

CHARLESTON CITY COUNCIL

Regular Meeting

August 16, 2021

at 7:00 PM



THIS MEETING WILL TAKE PLACE IN PERSON AND CAN BE VIEWED LIVE VIA

<https://charlestonwv.civicclerk.com/web/home.aspx>

Council Chambers, Third Floor
City Hall, 501 Virginia St. E.
Charleston, WV

AGENDA

CALL TO ORDER BY THE MAYOR

INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC SPEAKERS AND CLAIMS

1. **INTERESTED PUBLIC SPEAKERS MUST REGISTER AT THE CLERK'S TABLE IN PERSON NO EARLIER THAN 15 MINUTES BEFORE THE MEETING STARTS. FIVE (5) SPEAKERS WILL BE PERMITTED (RULE NO. 22 (B)).**
2. Claims 8-16-2021

PROCLAMATIONS

1. 8-16-2021

COMMUNICATIONS

1. 8-16-2021
2. To fill the vacant seat in Ward 18

REPORTS OF STANDING COMMITTEES

ENVIRONMENT AND RECYCLING

1. Bill No. 7916 Committee Substitute - to be voted on under Facilities

FACILITIES

1. Bill No. 7916 Committee Substitute - A BILL to amend the Municipal Code by adding a new Article relating to energy benchmarking.

FINANCE

1. Resolution No. 523-21 - Authorize the Mayor or City Manager to submit an application to the WV Governor's Highway Safety Program and administer any funds awarded.
2. Resolution No. 524-21 - Authorizing the Mayor or City Manager to enter into a to complete a traffic study at the intersection of Virginia Street West and Delaware Avenue.
3. Resolution No. 525-21 - Authorizing the Mayor or City Manager to enter into a renewal contract for Esri mapping software.
4. Resolution No. 526-21 - Authorizing the Mayor or City Manager to enter into a contract to perform pension calculations on behalf of the Charleston Firemen's Pension and Relief Fund Board of Trustees to determine whether current pension distributions conform with applicable State law.
5. Resolution No. 527-21 - Authorizing the General Manager of the Charleston Coliseum & Convention Center to enter into a contract to install a sound system for the performance.
6. Resolution No, 528-21 - Authorizing settlement of pending disputed claims against the City in the matter known as Johny L. Barker v. City of Charleston, et al., Civil Action No. 2:20-cv-00357 in the United States District Court for the Southern District of West Virginia, as recommended by the City Solicitor.

REPORTS OF OFFICERS

1. 8-16-2021

NEW BILLS

1. 8-16-2021

UNFINISHED BUSINESS AND/OR MISCELLANEOUS BUSINESS

REMARKS BY MEMBERS

ROLL CALL

ADJOURNMENT

THE NEXT REGULAR MEETING OF COUNCIL WILL BE HELD TUESDAY, SEPTEMBER 7, 2021 AT 7:00 P.M.

THE AGENDA WAS AMENDED 8-12-2021

***Meetings may be recorded and broadcast via internet <https://charlestonwv.civicclerk.com>**



AFFIDAVIT City of Charleston



STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, to-wit:

The Mayor, Recorder, and/or Municipal Attorney of the City of Charleston, West Virginia, will take notice that this day appeared before the undersigned authority,
Verna Black, Claimant,
who, after being first by me duly sworn, deposes and says:

That this affiant resides at: 144 Wilson Way Chas W.V 25311

Telephone Number: 304-982-2125

and that on the 6 day of 12, 2020(2021) at approximately 9:20 am/pm
in the City of Charleston, West Virginia, he/she sustained

Right eye and right knee

Nature Of Injury And/Or Damage

As A Result Of:

going down the steps from darby to Wertz ave the tree limb
hanging down I was stuck in eye and debris on step cause me to fall
and hit my right knee on railing and had to limp down steps. I didn't go back
up steps because I didn't want to hurt my self more. I got a ride back up the
hill and put ice on knee and washed eye out with water because it felt like

As a result of which accident, the Claimant, Verna Black, does hereby
make claim against the City of Charleston, West Virginia, for damages incurred and to be incurred by
him/her in the future.

Verna Black

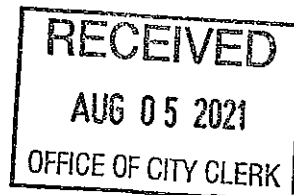
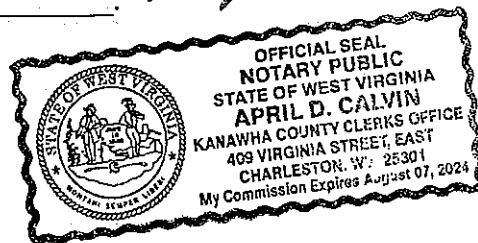
Signature of Claimant

Something was in my eye so I went to doctor
to get my self checked out to make sure
I was OK

Taken, subscribed and sworn to before me this 25th day of July, 2021.
My commission expires 8-7-24

April D. Calvin

Notary Public





AFFIDAVIT
City of Charleston



STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, to-wit:

The Mayor, Recorder, and/or Municipal Attorney of the City of Charleston, West Virginia, will take notice that this day appeared before the undersigned authority,

Lois Jean King, Claimant,
who, after being first by me duly sworn, deposes and says:

That this affiant resides at: 1110 38th St. Parkersburg WV 26104

Telephone Number: 681-292-2633

and that on the 30th day of June, 2020/2021 at approximately 8 am/pm
in the City of Charleston, West Virginia, he/she sustained

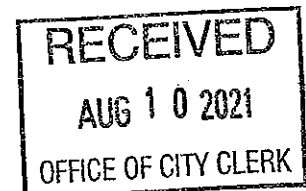
2014 Lexus was damaged by an ambulance at
Logans Roadhouse
Nature Of Injury And/Or Damage

As A Result Of:

Damage to the back bumper

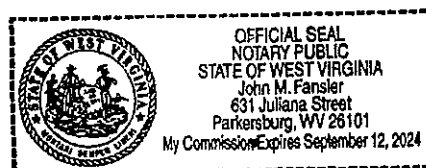
As a result of which accident, the Claimant, Lois Jean King, does hereby make claim against the City of Charleston, West Virginia, for damages incurred and to be incurred by him/her in the future.

Lois Jean King
Signature of Claimant



Taken, subscribed and sworn to before me this 6th day of August, 2021.
My commission expires Sept. 12, 2024.

John M. Fansler
Notary Public





AFFIDAVIT
City of Charleston



STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, to-wit:

The Mayor, Recorder, and/or Municipal Attorney of the City of Charleston, West Virginia, will take notice that this day appeared before the undersigned authority,

Elaine L. Skorich, Claimant,
who, after being first by me duly sworn, deposes and says:

That this affiant resides at: 921 Jarrell Drive, Charleston, WV 25387

Telephone Number: (304) 215-7095

and that on the 29th day of July, 2020 (2021) at approximately 1:30 am/pm
in the City of Charleston, West Virginia, he/she sustained

(2) two damaged car tires - cost \$515.04
(see attached)

Nature Of Injury And/Or Damage

As A Result Of:

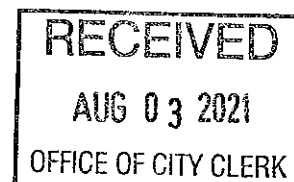
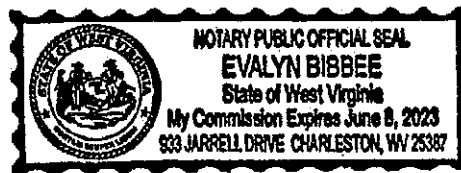
Construction in front of Overbrook Elementary School caused me to drive closer to the right edge of the road where there was a large piece of concrete on the road which I could not avoid. I hit it with both my front + back tires, both of which had to be replaced.

