed at \$2.60 (Two Dollars and Sixty Cents) on the hundred dollars assessed valuation for the Tax Year 2019 of Fiscal Year 2019-2020 and an assessment ratio of 100%. The rate of taxation for Machinery and Tools and all other personal property, be fixed at \$7.00 (Seven Dollars and No Cents) on the hundred dollars assessed valuation for the Tax Year 2019 of Fiscal Year 2019-2020, and an assessment ratio of 12%. This is in order to secure the amount necessary to carry out the provisions of this budget.

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SECTION 3: That the annual budget heretofore presented to City Council by the City Manager as the same has been amended in the various workshops of the City Council and as the same, is in its final form attached hereto, is hereby adopted by City Council and incorporated in this budget ordinance by reference pursuant to Section 10.04 of the City Charter.

SECTION 4: Upon the recommendation of the City Manager and approval of the City Council, the Chief Financial Officer may thereafter transfer a balance appropriated but unused for one purpose for the current fiscal year to another purpose or object for which the appropriations for said purpose or object for the current year have proven insufficient, even though that requires transferring said funds from one department of the City to another. The City Manager may transfer funds appropriated for Contingency purposes to other departments as the City Manager deems necessary. The Chief Financial Officer may, upon authorization of the City Manager, transfer funds between line items appropriated within the same department or office to meet unexpected obligations within the same department or office.

SECTION 5: This ordinance to take effect July 1, 2019, the best interests of the City requiring it.

7. Consider Approval of Offer Received for TBD Elbert Street.

City Manager Randall Eads said that an offer had been received for \$15,000 for the two lots on Elbert Way. Mr. Osborne made a motion to accept the offer. Mr. Farnum seconded the motion. Mr. Wingard asked about the tax assessment of the two lots. Mr. Wingard asked that the city look at the list prices of all city-owned property for sale. Mayor Mumpower asked for a roll call vote.

AYES: Farnum, Hartley, Osborne, Wingard, Mumpower.

8. Consider Appointment to Virginia Highlands Community College Board.

Mr. Osborne made a motion that Beth Rhinehart be reappointed to the Virginia Highlands Community College Board, which was seconded by Mr. Hartley. The motion carried by the following votes:

AYES: Farnum, Hartley, Osborne, Wingard, Mumpower.

9. Quarterly Financial Update.

Chief Financial Officer Tamrya Spradlin presented a financial update for the quarter ending 3/31/19.

CONSENT AGENDA

- 10.1 Consider Approval of Minutes  
April 16, 2019 Called Meeting  
April 23, 2019 Regular Meeting

10.2 Consider a supplemental appropriation of \$896,855 to the FY19 Budget per the Items Listed Below.

Animal Control

Appropriate the proceeds from a donation to animal control.

|             |                  |                                |      |
|-------------|------------------|--------------------------------|------|
| Expenditure | 4-001-35010-6014 | Operating Supplies & Materials | \$50 |
| Revenue     | 3-001-18040-0001 | Donations & Gifts              | \$50 |

VDOT Reimbursed Maintenance

Appropriate additional VDOT state funding for FY19 for eligible street and highway maintenance expenditures.

|             |                  |                                    |           |
|-------------|------------------|------------------------------------|-----------|
| Expenditure | 4-001-41020-3310 | Maintenance of Building & Property | \$300,000 |
| Revenue     | 3-001-24010-0006 | Street and Highway Maintenance     | \$300,000 |

Parks & Recreation – Operations

Appropriate funds received from the sale of equipment to purchase needed equipment.

May 14, 2019

|             |                  |                                   |         |
|-------------|------------------|-----------------------------------|---------|
| Expenditure | 4-001-71010-8106 | Operational & Construction Equip. | \$6,805 |
| Revenue     | 3-001-18020-0005 | Sale of Equipment                 | \$6,805 |

Clear Creek Golf Course

Appropriate funds received from the Membership Marketing Campaign to pay for the marketing program and related expenditures.

|             |                  |                                 |          |
|-------------|------------------|---------------------------------|----------|
| Expenditure | 4-001-71040-3145 | Professional Services-Marketing | \$90,000 |
| Revenue     | 3-001-16065-0001 | Membership & Green Fees         | \$90,000 |

Capital Projects Fund – Lee Highway Widening Phase 2

Appropriate additional project expenditures due to the timing of the project. These expenditures are 100% VDOT funded.

|             |                  |                                  |           |
|-------------|------------------|----------------------------------|-----------|
| Expenditure | 4-009-95755-8112 | Other Improvements or Construct. | \$500,000 |
| Revenue     | 3-009-24030-0101 | VDOT Lee Hwy Widening Phase 2    | \$500,000 |

10.3 Consider budget transfers for specific items listed below:

Capital Projects – Fleet Maintenance

Approve the transfer of budgeted funds from Public Works to Fleet Maintenance in the Capital Projects fund. These funds were originally appropriated to Public Works for the purchase of the new city fuel tank. This expenditure is more accurately charged to Fleet Maintenance for the purchase of the fuel tank.

|          |                  |                    |           |
|----------|------------------|--------------------|-----------|
| Increase | 4-009-41050-8112 | Other Improvements | \$200,000 |
| Decrease | 4-009-41010-8101 | Other Equipment    | \$200,000 |

10.4 Consider purchase requisitions totaling \$38,308.00.

|                                                  |          |
|--------------------------------------------------|----------|
| Solid Waste Disposal Fund; Professional Services | \$19,900 |
| Clear Creek Golf; Professional Services          | \$18,408 |

Mr. Wingard made a motion to approve the consent agenda, which was seconded by Mr. Osborne. The motion carried by the following votes:

AYES: Farnum, Hartley, Osborne, Wingard, Mumpower.

There being no other business, the meeting was adjourned.

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\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

May 28, 2019

A REGULAR MEETING OF THE BRISTOL, VIRGINIA, CITY COUNCIL WAS HELD ON MAY 28, 2019 AT 6:00PM, 300 LEE STREET, BRISTOL, VIRGINIA WITH MAYOR KEVIN MUMPOWER PRESIDING. COUNCIL MEMBERS PRESENT WERE VICE MAYOR KEVIN WINGARD, ANTHONY FARNUM, WILLIAM HARTLEY, AND NEAL OSBORNE. CITY MANAGER/INTERIM CITY ATTORNEY, RANDALL EADS, AND CHIEF FINANCIAL OFFICER TAMRYA SPRADLIN WERE ALSO PRESENT.

Mayor Mumpower asked for a moment of silence, followed by the pledge of allegiance.

Mayor Mumpower said that there would be a joint meeting with the School Board on Thursday, May 30<sup>th</sup> at the school board offices. Mr. Farnum spoke about the importance of citizen engagement to address problems in the city.

Mayor Mumpower asked to hear about the City Manager's recent economic development trip. City Manager Randall Eads said that city staff attended the International Council of Shopping Centers show to try to recruit businesses for The Falls development and to learn more about retail development across the country.

City Manager Randall Eads also said that the first June meeting would be held on Wednesday June 12<sup>th</sup> due to the primary election on June 11<sup>th</sup>. He also said that city staff has met with VDOT and TDOT about the Piedmont Avenue bridge replacement and the discovery of a colony of endangered bats under the structure.

David Hill spoke about growing deer populations in the city limits and asked Council to consider allowing bow hunting of deer.

*Jordan Pennington, Chair, called the Planning Commission to order.*

1. Consider a Joint Public Hearing on a proposed Zoning Amendment to add new Section 50-177 (Campground and RV Park Standards); revise existing Section 50-109 (b); and add Definitions to Section 50-28.

Mayor Mumpower opened the public hearing. Planning Commission Chair opened the public hearing. City Planner Sally Morgan gave an overview of the proposed standards. Mayor Mumpower asked if Sugar Hollow Park was in compliance with the proposed standards. Ms. Morgan said that as a city operated campground, it was not subject to the proposed standards. Mayor Mumpower asked that the Planning Commission review Sugar Hollow Campground to make sure that there were no safety issues. Mayor Mumpower closed the hearing with no comments made. Planning Commission Chair closed the public hearing.

*Jordan Pennington, Chair, adjourned the Planning Commission to order.*

2. Consider First Reading of an Ordinance to Repeal Sections 66-46, 66-48, and 66-50 of the City Code of Ordinances.

City Manager Randall Eads said that the repealed sections would be replaced with policies approved by Council that would be part of the employee handbook. The new policies would address discrepancies in the definition of a "workday" for staff across city departments.

Mr. Hartley made a motion for first reading of the ordinance, which was seconded by Mr. Osborne. The motion carried by the following votes:

AYES: Farnum, Hartley, Osborne, Wingard, Mumpower.

City Manager Randall Eads read the ordinance:

Ordinance 19-5

BE IT ORDAINED by the City Council for the City of Bristol, Virginia has repealed sections 66-46, 66-48, and 66-50 of the City Code of Ordinances, related to personnel.

~~Sec. 66-46. Annual leave.~~

May 28, 2019

~~(a) Provision of credits. (1) Annual leave credits for regular, full-time employees, hired before January 1, 2014, who have not opted to participate in the hybrid retirement plan, and all employees eligible to receive enhanced retirement benefits in hazardous duty positions, and all employees hired on or after January 1, 2014, with Virginia Retirement System creditable services, shall be provided for each completed calendar month of service at the rate of one work day for employees with less than five full years of continuous service, 1¼ work days for employees with five or more full years of continuous service, and 1½ work days for employees with ten or more full years of continuous service. Annual leave credits may be accumulated not to exceed, at the date of separation or at the end of any fiscal year, 24 work days for employees with less than five full years of service, 30 work days for employees with five or more full years of service and 36 work days for employees with ten or more full years of service. (2) All full-time employees hired on or after January 1, 2014, and employees hired before January 1, 2014, who have opted to participate in the hybrid retirement plan, with the exception of employees eligible for enhanced retirement benefits in hazardous duty positions and employees hired with Virginia Retirement Service creditable service, shall receive annual leave as set forth in the applicable City of Bristol Human Resources policy. Any and all future changes to paid time off shall be subject to city council approval. (b) Use of credits. The annual leave credits provided may be used, at the option of the employee, to provide paid absences for vacation and other personal purposes (including sickness) or for absences in excess of credits available for other kinds of leave. However, as a matter of policy, a major portion of annual leave should be used at one time in a course of a 12-month period. (1) No annual leave credit shall be provided for service less than a full semimonthly pay period or 15 calendar days, whichever is the lesser; the credit for a full semimonthly pay period or more than 15 calendar days but less than one calendar month shall be one-half a work day. (2) No annual leave credit shall be provided during any period of absence immediately following an absence of 60 calendar days. (Code 1966, § 2-13.1; Ord. No. 14.01, 2-11-14)~~