As a result of which accident, the Claimant, Elaine L. Skorich, does hereby make claim against the City of Charleston, West Virginia, for damages incurred and to be incurred by him/her in the future.

Elaine L. Skorich
Signature of Claimant

Taken, subscribed and sworn to before me this 3rd day of August, 2021.
My commission expires June 8, 2023.

Evalyn Bibbee
Notary Public





AFFIDAVIT
City of Charleston



STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, to-wit:

The Mayor, Recorder, and/or Municipal Attorney of the City of Charleston, West Virginia, will take notice that this day appeared before the undersigned authority,
Mark Snapp, Claimant,
who, after being first by me duly sworn, deposes and says:

That this affiant resides at: 815 Bridge Road, Charleston, WV 25314

Telephone Number: 561-529-6502 cell #

and that on the 27th day of July, 2021, at approximately 10.00 am,
in the City of Charleston, West Virginia, he/she sustained

Damages to vehicle

Nature Of Injury And/Or Damage

As A Result Of:

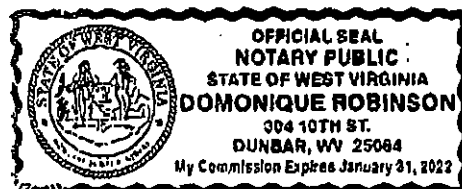
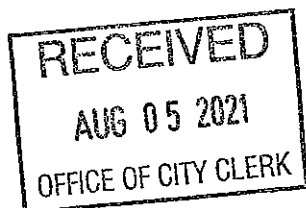
Pot hole in roadway on pennsylvania Ave by WV American Water

As a result of which accident, the Claimant, Mark Snapp, does hereby
make claim against the City of Charleston, West Virginia, for damages incurred and to be incurred by
him/her in the future.

[Signature]
Signature of Claimant

Taken, subscribed and sworn to before me this 5 day of August, 2021.
My commission expires 1/31/2022.

[Signature]
Notary Public





AFFIDAVIT
City of Charleston



STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, to-wit:

The Mayor, Recorder, and/or Municipal Attorney of the City of Charleston, West Virginia, will take notice that this day appeared before the undersigned authority,

Gloria Stone, Claimant,
who, after being first by me duly sworn, deposes and says:

That this affiant resides at: 4418 Venable Ave, Charleston, WV 25304

Telephone Number: 304-415-0904

and that on the 21st day of July, ²⁰²¹2019/2020, at approximately 10:00 am/pm
in the City of Charleston, West Virginia, he/she sustained

Trash Truck backed up and knocked a metal fence pole & fencing down at 5106 Venable Ave, Chas, WV 25304
Nature Of Injury And/Or Damage

As A Result Of:

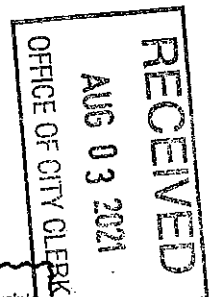
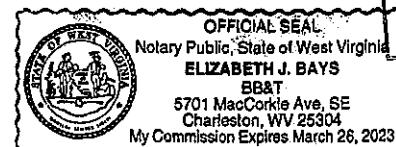
The trash truck backed up and completely knocked down a metal pole fencing at 5106 Venable Ave, Chas, WV 25304
Accident occurred at: 5106 Venable Avenue, Chas, WV 25304

As a result of which accident, the Claimant, Gloria Stone, does hereby make claim against the City of Charleston, West Virginia, for damages incurred and to be incurred by him/her in the future.

Gloria Stone
Signature of Claimant

Taken, subscribed and sworn to before me this 30 day of July, 2021
My commission expires March 26, 2023

[Signature]
Notary Public





AFFIDAVIT City of Charleston



STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, to-wit:

The Mayor, Recorder, and/or Municipal Attorney of the City of Charleston, West Virginia, will take notice that this day appeared before the undersigned authority,
Selisia ML Schwarz, Claims Rep for Nationwide Insurance, Claimant,
who, after being first by me duly sworn, deposes and says:

That this affiant resides at: 1100 Locust Street, Des Moines, IA

Telephone Number: 515-508-4154

and that on the 28 day of July, 2020/2021 at approximately 2:00 PM am/pm
in the City of Charleston, West Virginia, he/she sustained

vehicle damages to 2015 Subaru XV Cross and pending injuries.

Nature Of Injury And/Or Damage

As A Result Of:

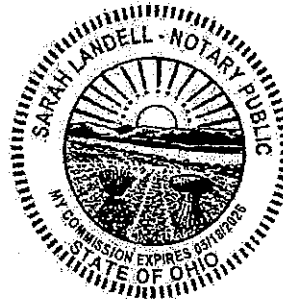
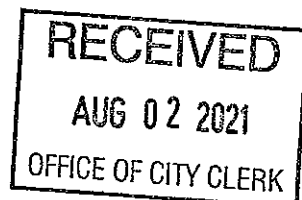
your driver Justen Shaffer failed to observe a red light and entering the intersection causing damages to
our insured vehicle.

As a result of which accident, the Claimant, Selisia ML Schwarz, Claim Rep for Nationwide, does hereby make claim against the City of Charleston, West Virginia, for damages incurred and to be incurred by him/her in the future.

Selisia ML Schwarz
Signature of Claimant

Taken, subscribed and sworn to before me this 28th day of July, 2021.
My commission expires _____.

[Signature]
Notary Public





AFFIDAVIT
City of Charleston



STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, to-wit:

The Mayor, Recorder, and/or Municipal Attorney of the City of Charleston, West Virginia, will take notice that this day appeared before the undersigned authority, Michael Taylor, **Claimant**, who, after being first by me duly sworn, deposes and says:

That this affiant resides at: 2031 Hutchinson st apt 222 Charleston WV 25387

Telephone Number: 681 587 6313

and that on the 1st day of August, 2020/2021 at approximately 12pm am/pm in the City of Charleston, West Virginia, he/she sustained

broken shock on drivers side of my uplander.

Nature Of Injury And/Or Damage

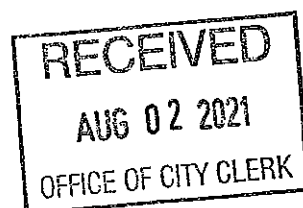
As A Result Of: Hitting a pot hole around the piggly wiggly in kanawha city.

As a result of which accident, the **Claimant**, Michael Taylor, does hereby make claim against the City of Charleston, West Virginia, for damages incurred and to be incurred by him/her in the future.

Michael Taylor
Signature of Claimant

Taken, subscribed and sworn to before me this day of , 2021.
My commission expires .

Notary Public





AFFIDAVIT City of Charleston



STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, to-wit:

The Mayor, Recorder, and/or Municipal Attorney of the City of Charleston, West Virginia, will take notice that this day appeared before the undersigned authority,
Robert Washington & Christine Fischer (neighbor) Claimant,
who, after being first by me duly sworn, deposes and says:

That this affiant resides at: 1019 Stadium Place, Charleston WV, 25311

Telephone Number: (844) 681-205-2545

and that on the _____ day of April, 2020/2021 at approximately around 11/12 am/pm
in the City of Charleston, West Virginia, he/she sustained

2nd week after moving into our new home our daughters Barbie RV
was parked beside our vehicles which is across from our trash bin
was taken in by the trash truck guy at the end of our street
Nature Of Injury And/Or Damage

As A Result Of: was visiting his daughter pulled up & stopped by to

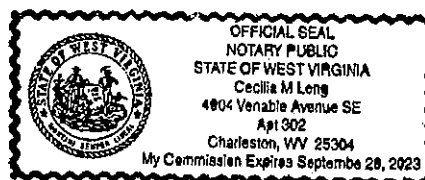
ask us if we had noticed because he saw them take it
then 2wks later 3 bikes of our childrens was leaned
against our post bottom of our stairs not in our trash
was taken by the trash guys seen by another person!