~~Sec. 66-48.— Sick leave. —~~

~~(a) Provision of credits. (1) Sick leave credits for regular full-time employees, hired before January 1, 2014, who have not opted to participate in the hybrid retirement plan, and all employees eligible to receive enhanced retirement benefits in hazardous duty positions, and all employees hired on or after January 1, 2014, with Virginia Retirement System creditable services, shall be provided at the rate of 1¼ days for each calendar month of service completed. No sick leave credit shall be provided for service less than a full semimonthly pay period or 15 calendar days, whichever is the lesser period, in a month; the credit for a full semimonthly pay period or more than 15 calendar days but less than one calendar month shall be one-half a workday. No sick leave credit shall be provided during any period of absence immediately following an absence of 60 calendar days. In case of illness or injury which is not compensable under the Virginia Workers' Compensation Act (Code of Virginia, § 65.2-100 et seq., as amended, repealed, reenacted or recodified from time to time), the city manager may grant additional credits beyond what the employee has accumulated; provided, however, that it is clearly established that the illness or injury was contracted in the course and by reason of the performance of duties assigned to the employee. (2) All full-time employees hired on or after January 1, 2014, and employees hired before January 1, 2014, who have opted to participate in the hybrid retirement plan, with the exception of employees eligible for enhanced retirement benefits in hazardous duty positions and employees hired with Virginia Retirement Service creditable service, shall receive sick leave as set forth in the applicable City of Bristol Human Resources policy. Any and all future changes to paid time off shall be subject to city council approval. (b) Use of credits. (1) Verification. The justification for any sick leave use shall be subject to verification by the department director concerned and the city manager by requirement of a certificate of a physician, describing the disability, stating that the employee was unable by reason of his disability to be on duty during the entire period covered by the application and, where extended absence is indicated, the probable duration of the disability. For any absence in excess of 60 work days within a 12-month period such a certificate must be provided and filed with the city manager at the end of the 60 days and monthly thereafter. (2) Justifications. Leave credit may be used for authorized absences as follows: a. Personal illness or injury incapacitating the employee from performing his duties. b. Exposure to a contagious disease which jeopardizes the health of others. c. Appointment for examination and treatment related to health when such appointment cannot reasonably be scheduled during non-work hours. d. Illness or death in the immediate family requiring the attendance of the employee. "Family of an employee" shall be regarded as parents, wife, husband, child, brother, sister or any other relatives living in the household of the employee. e. Pregnancy, miscarriage, abortion or childbirth incapacitating the~~

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~~employee [from performing her duties].  
(Code 1966, § 2-13.2; Ord. No. 08-04, 2-12-08; Ord. No. 14.01, 2-11-14)~~

~~Sec. 66-50.— Compensatory leave.—~~

~~(a) Compensatory leave may be granted to any regular full-time employee for all authorized overtime work on an hour-for-hour basis. This applies to work overtime on rest days and holidays. Compensatory leave shall not be granted merely to permit an employee to do regular work which, because of an excessive volume of work, could not be performed in regular working hours. All compensatory leave shall be taken within 12 months of the date on which it was earned. (b) Whenever a holiday, as provided in section 66-41, falls on a nonworking day other than Sunday, such day shall be included in computing the employee's compensatory leave.  
(Code 1966, § 2-13.4)~~

3. Consider Second Reading and Adoption of the FY 2019-2020 Budget Ordinance.

City Manager Randall Eads said that the budget presented includes the changes that were recommended by a consensus of Council at the prior meeting. Mr. Osborne made a motion for second reading of the ordinance. Mr. Farnum seconded the motion. With no discussion, the motion was carried by the following votes:

AYES: Farnum, Hartley, Osborne.  
NO: Wingard, Mumpower.

City Manager Randall Eads read the ordinance by caption only:

**BUDGET ORDINANCE FOR FY 2019-2020  
MAKING GENERAL FUND, COMMUNITY DEVELOPMENT BLOCK GRANT FUND,  
SOLID WASTE DISPOSAL ENTERPRISE FUND, CAPITAL PROJECT FUND, ASSET  
FORFEITURE FUND, TRANSIT ENTERPRISE FUND, SCHOOL OPERATING FUND,  
SCHOOL TEXTBOOK FUND, SCHOOL FOOD SERVICE FUND, SCHOOL  
CONSTRUCTION CAPITAL PROJECTS FUND, AND SCHOOL LOCAL CAPITAL  
PROJECTS FUND APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY  
1, 2019, AND ENDING JUNE 30, 2020, IN THE FOLLOWING AMOUNTS:  
GENERAL FUND \$53,930,744  
COMMUNITY DEVELOPMENT BLOCK GRANT FUND \$529,935  
SOLID WASTE DISPOSAL ENTERPRISE FUND \$7,889,222  
CAPITAL PROJECT FUND \$9,171,588  
TRANSIT ENTERPRISE FUND \$468,607  
ASSET FORFEITURE FUND \$102,000  
SCHOOL OPERATING FUND \$28,228,491  
SCHOOL TEXTBOOK FUND \$924,561  
SCHOOL FOOD SERVICE FUND \$2,003,400  
SCHOOL CONSTRUCTION CAPITAL PROJECTS FUND \$116,496  
SCHOOL LOCAL CAPITAL PROJECTS FUND \$792,944  
AND REGULATING PAYMENTS OUT OF THE CITY TREASURY; AND ALSO  
FIXING THE TAX RATE ON REAL AND PERSONAL PROPERTY FOR FISCAL  
YEAR 2020.**

**SECTION 1:** That the amounts named herein, aggregating \$53,930,744 are hereby appropriated from the General Fund for the use of the several departments of the City Government for the fiscal year beginning July 1, 2019, and ending June 30, 2020, as the same is set forth in the budget adopted pursuant to Section 3 hereof. That the amounts named herein, aggregating \$529,935 are hereby appropriated from the Community Development Block Grant Fund for the use of the City Government for the fiscal year beginning July 1, 2019, and ending June 30, 2020, as set forth in the budget adopted pursuant to Section 3 hereof. That the amounts named herein, aggregating \$7,889,222 are hereby appropriated from the Solid Waste Disposal Fund for the use of solid waste disposal and collection operations for the 2020 fiscal year. That the amounts named herein, aggregating \$9,171,588 are hereby appropriated from the Capital Project Fund for the use of the City Government for the fiscal year beginning July 1, 2019, and ending June 30, 2020, as set forth in the budget adopted pursuant to Section 3 hereof. That the amounts named herein, aggregating \$468,607 are hereby appropriated from the Transit Fund for the use of the City Government for the fiscal year beginning July 1, 2019, and ending

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June 30, 2020, as set forth in the budget adopted pursuant to Section 3 hereof. That the amounts named herein, aggregating \$102,000 are hereby appropriated from the Asset Forfeiture Fund for the use of the City Government for the fiscal year beginning July 1, 2019, and ending June 30, 2020, as set forth in the budget adopted pursuant to Section 3 hereof. That the amounts named herein, aggregating \$32,065,892 are hereby appropriated from School Funds for the use of general operations, textbook, food service and capital projects for the 2020 fiscal year.

**SECTION 2:** That the rate of taxation on Real Estate Property be fixed at \$1.17 (One Dollar and Seventeen Cents) on the hundred dollars assessed valuation for the Tax Year 2019 of Fiscal Year 2019-2020. That the rate of taxation on Personal Property for Automobiles, Trucks, and Horse Trailers, be fixed at \$2.60 (Two Dollars and Sixty Cents) on the hundred dollars assessed valuation for the Tax Year 2019 of Fiscal Year 2019-2020 and an assessment ratio of 100%. The rate of taxation for Machinery and Tools and all other personal property, be fixed at \$7.00 (Seven Dollars and No Cents) on the hundred dollars assessed valuation for the Tax Year 2019 of Fiscal Year 2019-2020, and an assessment ratio of 12%. This is in order to secure the amount necessary to carry out the provisions of this budget.

**SECTION 3:** That the annual budget heretofore presented to City Council by the City Manager as the same has been amended in the various workshops of the City Council and as the same, is in its final form attached hereto, is hereby adopted by City Council and incorporated in this budget ordinance by reference pursuant to Section 10.04 of the City Charter.

**SECTION 4:** Upon the recommendation of the City Manager and approval of the City Council, the Chief Financial Officer may thereafter transfer a balance appropriated but unused for one purpose for the current fiscal year to another purpose or object for which the appropriations for said purpose or object for the current year have proven insufficient, even though that requires transferring said funds from one department of the City to another. The City Manager may transfer funds appropriated for Contingency purposes to other departments as the City Manager deems necessary. The Chief Financial Officer may, upon authorization of the City Manager, transfer funds between line items appropriated within the same department or office to meet unexpected obligations within the same department or office.

**SECTION 5:** This ordinance to take effect July 1, 2019, the best interests of the City requiring it.

Mayor Mumpower asked for the pleasure of Council to adopt the ordinance. Mr. Osborne made a motion for final adoption of the ordinance, which was seconded by Mr. Farnum. Mr. Hartley said he appreciated the work of the City Manager and other staff on the budget and he was glad to have it completed in such a timely manner. Mr. Farnum said he felt the raises for employees was important. Mayor Mumpower said he did not feel comfortable with the budget. The motion carried by the following votes:

AYES: Farnum, Hartley, Osborne.

NO: Wingard, Mumpower.

4. Consider Approval of CDBG Annual Action Plan.

CDBG Coordinator Ellen Tolton gave an overview of the proposed CDBG action plan which includes \$65,000 for ADA improvements at Stonewall Jackson Elementary School. Mr. Osborne asked about options for providing funds to Girls, Inc. Mr. Hartley moved to accept the plan as presented, which was seconded by Mr. Osborne. The motion carried by the following votes:

AYES: Farnum, Hartley, Osborne, Wingard, Mumpower.

5. Consider Approval of Fire Department Grant and Ambulance Purchase.

City Manager Randall Eads said that the city had received grant funds that would cover 50% of the cost for a new ambulance and cot system, which would allow the city to put the older, used ambulance purchased last year into service as a back-up/secondary ambulance. Mr. Eads said that the balance of the cost would be covered by Fire Department funds available in the current fiscal year.

Mr. Osborne made a motion to approve, which was seconded by Mr. Farnum. Mayor Mumpower asked if the city had studied the ambulance venture to make sure we were getting the expected results. Captain Gary Russell answered questions about ambulance service and protocols in place with the Bristol Life Saving Crew. Following the discussion, Mayor Mumpower asked for a roll

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call vote. The motion carried by the following votes:

AYES: Farnum, Hartley, Osborne, Wingard, Mumpower.

6. Consider Release of Performance Agreement with Oakmont, LLC.

City Manager Randall Eads said that Oakmont, LLC had approached the city about getting an early release from their performance agreement as all obligations had been met with the exception of remaining in business through 2021. Mr. Eads said that based on their track record, he does not feel they will be leaving the city any time soon and recommends release from the agreement.

Mr. Hartley made a motion to release Oakmont from their performance agreement, which was seconded by Mr. Osborne.

Mr. Farnum thanked them for doing business in the City of Bristol, Virginia. Mayor Mumpower commended their work and asked for a roll call on the motion. The motion to approve carried by the following votes:

AYES: Farnum, Hartley, Osborne, Wingard, Mumpower.

7. Discussion of Personnel Policies.

City Manager Randall Eads said that Council would have the opportunity to review draft personnel policies that would replace the current

8. Discussion of Ingenco Contract Amendments and Assignment Agreement with TVA.

City Manager Randall Eads said that city staff is negotiating a new contract with Ingenco for their work at the landfill. The new contract removes some liability from the City and will require approval from BVU and TVA before it becomes effective.

CONSENT AGENDA

9.1 Consider Approval of Minutes  
April 30, 2019 Called Meeting

- 9.2 Consider street closure request for the Red, White and Bristol Block Party.
- 9.3 Consider street closure request for July 4 events and parade.
- 9.4 Consider street closure requests for Border Bash events.
- 9.5 Consider street closure request for the 2019 Antique Automobile Club of America car show.