As a result of which accident, the Claimant, Robert Washington, does hereby
make claim against the City of Charleston, West Virginia, for damages incurred and to be incurred by
him/her in the future.

Robert Washington & Amanda Storer
Signature of Claimant

Taken, subscribed and sworn to before me this 12 day of May, 2021.
My commission expires Sept. 20, 2023.

Cecilia M Long
Notary Public



City of Charleston
Executive Office of the Mayor

CONGRATULATORY GREETINGS

presented on the 16th day of August 2021, to

The West Virginia Football Club (WVFC) 2007 Girls

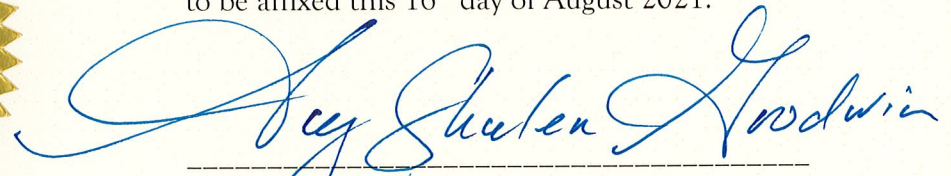
In honor of winning the West Virginia State Cup in May; and

In celebration of your participation in the US Youth Soccer Eastern Regional Championship Tournament and your team's advancement to the quarter finals; and

In recognition of your tremendous accomplishments—finishing the season with an impressive 31W - 7L - 5T record.



IN WITNESS WHEREOF, I have set my hand
and caused the Seal of the Executive Department
to be affixed this 16th day of August 2021.



Amy Shuler Goodwin, Mayor

**EXECUTIVE DEPARTMENT
CITY OF CHARLESTON
PROCLAMATION**

WHEREAS: International Overdose Awareness Day is recognized globally on August 31 to raise awareness about the risks of overdosing, honor the individuals whose lives have been lost and acknowledge the grief felt by families, friends, and communities; and

WHEREAS: Overdose Awareness Day aims to publicly challenge the stigma associated with substance use disorder and overdosing; and

WHEREAS: We must take every opportunity to connect individuals struggling with substance use disorder with treatment; and

WHEREAS: Local engagement and leadership is imperative to developing and supporting solutions; and

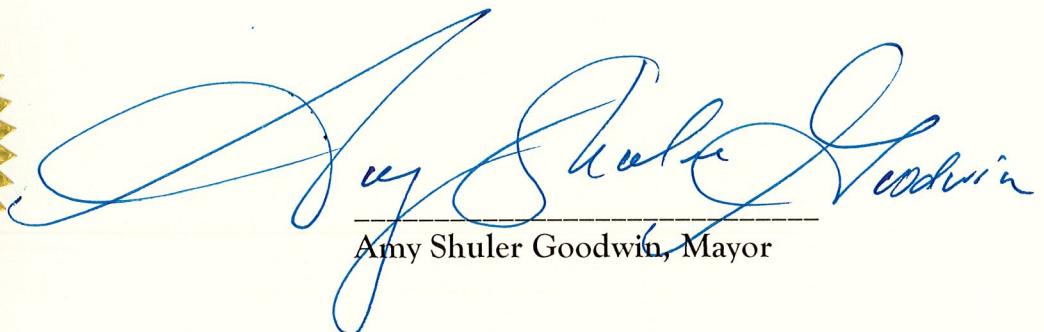
NOW THEREFORE, I, Amy Shuler Goodwin, Mayor of the City of Charleston, do hereby proclaim August 31, 2021, as

**INTERNATIONAL OVERDOSE
AWARENESS DAY**

In Charleston, West Virginia and urge all citizens to stand beside those who have lost loved ones to an overdose and those who have substance use disorder.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the Executive Department to be affixed this 16th day of August 2021.





Amy Shuler Goodwin, Mayor

Amy Shuler Goodwin
Office of the Mayor
City of Charleston



P.O. Box 2749
Charleston, WV 25330
(304) 348-8174 Office

TO: MILES CARY
CITY CLERK

FROM: AMY SHULER GOODWIN
MAYOR

RE: COUNCILMAN COMMITTEE ASSIGNMENTS

DATE: AUGUST 16, 2021



I am appointing Councilman Bobby Brown to serve on the Planning, Streets and Traffic Committee and Environmental and Recycling Committee.

In addition, I am appointing Councilman Chad Robinson to serve on the Finance Committee.

ASG/mls

Bill No. 7916 Committee Substitute

Introduced in Council:

July 6, 2021

Adopted by Council:

Introduced by:

Jennifer Pharr and John Kennedy Bailey

Referred to:

**Facilities and Environment
& Recycling Committees**

Bill No. 7916 Committee Substitute - A BILL to amend the Municipal Code of the City of Charleston, as amended, by adding thereto a new Article, designated Article IX within Chapter 2, consisting of Sections 2-751, 2-752, 2-753, 2-754, 2-755, 2-756, 2-757, 2-758, 2-759, and 2-760, relating to energy benchmarking; declaring purpose; defining terms; requiring benchmarking of covered municipal properties; detailing benchmarking reporting procedure; declaring certain benchmarking exemptions and time extensions; implementing audit of meters and streetlights; establishing energy savings program; requiring annual reports and analysis; and authorizing rulemaking.

Now, therefore, be it ordained by the Council of the City of Charleston:

That the Municipal Code of the City of Charleston, as amended, be amended by adding thereto a new Article, designated Article IX within Chapter 2, consisting of Sections 2-751, 2-752, 2-753, 2-754, 2-755, 2-756, 2-757, 2-758, 2-759, and 2-760, all to read as follows:

Chapter 2. – Administration.

ARTICLE IX. – ENERGY BENCHMARKING.

Sec. 2-751. – Purpose of Energy Benchmarking Ordinance.

The Purpose of this Article and energy benchmarking is to encourage efficient use of municipal energy paid by taxpayers and to reduce municipal pollution. This Article requires Covered Municipal Properties to annually measure and disclose energy usage to the City Manager. Furthermore, this Ordinance will authorize the City Manager to collect energy usage data to enable more effective energy and climate protection planning by the City and others and to provide information to the real estate marketplace to enable its members to make decisions that foster better energy performance.

Sec. 2-752. – Definitions.

For the purposes of this section, the following definitions shall apply:

“Benchmark” means to input and submit the total energy and water consumed

for a property for the previous calendar year and other descriptive information for such property as required by the benchmarking tool. Total energy and water consumption shall not include separately metered uses that are not integral to building operations, as determined by the City Manager.

“Benchmarking date” means ~~on or before October 31 of each year~~ a date to be determined by the City Manager with the cooperation of the Chair of the Facilities Committee.

“Benchmarking submission” means a subset of:

- (1) Information input into the benchmarking tool; and
- (2) Benchmarking information generated by the benchmarking tool, as determined by the City Manager.

“Benchmarking tool” means the U.S. Environmental Protection Agency’s ENERGY STAR® Portfolio Manager, or any additional or alternative tool adopted by the City Manager, used to track and assess the energy and water use of certain properties relative to similar properties.

“Building operator” means the department or agency head that operates, maintains, and/or pays energy utility bills.

“City Manager” means the City Manager of the City of Charleston or, at the City Manager’s sole discretion, a designee for the specific purpose of carrying out the requirements of this Article.

“Covered Municipal Property” means a property that is owned, leased, or managed by the City such that the City regularly pays all or part of the annual energy and/or water bills.

“Energy” means electricity, natural gas, steam, or other product sold by a utility to a customer of a property, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses as recorded in the benchmarking tool.

“ENERGY STAR score” means the 1-100 numeric rating generated by the ENERGY STAR Portfolio Manager tool as a measurement of a building’s energy efficiency.

“ENERGY STAR Portfolio Manager” means the tool developed and maintained by the U.S. Environmental Protection Agency to track and assess the relative energy performance of buildings.

“Gross floor area” means the total property area, measured between the outside surface of the exterior walls of the building(s). This includes all areas inside the building(s) including but not limited to lobbies, tenant areas, common areas, meeting

rooms, break rooms, atriums (count the base level only), restrooms, elevator shafts, stairwells, mechanical equipment areas, basements, and storage rooms.

“Retrocommissioning practices” means processes that seek to improve how building equipment and systems function together. Such practices are designed also to resolve problems that occurred during design, construction, or that have developed throughout the building's life; improving a building's operations and maintenance procedures to enhance overall building performance.

“Shared benchmarking information” means information generated by the benchmarking tool and descriptive information about the physical property and its operational characteristics, which is shared with the public. The information, as defined by the ENERGY STAR Portfolio Manager glossary, shall include, but need not be limited to:

- (1) Descriptive information:
 - (A) Property address;
 - (B) Primary use;
 - (C) Gross floor area;
 - (D) Number of floors;
 - (E) Number of years the property has been ENERGY STAR® Certified and the last approval date, if applicable; and
 - (F) Individual or entity responsible for the benchmarking submission.
- (2) Site and source energy use intensity:
 - (A) Weather normalized site and source energy use intensity;
 - (B) The ENERGY STAR score, where available;
 - (C) Total annual greenhouse gas emissions;
 - (D) Monthly energy use, by fuel type;
 - (E) Monthly peak electricity demand;
 - (F) Indoor water use and water use intensity (consumption per gross square foot);
 - (G) Outdoor water use (where available);
 - (H) Total water use;
 - (I) The ENERGY STAR Water Score, where available;
 - (J) General comments section, if needed, to explain the building's ENERGY STAR scores; and
 - (K) Compliance or noncompliance status.

“Utility” means an entity that distributes and/or sells natural gas, electric, water, or thermal energy services for buildings.

“Water audit” means that part of an audit that addresses the water systems.

Sec. 2-753. – Applicability.

This Article is applicable to all Covered Municipal Properties. All owners of other properties within the City of Charleston are encouraged, but not required, to follow the

benchmarking portions of this Article.

Sec. 2-754. – Benchmarking Requirement for Covered Municipal Properties.

No later than ~~October 31, 2021~~, a date to be determined by the City Manager with the cooperation of the Chair of the Facilities Committee and by ~~October 31~~ a date to be determined by the City Manager with the cooperation of the Chair of the Facilities Committee every year thereafter, the total energy and water consumed by each Covered Municipal Property, along with all other descriptive information required by the Benchmarking Tool, shall be entered into the Benchmarking Tool for the previous fiscal year.

Sec. 2-755. – Benchmarking Reporting Procedure.

(a) For every Covered Municipal Property subject to this Article, the building operator shall annually submit to the City Manager an energy and water benchmarking report in an electronic format as established by the City Manager, by the benchmarking date.

(b) The information included in the annual energy and water benchmarking report shall include, at a minimum, the Shared Benchmarking Information for the previous calendar year.

(c) The building operator of each Covered Municipal Property shall provide to the City Manager all data necessary for the City Manager to:

- (1) Enter it into the benchmarking tool and
- (2) Create an energy and water benchmarking report based on an assessment of the aggregated total energy and water consumed by the whole property for the entire calendar year being reported.

(d) Before submitting a benchmarking report the building operator shall run all automated data quality checker functions available within the benchmarking tool and shall verify that all data has been accurately entered into the tool. In order for the benchmarking report to be considered in compliance with this Article, the building operator shall correct all missing or incorrect information as identified by the data quality checker prior to submitting the benchmarking report to the City Manager.

(e) In order to plan for potential solar panel installation, the building operator shall include information regarding whether any of the building operator's Covered Municipal Properties are, or will soon be, in need of replacing or repairing its roof. The building operator shall also describe any evaluation regarding the suitability for solar panels on the building that has been conducted on any Covered Municipal Properties.

(f) Where the current building operator learns that any information reported as part of the benchmarking submission is inaccurate or incomplete, the building operator shall amend the information reported within the benchmarking tool and shall provide the

City Manager with an updated benchmarking submission within 30 days of learning of the inaccuracy.

Sec. 2-756. – Benchmarking Exemptions; Time Extensions.

(a) Benchmarking is not required for a Covered Municipal Property for the current reporting year if the building operator submits documentation to the City Manager, in such form and with such certifications as required by the City Manager, establishing that the property met one or more of the following conditions for the calendar year to be benchmarked:

(1) A demolition permit for the entire building was issued during that year, provided that demolition work commenced and legal occupancy was no longer possible prior to end of that year;

(2) The property did not receive energy or water utility services during that year; or

(3) Due to special circumstances unique to the property, strict compliance with provisions of this Article would not be in the public interest.

(b) Any building operator requesting an exemption from benchmarking shall, by June 1 in the year for which the exemption is being requested, submit to the City Manager any documentation reasonably necessary to substantiate the request or otherwise assist the City Manager in the exemption determination. Any exemption granted will be limited to the benchmarking submission for which the request was made and does not extend to past or future submittals. Any requested exemptions, whether approved or denied, shall be included in the annual report described in Section 7-759 of this Article, as well as the reasons for the exemption being approved or denied.

(c) Any building operator may apply for a time extension to complete and submit a benchmarking report if, despite such building operator's good faith efforts, they are unable to complete the required actions prior to the scheduled due date due to the failure of either a utility provider or a tenant (or both) to provide the building operator with information needed to complete this report. The building operator requesting an extension shall submit to the City Manager any documentation reasonably necessary to substantiate the request or otherwise assist the City Manager in the determination. For each property, the City Manager may grant no more than two such extensions per year of no more than thirty days each.

Sec. 2-757. – Audit of Meters and Streetlights.

In addition to the other requirements of this Article, the City Manager shall develop and administer a program for auditing the streetlights and energy metering devices for both electricity and natural gas currently installed at all city buildings or otherwise paid by the city, for purposes of determining whether such devices are active or inactive. Such a program shall be designed to audit all energy metering devices by July 1, 2022 and all streetlights by July 1, 2023. In the event the City Manager determines during such an audit that an energy metering device is no longer active, the

City Manager shall notify the energy service provider to request removal of such device and adjustment of utility bills to remove any inappropriate charges associated with such meter.

Sec. 2-758. – Energy Savings Program.

(a) By July 1, 2022, the City Manager shall establish an energy savings program designed to reduce energy usage for electricity, natural gas, fuel oil, and steam in all Covered Municipal Properties by 25% below FY2019 levels by FY2031, as well as otherwise reducing energy costs.