9.6 Consider a supplemental appropriation of **\$100,099** to the FY19 Budget per the Items Listed Below.

**City Treasurer**

Appropriate the proceeds of a refund received for postage.

|             |                  |                           |      |
|-------------|------------------|---------------------------|------|
| Expenditure | 4-001-12070-5210 | Postage                   | \$74 |
| Revenue     | 3-001-19010-0033 | Recovered Costs-Treasurer | \$74 |

**Fire Department**

Appropriate a donation received to operating supplies.

|             |                  |                                |      |
|-------------|------------------|--------------------------------|------|
| Expenditure | 4-001-32010-6014 | Operating supplies & materials | \$25 |
| Revenue     | 3-001-18040-0002 | Donations & Gifts-Fire Dept.   | \$25 |

**School Transfer**

Appropriate interest funds received to the School Local Capital Projects Fund.

|             |                  |                               |           |
|-------------|------------------|-------------------------------|-----------|
| Expenditure | 4-001-61010-9205 | School Transfers-Capital Fund | \$100,000 |
| Revenue     | 3-001-15010-0001 | Interest on Bank Deposits     | \$100,000 |

May 28, 2019

Capital Projects – Fleet Maintenance

Approve the transfer of budgeted funds from Public Works to Fleet Maintenance in the Capital Projects fund. These funds were originally appropriated to Public Works for the purchase of the new city fuel tank. This expenditure is more accurately charged to Fleet Maintenance for the purchase of the fuel tank.

|          |                  |                    |           |
|----------|------------------|--------------------|-----------|
| Increase | 4-009-41050-8112 | Other Improvements | \$200,000 |
| Decrease | 4-009-41010-8101 | Other Equipment    | \$200,000 |

9.7 Consider purchase requisitions totaling \$92,396.20.

|                                             |             |
|---------------------------------------------|-------------|
| Sheriff's Office; Inmate Housing April 2019 | \$61,000    |
| Public Works; Cabela Drive Extension        | \$31,396.20 |

9.8 Consider Approval of Request to Rename Highland View Park to Richard J. Fisher Field.

Mayor Mumpower asked for the pleasure of council on the consent agenda. Mr. Osborne made a motion to approve which was seconded by Mr. Farnum. Mr. Hartley and Mayor Mumpower commented on the renaming of the field. The motion by Mr. Osborne was carried by the following votes:

AYES: Farnum, Hartley, Osborne, Wingard, Mumpower.

There being no other business, the meeting was adjourned.

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City Clerk

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Mayor

May 30, 2019

A CALLED MEETING OF THE BRISTOL, VIRGINIA, CITY COUNCIL AND BRISTOL, VIRGINIA SCHOOL BOARD WAS HELD ON MAY 30, 2019 AT 6:00PM, 220 LEE STREET, BRISTOL, VIRGINIA WITH MAYOR KEVIN MUMPOWER PRESIDING. COUNCIL MEMBERS PRESENT WERE VICE MAYOR KEVIN WINGARD, ANTHONY FARNUM, WILLIAM HARTLEY, AND NEAL OSBORNE. CITY MANAGER/INTERIM CITY ATTORNEY, RANDALL EADS, AND CHIEF FINANCIAL OFFICER TAMRYA SPRADLIN WERE ALSO PRESENT. BRISTOL VIRGINIA SCHOOL BOARD MEMBERS AND STAFF WERE ALSO IN ATTENDANCE.

The meeting began with public comment. Ryan Anderson of Project REAL and Virginia Organizing spoke about ADA accessibility issues and the timeline once renovations began.

Following public comment, City Council and the School Board participated in a lengthy, moderated discussion of school safety and accessibility issues which was moderated by Dr. Carol Cash.

City Council agreed to look at financing options that would be feasible in the short-term, mid-term, and long-term to meet school safety and accessibility needs. The School Board agreed to develop a transition plan after City Council identifies potential funds. Both bodies agreed to a follow up meeting on July 1, 2019.

There being no other business, the meeting was adjourned.

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City Clerk

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Mayor

**BRISTOL, VIRGINIA CITY COUNCIL  
AGENDA ITEM SUMMARY**

Meeting Date: June 12, 2019  
Department: Transit/Special Events  
Staff Contact: Jay Detrick

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**AGENDA ITEM WORDING:**

Consider a Street Closure Request for the Annual Food City Race Night.

---

**ITEM BACKGROUND:**

After one year of holding the event at Bristol Motor Speedway, Food City is again requesting to close downtown streets for the Annual Food City Race Night. The traffic control plan showing the limits of the closure and detour information is attached.

The streets being requested are State Street from Commonwealth Avenue to Martin Luther King Jr. Blvd, Carter Family Way, Stoneman Family Drive, Piedmont Avenue, Moore Street, Lee Street, and Cumberland Street. The event will take place from 1:00 PM to 9:00 PM on August 14, 2019 but the closure request is from 5:30 AM to approximately 12:00 AM to allow for set up and clean up afterwards.

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**PREVIOUS RELEVANT ACTION:**

This request was approved annually for 28 years. Last year the event was held at Bristol Motor Speedway.

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**Staff Recommendations:**

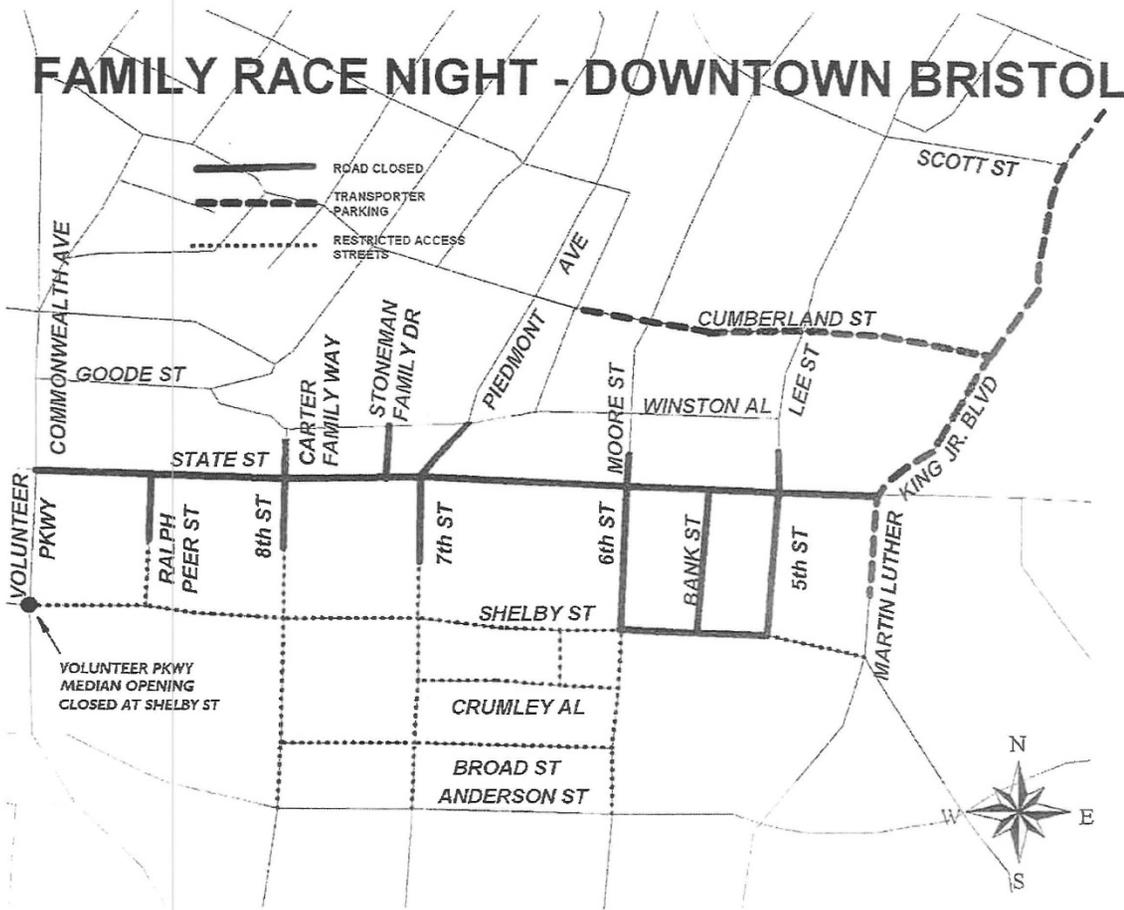
Staff recommends the street closure be approved as requested.

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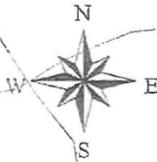
**DOCUMENTATION:**      Included   X                Not Required     

**MOTION:** I move to approve all items on the consent agenda as presented.

# FAMILY RACE NIGHT - DOWNTOWN BRISTOL



*Our Mission . . . providing the best in municipal services.*



**BRISTOL, VIRGINIA CITY COUNCIL  
AGENDA ITEM SUMMARY**

Meeting Date: June 12, 2019  
Department: Finance  
Staff Contact: Tamrya Spradlin

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**AGENDA ITEM WORDING:** Consider a supplemental appropriation of **\$986** to the FY19 Budget per the Items Listed Below.

**City Sheriff**

Appropriate the proceeds from sales of Inmate Holiday Packs.

|             |                  |                                |       |
|-------------|------------------|--------------------------------|-------|
| Expenditure | 4-001-33010-6014 | Operating Supplies & Materials | \$886 |
| Revenue     | 3-001-16090-0004 | Inmate Holiday Revenue         | \$886 |

**Police Department**

Appropriate restitution monies received to Maintenance of Machinery & Equipment.

|             |                  |                                  |       |
|-------------|------------------|----------------------------------|-------|
| Expenditure | 4-001-31010-3320 | Maintenance of Machinery & Equip | \$100 |
| Revenue     | 3-001-19010-0009 | Recovered Costs-Police Dept.     | \$100 |

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**ITEM BACKGROUND:**

On June 12, 2018, the Bristol Virginia City Council adopted the FY19 Budget. The above items are an additional appropriation to the original budget.

---

**PREVIOUS RELEVANT ACTION:**

June 12, 2018, the adoption of the FY19 Budget

---

**STAFF RECOMMENDATIONS:**

Staff recommends that Council approve the supplemental appropriation as listed.

**DOCUMENTATION:**      Included   X                Not Required \_\_\_\_\_

**MOTION:**



# Sheriff's Office

417 CUMBERLAND STREET  
CITY OF BRISTOL, VIRGINIA 24201  
(276) 645-7430

David H. Maples  
Sheriff



TO: Tamrya Spradlin, CFO

FROM: Bristol Virginia Sheriff's Office – David H. Maples, Sheriff

RE: Supplemental Budget Appropriation Request FY 2018-2019

DATE: 5/20/2019

We are requesting that the following budget supplemental appropriation be presented and approved at the next Council meeting.

Reason for request – Revenue generated through Inmate Holiday Packs that will be used to purchase equipment and supplies.