(b) Any program established pursuant to this section shall include:

(1) At least one interim savings goal for a percentage savings to be achieved by the fiscal year 2025-2026;

(2) A plan for prioritizing which Covered Municipal Properties should be first audited and identified for efficiency improvements;

(3) A plan for implementing retrocommissioning practices, ensuring that buildings are operated in a manner that maximizes the energy saving potential of any efficiency improvements made; and

(4) A framework for evaluating when a Covered Municipal Property is suitable for installing solar panels in order to reduce energy costs.

Sec. 2-759. – Annual Report and Analysis.

(a) Beginning no later than December 1, 2022 and every year thereafter, the City Manager shall make available on a publicly accessible website an annual report covering the previous fiscal year, including:

(1) The measured energy use of all Covered Municipal Properties;

(2) A summary of energy and water consumption statistics;

(3) An assessment of compliance rates, accuracy and issues affecting accuracy, changes across the portfolio over time;

(4) Any energy savings measures taken pursuant to the program established in Section I of this Article;

(5) An evaluation of solar for all Covered Municipal Properties, including any buildings that have been identified as needing roof repairs in the next five years; and

(6) Trends observed.

(b) If the circumstances of the solar viability of any Covered Municipal Properties has not changed since a previous evaluation, the City Manager does not need to make a new evaluation.

(c) By August 1, 2026, the City Manager shall review the progress toward the FY2026 interim goal established pursuant to Section 2-758 of this Article. If the FY2026 goal has not been met, the City Manager shall make recommendations to the City Council as to whether amendments to this section or other measures are necessary to

266 meet the goal of 25% reduction by FY2031.

267

268 (d) Nothing in this ordinance shall prevent the City Manager from including all
269 such information in a combined annual energy and water efficiency report covering the
270 progress of all of the City's energy efficiency ordinances and programs.

271

272 **Sec. 2-760. – Rulemaking.**

273

274 In addition to all of the authority granted in this Article, the City Manager has
275 plenary power and authority to promulgate any such rules necessary to carry out the
276 provisions of this Article.

Resolution No. 523-21

Introduced in Council:

Adopted by Council:

August 16, 2021

Introduced by:

Referred to:

Joseph Jenkins

Finance

1 Resolution No. 523-21 - Authorize the Mayor or City Manager to submit an application to the
2 WV Governor's Highway Safety Program in the amount of \$518,000 and administer any funds
3 awarded. These funds will be used to reimburse overtime expended by Charleston Police and
4 law enforcement agencies in the eight-county Metro Valley Highway Safety Region for
5 enforcement activities including DUI, seat belt, child restraint, work zone safety, distracted and
6 aggressive driving, equipment purchases and travel/training, as well as partial reimbursement
7 for the CPD Highway Safety Coordinator and Assistant's salaries.

8

9 Be it Resolved by the Council of the City of Charleston, West Virginia:

10 That the Mayor or City Manager is authorized to submit an application to the WV Governor's
11 Highway Safety Program in the amount of \$518,000 and administer any funds awarded. These
12 funds will be used to reimburse overtime expended by Charleston Police and law enforcement
13 agencies in the eight-county Metro Valley Highway Safety Region for enforcement activities
14 including DUI, seat belt, child restraint, work zone safety, distracted and aggressive driving,
15 equipment purchases and travel/training, as well as partial reimbursement for the CPD
16 Highway Safety Coordinator and Assistant's salaries.

Resolution No. 524-21

Introduced in Council:

Adopted by Council:

August 16, 2021

Introduced by:

Referred to:

Joseph Jenkins

Finance

1 Resolution No. 524-21 - Authorizing the Mayor or City Manager to enter into a contract with
2 HDR Engineering, Inc. in an amount not to exceed \$49,768.93 to complete a traffic study at the
3 intersection of Virginia Street West and Delaware Avenue, where the study will include, but is
4 not limited to, the evaluation of current traffic conditions, pedestrian characteristics, and
5 physical characteristics of the intersection to accommodate increased pedestrian traffic.

6

7 Be it Resolved by the Council of the City of Charleston, West Virginia:

8 That the Mayor or City Manager is authorized to enter into a contract with HDR Engineering,
9 Inc. in an amount not to exceed \$49,768.93 to complete a traffic study at the intersection of
10 Virginia Street West and Delaware Avenue, where the study will include, but is not limited to,
11 the evaluation of current traffic conditions, pedestrian characteristics, and physical
12 characteristics of the intersection to accommodate increased pedestrian traffic.

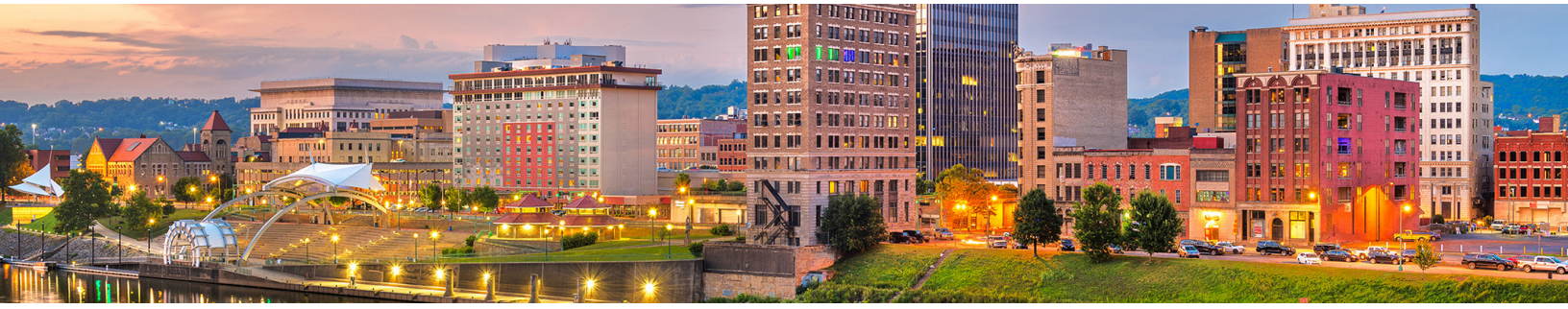


EXPRESSION OF INTEREST

TRAFFIC STUDY OF INTERSECTION AT VIRGINIA STREET EAST AND DELAWARE AVENUE

City of Charleston

July 6, 2021



Jamie Bowles, Purchasing Director
City of Charleston
501 Virginia Street, East
Room 101
Charleston, WV 25301
Jamie.Bowles@cityofcharleston.org

**Re: Traffic Study of Intersection at Virginia Street East and Delaware Avenue
Expression of Interest**

Dear Jamie & Selection Committee,

On behalf of HDR, we are pleased to submit our qualifications for the Five Corners Intersection traffic study. HDR is proud to bring the City of Charleston (City) a team that provides:

A Local Partner Committed to Our Community. HDR has been a trusted partner to West Virginia agencies and communities for over 70 years. This longevity is a result of our commitment to the state of West Virginia and our history of being a trusted advisor who continually exceeds our clients' expectations. This provides the City access to a team who is both your neighbor and understands the process of conducting a traffic study. This will result in an objective analysis, constructible recommendations, and ultimately a solution that addresses the needs to improve pedestrian connectivity and safety. Locally we have 23 professionals, **four of which are traffic engineers**, dedicated to West Virginia and servicing our clients through our Charleston office.

Experience that Matters. HDR brings to the City recent traffic engineering experience on similar projects. For over 20 years, Amy Staud, our Project Manager and Lead Traffic Engineer, has committed her career to improving the safety and operations of our State's infrastructure. As proof of her dedication to the traffic engineering field, she is also a Professional Traffic Operations Engineer (PTOE). From studying single intersections such as US 50 with Emily Drive in Bridgeport, to complex multi-modal corridors including WV 45 in Martinsburg and WV 14 in Parkersburg, Amy has the experience to identify the fundamental issues which need to be solved and the creativity to balance competing needs of pedestrian connectivity and vehicular demands.

We look forward to serving the City in the community in which we live and work. If you need additional information, please feel free to contact Amy directly.

Sincerely,
HDR Engineering, Inc.



James D. Carnahan, PE
Vice President/Project Principal
james.carnahan@hdrinc.com



Amy Balmer Staud, PE, PTOE, ENV SP
Vice President/Project Manager
amy.staud@hdrinc.com

Introduction

Firm Overview

HDR's goal is to engage the best minds and resources to deliver the right solution for you. We accomplish this by combining proven processes, systems and resources to create a cohesive project team. We foster a **'Local Program'** management structure that dedicates local design teams and resources to efforts in their communities while maintaining strong connections to a network of national technical knowledge consisting of over 10,000 professionals.

HDR's roots in the region go very deep. For more than 70 years, HDR has planned and engineered many of our region's most iconic pieces of infrastructure. We're here today ready to continue making an impact on the community.

The work and management of this contract will be performed in our Charleston, West Virginia office located at 500 Virginia Street E, Suite 1250, Charleston, WV 25301. We offer complete in-house capabilities for transportation planning and traffic engineering.

Our world-class transportation practice provides technical expertise in the study and design of roadway infrastructure, capacity enhancements, mobility planning, transit planning, and trail planning and design to name a few.

Project Understanding

At HDR, we love to be challenged by addressing complex capacity and atypical intersection configuration issues. The West Virginia Department of Transportation relies on us regularly to solve their most complex traffic issues. A few examples include our recent work on these projects:

- US 119-Corridor G
- WV 7 Sabraton Avenue Intersection
- Glenville/College Street Roundabout

In the context of safety and operations, meeting driver and pedestrian expectancies is key. Although the Five Corners Intersection is signalized, the number of legs increases potential conflicts for both drivers and pedestrians. A goal of the project should be to clearly define the spaces where each should be located, provide them the capacity that they need, and support the long-term goal, identified in the RIC Bicycle and Pedestrian Plan, for improving the pedestrian safety on the West Side.

In urban settings, such as this intersection, our analysis and concept development also addresses physical constraints which may be present such as underground utilities, drainage, parking needs, etc. Our goal is not to just come up with 'big ideas', but to develop concepts which are constructible.

Traffic Study Experience

HDR's experienced personnel conduct traffic studies to determine the actions necessary to accommodate existing and future traffic flow. These studies vary in their range of detail and complexity depending on the type, size, and location of the project, as well as the needs of the client.

HDR assesses the effect that changes in traffic will have on the transportation network through the use of various software analysis tools that replicate real-world and future conditions. Our toolbox and technical expertise enable us to evaluate any type of configuration from a simple, isolated intersection using Highway Capacity Software (HCS), to coordinated signal systems using Synchro/SimTraffic, and sophisticated interfaces of controlled access and surface streets using VISSIM, TransModeler, and CORSIM.

STUDIES

- Traffic Impact Studies
- Safety Studies
- Parking Circulation Studies
- Crash/Safety Analyses
- Access Management Studies
- Interchange Justification Reports
- Corridor Studies
- Pedestrian Facility Deficiency
- Access Management



DATA COLLECTION EXPERIENCE

- ATR and Turning Movement Counts
- Travel Time and Delay
- Saturation Flow Rate
- Unmet Demand
- Spot Speed
- Mid-block Pedestrian Counts



Our experience with studies and special assignments is varied both in required study elements and type of facility. This information is summarized below:

Traffic Studies and Special Assignments

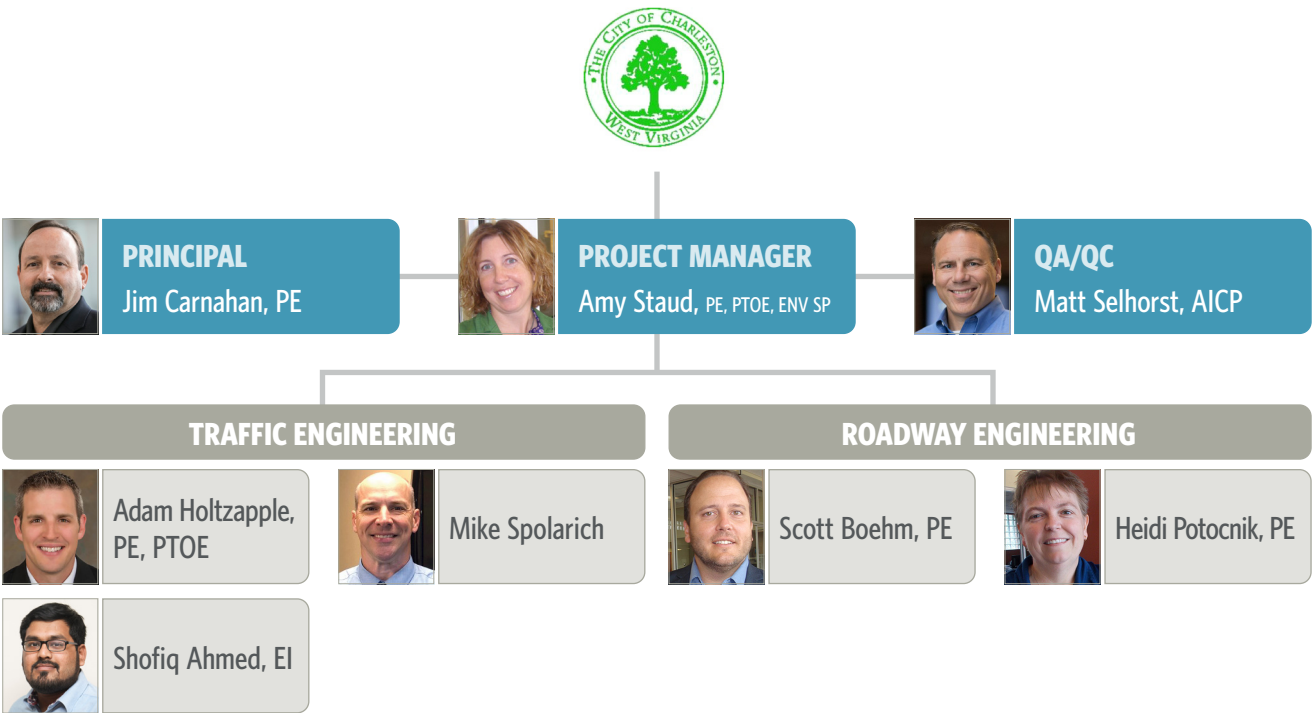
Project	Size	Unique Features
RIC Kanawha and Putnam Counties Bicycle and Pedestrian Plan	Kanawha and Putnam Counties	Inventory existing facilities, identify gaps in connectivity, facilitate steering committee meetings, develop plan and recommendations
US 119 Oakwood Road Improvements Rcut	3 intersections	Restricted Crossing U-turn (Rcut) intersection system
ZWay Traffic Operations, Safety Study, and Interchange Modification Report	3 miles	Traffic Projections, Access Management
Garvee Workzone Analysis	Statewide	Analysis and public involvement for major interstate projects
I-79 Access Study	14 corridors	AirSage Data for O-D, Traffic projections, Interstate Access
University Avenue ADA Study	1,300 feet study area	Pedestrian Access Route (PAR), ADA and PROWAG Compliance
WV 45 Traffic Operations and Safety Study	10 intersections	High crash rates, need for pedestrian accommodations
US 50 with Emily Drive Traffic Operations and Safety Study	4 intersections	Closely-spaced complex intersections
WV 7 and CR 857 Traffic Operations and Safety Study	7 intersections	Dog-legged interesections, roundabout options, Deckers Creek Trail Crossing
College Street Traffic Operations and Safety Study	8 intersections	Skewed intersection, steep approach grade, roundabout options
KYOVA Downtown Access Study	Huntington CBD	One-Way Conversion
KYOVA Congestion Management Plan	Over 293 miles analyzed	MAP-21 Compliance
RIC St. Albans Railroad Crossing Study	39 intersections, 13 railroad crossings	TransModeler Traffic Analysis
WV 14 Traffic Operations and Safety Study	15 intersections	Pedestrian, parking, and access management, multiple-legged intersections
Districts 4 & 7 Roadside Safety Study	Over 96 miles	Multi-county study
I-64/Oakwood Road Traffic Study	4 mile urban section	Eleven at-grade intersections
Traffic Impact and Toll Study for the Proposed Ohio River Bridge	4 intersections	Zip code origin-destination analysis, toll revenue projections
US 50 Bridgeport Hill Study	1 intersection	Analysis for adding new access to divided highway
US 19 and Armory Road (CR 19/57) Traffic Study	1 intersection	Operational and safety analysis