Amount: \$885.32

Revenue: 3-001-16090-0004 *CJ0004*

Expenditure: 4-001-33010-6014

Signature:

Access Securepak

BRISTOL CITY JAIL

18434

Check No: 215780

Date: 05/13/2019

| Invoice Number    | Invoice Date | PO Number | Description | Invoice Amount | Discount Taken | Amount Paid |
|-------------------|--------------|-----------|-------------|----------------|----------------|-------------|
| April 2019 REBATE | 05/08/2019   | UNMATCHED |             | 885.32         | .00            | 885.32      |
|                   |              |           |             |                | Total          | 885.32      |

3-001-16090-0004  
CJ0004

DOCUMENT IS PRINTED ON CHEMICALLY REACTIVE PAPER - THE BACK OF THIS DOCUMENT INCLUDES A TAMPER EVIDENT CHEMICAL WASH WARNING BOX

**Access Securepak**  
10880 Linpage Place  
Saint Louis, MO 63132

COMMERCE BANK  
8000 Forsyth Boulevard  
St. Louis, MO 63105-1797

Check 215780

18-1/1010

Date: 05/13/2019

\$\*\*\*\*\*885.32

PAY Eight Hundred Eighty-Five Dollars And Thirty-Two Cents\*\*\*\*\*

TO THE ORDER OF  
BRISTOL CITY JAIL  
417 CUMBERLAND ST  
Bristol, VA 24201

*Carmel L. Pignal*

Authorized Signature

\*\*Void after 45 days



This Check Clears Positive Pay



# CITY OF BRISTOL VIRGINIA POLICE DEPARTMENT



**John S. Austin**  
Chief of Police

501 Scott Street, Bristol, Virginia 24201 (276) 645-7400  
E-Mail: [bvacop@bristolva.org](mailto:bvacop@bristolva.org) Fax: (276) 645-7405

May 15, 2019

TO: Tamrya Spradlin  
Chief Financial Officer

RE: Funds Deposit Request  
BVPD - CR2017-019178

I respectfully request that the funds from Juvenile and Domestic Relations Court check #5270 (attached) for \$100.00 be placed in 31010-3320. This is restitution for damage to one of our cruisers in case #JJ008323-03-00 (Briar Gage Stephens).

Thank you for your consideration in this matter.

  
John S. Austin  
Chief of Police

JSA/bt

attachment

MAY 16 2019

3-001-19010-  
0009  
LR0009

THIS CHECK IS VOID WITHOUT A COLORED BORDER AND WATERMARK ON THE BACK. HOLD AT AN ANGLE TO VIEW.

JUVENILE AND DOMESTIC RELATIONS COURT  
497 CUMBERLAND STREET  
BRISTOL, VA 24201

WELLS FARGO BANK, N.A.

68-54/514

DATE MAY 14, 2019

PAY TO THE ORDER OF BRISTOL VA POLICE DEPARTMENT

\$ 100.00

ONE HUNDRED AND 00/100\*\*\*\*\*

DOLLARS

  
AUTHORIZED SIGNATURE

MEMO JJ008323-03-00

JUVENILE AND DOMESTIC RELATIONS COURT  
Check issued to : BRISTOL VA POLICE DEPARTMENT

5270

Check issued on : MAY 14, 2019

Check Amount : 100.00

ONE HUNDRED AND 00/100\*\*\*\*\*

**This check issued for the following reason:**

PAY OUT RESTITUTION ACCOUNT FUNDS : JJ008323-03-00

Memorandum data: DEF: STEPHENS, BRIAR GAGE

: RECIPIENT 01

:

BRISTOL VA POLICE DEPARTMENT  
501 SCOTT STREET  
BRISTOL, VA 24201

**BRISTOL, VIRGINIA CITY COUNCIL  
AGENDA ITEM SUMMARY**

Meeting Date: June 12, 2019  
Department: Finance  
Staff Contact: Tamrya Spradlin

---

**AGENDA ITEM WORDING:** Consider budget transfers for specific items listed below:

**Department of Social Services**

Approve the transfer of budgeted funds from vacancy insurance savings to the Department of Social Services.

|          |                  |                                    |          |
|----------|------------------|------------------------------------|----------|
| Decrease | 4-001-31010-2310 | Health Dental Insurance            | \$60,000 |
| Increase | 4-001-53010-8101 | Bldgs/Other Construction/Fix Equip | \$60,000 |

---

**ITEM BACKGROUND:**

On June 12, 2018, the Bristol Virginia City Council adopted the FY19 Budget. The above items are transfers within the General Fund, between departments, that require Council approval.

**PREVIOUS RELEVANT ACTION:**

June 12, 2018, the adoption of the FY19 Budget

---

**STAFF RECOMMENDATIONS:**

Staff recommends that Council approve the budget transfers as listed.

---

**DOCUMENTATION:**      Included   X        Not Required \_\_\_\_\_

**MOTION:**

**BRISTOL, VIRGINIA CITY COUNCIL  
AGENDA ITEM SUMMARY**

Meeting Date: June 12, 2019  
Department: Finance  
Staff Contact: Tamrya Spradlin

---

**AGENDA ITEM WORDING:** Reverse budget transfer that was erroneously presented twice. It was originally presented at the May 14, 2019 meeting. It was also listed on the May 28, 2019 agenda by my error.

**Reverse of Previous Transfer  
Capital Projects – Fleet Maintenance**

Approve the transfer of budgeted funds from Public Works to Fleet Maintenance in the Capital Projects fund. These funds were originally appropriated to Public Works for the purchase of the new city fuel tank. This expenditure is more accurately charged to Fleet Maintenance for the purchase of the fuel tank.

|          |                  |                    |           |
|----------|------------------|--------------------|-----------|
| Decrease | 4-009-41050-8112 | Other Improvements | \$200,000 |
| Increase | 4-009-41010-8101 | Other Equipment    | \$200,000 |

---

**ITEM BACKGROUND:**

On June 12, 2018, the Bristol Virginia City Council adopted the FY19 Budget. The above items are transfers within the Capital Projects Fund, between departments, that require Council approval.

**PREVIOUS RELEVANT ACTION:**

June 12, 2018, the adoption of the FY19 Budget

---

**STAFF RECOMMENDATIONS:**

Staff recommends that Council approve the budget transfers as listed.

---

**DOCUMENTATION:**      Included   X                Not Required           

**MOTION:**

**BRISTOL, VIRGINIA CITY COUNCIL  
AGENDA ITEM SUMMARY  
Item # 9.5**

Meeting Date: June 12, 2019  
Department: Finance  
Staff Contact: Tamrya Spradlin

---

**AGENDA ITEM WORDING:**

Consider Purchase Requisitions –Total Amount: \$18,721.96

Public Works; Winston Alley Milling, Paving \$18,721.96

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**ITEM BACKGROUND:**

The items are presented to City Council for payment approval.

---

**PREVIOUS RELEVANT ACTION:**

N/A

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**STAFF RECOMMENDATIONS:**

Approval.

---

**DOCUMENTATION:**      Included   X                Not Required \_\_\_\_\_

**MOTION:** I move to approve all items on the consent agenda as presented.



# City of Bristol Virginia

## Department Purchase Requisition Form

B

|                            |                                                                         |
|----------------------------|-------------------------------------------------------------------------|
| <b>Date of Requisition</b> | Wednesday, May 29, 2019                                                 |
| <b>Department Name:</b>    | PW Streets, Parks & Rec Operations, Building Maintenance, Miscellaneous |
| <b>Purpose/Description</b> | MAINT OF BUILDING & PROPERTY                                            |

|                                      |                                            |                                                   |
|--------------------------------------|--------------------------------------------|---------------------------------------------------|
| <b>Vendor Ordered/Purchased From</b> | W-L CONSTRUCTION & PAVING                  |                                                   |
| <b>Payment to:</b> please check one  | <input checked="" type="checkbox"/> Vendor | <input type="checkbox"/> paid by City Credit Card |

|                         |           |                                                                                                                              |
|-------------------------|-----------|------------------------------------------------------------------------------------------------------------------------------|
| <b>Purchase Order #</b> |           | A purchase order is required if the amount purchase is over \$500. A purchase order is to be obtained before making purchase |
| <b>Invoice Number:</b>  | 45252     |                                                                                                                              |
| <b>Invoice Date:</b>    | 5/21/2019 |                                                                                                                              |
| <b>Received By:</b>     |           |                                                                                                                              |

| Material & Description        | Charge to |           | Unit Price | QTY (#) | AMOUNT      |
|-------------------------------|-----------|-----------|------------|---------|-------------|
|                               | Dept #    | Account # |            |         |             |
| WINSTON ALLEY MILLING, PAVING | 41010     | 3310      |            | 1       | \$18,721.96 |
|                               |           |           |            | TOTAL   | \$18,721.96 |

Fiscal Year Budget FY 2018-2019 BUDGET

Budget Remaining After Purchase \$15,380.80

**Department Approval:** \_\_\_\_\_

**Approval Level**

Up to \$5,000

**CFO Signature:** \_\_\_\_\_

Up to \$10,000

**City Manager Signature:** \_\_\_\_\_

Up to \$15,000

**Council Approved Date** \_\_\_\_\_

Up to \$15,000

**Quotes Attached** \_\_\_\_\_

rev 12/06/17

Packing Slip/Bill of Lading Attached

Record #: 2197

KEY IN DATE: 5/29/2019

2197

W-L CONSTRUCTION & PAVING, INC.  
PO Drawer 927  
Chilhowie, VA 24319

Job Information:  
City of Bristol, VA

Invoice No: 45252  
Invoice Date: 21-May-19  
Contract No: 218418  
Customer No:

To: City of Bristol, VA  
Accounts Payable  
2103 Shakesville Rd. Bristol, VA 24201

Terms:  
Due Date: 20-Jun-19  
Application: 2

| Item | Description                              | Quantity | Unit | Unit Price | Total      |
|------|------------------------------------------|----------|------|------------|------------|
| 1    | Winston Alley Milling                    | 699.90   | SY   | \$3.60     | \$2,519.64 |
| 2    | Winston Alley BM-25.0A                   | 23.09    | TON  | \$78.57    | \$1,814.18 |
| 3    | Winston Alley SM-12.5 A                  | 77.17    | TON  | \$90.25    | \$6,964.59 |
| 4    | Trail Road Tie in Milling                | 25.00    | SY   | \$3.60     | \$90.00    |
| 5    | Trail Road SM-12.5 A                     | 76.65    | TON  | \$90.25    | \$6,917.66 |
| 6    |                                          |          |      |            |            |
| 7    |                                          |          |      |            |            |
| 8    |                                          |          |      |            |            |
| 9    | BM-25.0A Asphalt Adjustment              | 23.09    | TON  | \$1.89     | \$43.64    |
| 10   | (Bid Apr 2018 @\$448.00 Apr 19 \$492.00) |          |      |            |            |
| 11   |                                          |          |      |            |            |
| 12   |                                          |          |      |            |            |
| 13   | SM-12.5 A Asphalt Adjustment             | 153.82   | TON  | \$2.42     | \$372.24   |
| 14   | (Bid Apr 2018 @\$448.00 Apr 19 \$492.00) |          |      |            |            |
| 15   |                                          |          |      |            |            |
| 16   |                                          |          |      |            |            |
| 17   |                                          |          |      |            |            |
| 18   |                                          |          |      |            |            |
| 19   |                                          |          |      |            |            |
| 20   |                                          |          |      |            |            |
| 21   |                                          |          |      |            |            |
| 22   |                                          |          |      |            |            |
| 23   |                                          |          |      |            |            |
| 24   |                                          |          |      |            |            |
| 25   |                                          |          |      |            |            |

TOTAL DUE \$18,721.96

Payment in full is due Net 30 days following invoice date. In the event payment is not made when due, reasonable collection fees, lien fees, and attorney fees with or without suit, together with 1.5% per month FINANCE CHARGE which is an ANNUAL PERCENTAGE RATE of 18%, will be assessed until paid.

Remit W-L Construction & Paving, Inc.  
To: PO Box 277111  
Atlanta, GA 30384-7111

Customer Name:  
Customer No:  
Invoice No: 45252  
Invoice Amount: \$18,721.96

41010 - 3310