Qualifications and Experience

Team Members

We carefully selected our team to fit the expertise required to study the Five Corners intersection. From the initial step of collecting traffic data to preparing operational analysis and ultimately recommendations, this team will provide the responsiveness you need to deliver this study efficiently.

The organization chart below highlights the depth of resources available for this project. Key team members are highlighted with brief resumes on the following pages.



Resumes

Amy Balmer Staud, PE, PTOE, ENV SP



Amy is a Vice President and HDR's Northeast Traffic Engineering Lead. Her background includes traffic data collection, safety analysis, pedestrian accessibility audits, traffic signal design, traffic analyses, trip generation evaluation and traffic flow modeling. Amy is also an Environmental Specialist with experience preparing documentation for various NEPA projects.

Relevant Experience:

WVDOT, Division of Highways (WVDOT), University Avenue ADA Study - Morgantown, WV

Project Manager and Lead Traffic Engineer for documenting the existing pedestrian conditions and providing recommendations to improve accessibility within the 1,300' study area along University Avenue in Morgantown, WV. The study area included sidewalks, crosswalks, and other pedestrian-related features such as signal heads and push buttons. A Pedestrian Access Route (PAR) Assessment identified accessibility deficiencies within the corridor. Construction plans to address the identified deficiencies and FHWA ADA Exemption Forms were also prepared.

City of Cumberland, West Side Traffic and Planning Study Cumberland, Maryland

Serving as the Project Manager and Lead Traffic Engineer to develop short-term and long-term alternatives for the competing modes of transportation in the West Side of Cumberland from Greene Street to Cumberland Street. This includes evaluating the current traffic patterns for vehicles, cyclists, pedestrians, and rail and balancing the needs of each mode to provide the most-feasible, cost-effective solutions to address the railroad bridge structural deficiencies.

WVDOT, WV 45 Traffic Operations and Safety Study Martinsburg, WV

Project Manager to evaluate current and future traffic conditions, identify potential deficiencies, and develop alternative improvements to enhance traffic flow and improve safety within a 1.46 mile study area along WV 45 (Apple Harvest Drive) in Martinsburg. The study

included traffic analysis and projections, highway capacity analysis, traffic signal warrant analysis, crash analysis, review of intersection geometry evaluation of current and future volumes, and the development of short- and long-term improvement recommendations for the corridor as well as each intersection.

WVDOT, Emily Drive with Platinum Drive and U.S. 50 Traffic Study - Bridgeport, WV

Project engineer for the traffic study of two closely spaced intersections. The study included a signal warrant analysis, accident analysis, and capacity analysis. The Synchro model developed modeled the two closely spaced intersections sharing one controller. Prepared the final report with recommendations for the next 20 years in 5-year increments.

WVDOT, Oakwood Road Traffic and Design Study

Charleston, WV

Project Manager and lead traffic engineer for the study of a four mile section of I-64 and US 119. Phase I (2009) consisted of a Traffic Study to evaluate the current and future traffic conditions within the study area, identify deficiencies and levels of service for both existing and design year traffic (at five-year increments), and develop alternative conceptual improvements to enhance the flow of traffic through the study area. Phase II of this project is on-going and due to the time since Phase I was completed, Amy is leading the reevaluation of the original recommendations. This reevaluation reviewed the original projected traffic volumes vs. current and 2040 traffic projections. During the public involvement phase, WVDOT received input that led to the development of a new alternative. The alternative includes a restricted crossing u-turn type corridor, otherwise known as an "Rcut".

WVDOT, WV 14 Traffic Operations and Safety Study

Wood County, WV

Project Manager for the study of a three mile segment of WV 14. Work performed by HDR included the development of traffic projections for the 20-year study horizon, crash and safety analyses, travel time study, and a saturation flow rate study at the signalized intersections. To provide a baseline for comparison of alternatives and to identify potential deficiencies, traffic simulation models using Synchro/SimTraffic will be prepared for the "No-Build" scenario in five-year increments up to the 20-year horizon. Based on the anticipated capacity constraints, alternatives were developed using a staged implementation approach. In addition, recommendations were included to address pedestrian accessibility and access management issues within the corridor.

Adam C. Holtzapple, PE, PTOE



Adam, a Senior Traffic Engineer, provides highway and traffic design support for the Roadway Section. He is experienced in developing traffic and highway design plan sets, traffic control plans, ITS design, closed loop signaling systems, cost estimates, and all aspects of traffic engineering.

Relevant Experience:

WVDOT, College Street Traffic Operations and Safety Study

Glenville, West Virginia

Traffic Engineer. Preparation of Traffic Operations and Safety Study Report and Design Study Report. The traffic study included traffic analyses and projections, highway capacity analyses, crash analyses, review of intersection geometry, and the development of short- and long-term improvement recommendations. Included contract plans and right-of-way plans for the preferred single lane roundabout intersection configuration.

WVDOT, Morgantown/Sabraton WV 7/CR 857

Morgantown, West Virginia

Traffic Engineer for this two-phase project. Phase I included preparation of a Traffic Operations and Safety Study Report and a Design Study Report leading to a preferred alternative. The scope of work included six build alternatives including three roundabout alternatives. The traffic study included traffic analyses and projections, highway capacity analyses, crash analyses, review of intersection geometry, and the development of short- and long-term improvement recommendations. Phase II includes contract plans and right-of-way plans for the preferred intersection configuration.

WVDOT, I-68 Lighting and Dynamic Message Signs (DMS)

Various Counties, West Virginia

Transportation Engineer. I-68 Exit 1 Interchange lighting renovation including the design of two Dynamic Message Signs (DMS), one at the West Virginia/Maryland state line and the other at a location TBD on I-68.

WVDOT, Martinsburg Signal System

Martinsburg, West Virginia

Traffic Engineer. This project involved the study, design and preparation of construction plans for the traffic signal renovation of 13 existing signalized intersections in the Martinsburg Central Business District area. The project upgraded the existing obsolete controllers to a state-of-the-art computerized system capable of adjusting timing patterns in response to traffic demand to provide optimum vehicle progression through the area.

City of Cumberland, West Side Traffic and Planning Study

Cumberland, Maryland

Traffic Engineer to develop short- and long-term alternatives for competing modes of transportation in the historic West Side of Cumberland from Greene Street to Cumberland Street. This included evaluating the current traffic patterns for vehicles, cyclists, pedestrians, and rail, and balancing the needs of each mode to provide the most-feasible, cost effective solutions to address the railroad bridge structural deficiencies. Prepared the Draft and Final Traffic Planning Study and helped facilitate an Open House Public Meeting to engage all stakeholders.

Matthew Selhorst, AICP



Matt has over 28 years of professional experience in transportation planning and engineering. He manages the project development process, planning and safety studies, public involvement, environmental documentation, and traffic engineering assignments, including alternatives development.

Matt is a Certified Planner by the American Planning Association (APA) and the American Institution of Certified Planner (AICP). For HDR, he assists with and manages the project development process, planning and safety studies, public involvement, environmental documentation, and traffic engineering assignments including alternatives development.

Relevant Experience:

KYOVA, Long Range Transportation Plan and Downtown Access Study - Huntington, WV

The KYOVA Interstate Planning Commission developed a comprehensive 2040 Multi-Modal Metropolitan Transportation Plan (MMTP) for the Metropolitan Planning Organization (MPO) study area for Cabell and Wayne Counties in West Virginia and Lawrence County in Ohio. Matt served as the Project Manager to assist KYOVA in development of the MMTP which included data collection, projections, recommendations on cost effective alternatives, as well as a look at how to improve ingress and egress to Huntington's Central Business District (CBD). The scope of work included a comprehensive evaluation of bike and pedestrian travel and infrastructure, an evaluation of freight (truck, rail, maritime) travel and infrastructure, and also providing technical assistance to the consultant team on the CBD access study.

RIC, Bicycle and Pedestrian Plan - Charleston, WV

Led the 2019 update of the Kanawha and Putnam Counties Bicycle and Pedestrian plan. This plan process included extensive stakeholder and public involvement to develop an implementation plan for the inclusion of network throughout the Charleston area. Duties included: project manager for the update, led public and stakeholder meetings, gathered public comments by presenting at local fairs, gathered field data on potential routes, and developed prioritization of improvements.

RIC, St. Albans Multi-Modal Railroad Crossing Study St. Albans, WV

Served as the quality control reviewer for a multi-modal railroad crossing study in the central business district of St. Albans. This project included analyzing the existing traffic flow and traffic volumes to determine necessary improvements to separate grade crossings. The study included traffic analyses and projections, highway capacity analyses, crash analyses, public involvement and the development of three build alternatives. For purposes of modeling the existing condition and doing the initial field inventory, thirty-nine intersections and thirteen railroad crossings were inventoried and included in the TransModeler traffic simulation model.

KYOVA, Lawrence County Non-Motorized Study

Lawrence County and Ironton, OH

Matt was the project manager for this study that analyzed truck travel throughout Ironton with the opening of the new Ironton-Russell Bridge over the Ohio River, as well as providing roadway and sidewalk recommendations for Park Avenue from 6th Street to US 52, and provided an assessment of ADA Compliant sidewalks and curb ramps. The project was a comprehensive study and conceptual design that ties together the Ironton Trail System as well as other non-motorized Trail Systems, and enhances all non-motorized active modes of transportation.

References

HDR strives to be the engineer of choice for each of our clients, year after year, project after project. A dedication to establishing “clients for life” has always been one of our firm’s foremost values. We are committed to creating rewarding and long-term relationships with our clients, as evidenced by our remarkable 80% repeat client base. As an employee-owned firm, each and every one of us feels a sense of accountability to our clients. Our culture of listening to our clients and acting on what they tell us is imperative to perpetuating our future success. Our engineers, designers and planners are inspired by our clients and their work.

We welcome you to contact our references.

Ms. Cindy Cramer, PE

Director, Traffic Engineering Division
West Virginia Department of Transportation, Division of Highways
Building 5, Room A-550
1900 Kanawha Boulevard, East
Charleston, WV 25305
304-558-3063
Cindy.L.Cramer@wv.gov

Mr. Matt Skiles, PE, PTOE

Traffic Operations Engineer
West Virginia Department of Transportation, Division of Highways
Building 5, Room A-550
1900 Kanawha Boulevard, East
Charleston, WV 25305
304-414-7366
Matthew.H.Skiles@wv.gov

Mr. Brad Messenger, PE

Senior Project Manager
The Thrasher Group, Inc.
600 White Oaks Boulevard
Bridgeport, WV 26330
304-326-6362
bmessenger@thethrashergroup.com



Past Projects

As HDR's traffic engineering experience in West Virginia is far too extensive and varied to be presented completely in this Expression of Interest, select project descriptions which **illustrate our capabilities and represent the types of services that can be provided by the HDR team** as related to these projects, are provided in the following pages.

Oakwood Road Rcut Study and Design



Location: Charleston, WV

Project Manager: R.J. Scites, PE - WVDOT

Contact: 304.414.6479; Raymond.J.Scites@wv.gov

Type of Project: Intersection Study and Design

Goals and Objectives:

HDR provided traffic analysis, preliminary design services and final design for this intersection improvement project to alleviate congestion at the intersection of Oakwood Road and US119. This innovative design is known as a Restricted Crossing U-Turn (RCUT) intersection. The RCUT design eliminates left turns and through movements from Oakwood Road on to and across US119. U-Turn movements were added to US119 in both directions to accommodate the eliminated left turn movements from Oakwood Road. Traffic modelling and design services were performed on an accelerated schedule.

As part of the preceding Design Study several design options were studied that involved significant right of way impacts, significant traffic control challenges during construction and costly bridges and walls. HDR proposed the RCUT design as an innovative solution to provide a cost-effective solution to address operational and safety issues within the existing roadway corridor. To support the public involvement process, HDR prepared microsimulation analysis and animations to explain the RCUT design and benefits.

Due to the unique design, HDR worked with the WVDOT Communications office and Governor's office to develop informational material including handouts, videos, and traffic models to illustrate how the RCUT will operate. These animations are available on WVDOT's website. Information was presented at the public meeting held in December of 2019. Project is currently under construction and expected to open in Fall 2021.

WV 45 Traffic Operations & Safety Study



Location: Martinsburg, WV

Project Manager: Matt Skiles, PE, PTOE - WVDOT

Contact: 304.414.7366; Matthew.H.Skiles@wv.gov

Type of Project: Traffic data collection, safety and operational analysis, and development of recommendations.

Goals and Objectives:

HDR worked with West Virginia Department of Transportation Division of Highways (WVDOH) to evaluate current and future traffic conditions, identify potential deficiencies, and develop alternative improvements to enhance traffic flow and improve safety for all roadway users within the 1.5 mile study area along WV 45 (Apple Harvest Drive). The study limits extended from the Blue Ridge Community College driveway to New York Avenue, including the I-81 interchange ramps and the entrance to the Martinsburg Mall.

This study included traffic analysis and projections, highway capacity analysis, traffic signal warrant analysis, crash analysis, review of intersection geometry evaluation of current and future volumes, and the development of short- and long-term improvement recommendations for the corridor as well as each intersection. In addition to corridor-wide improvements, access management and pedestrian/bicycle accessibility improvements were provided.

The three alternatives to address safety and operations concerns included an intersection improvement alternative, additional thru-capacity alternative, and a trip diversion alternative. The recommended alternative is currently being constructed.

US 50 with Emily Drive Traffic Operations and Safety Study



Location: Bridgeport, WV

Project Manager: Matt Skiles, PE, PTOE - WVDOT

Contact: Ms. Cindy Cramer, PE - WVDOT
304.558.3063; Cindy.L.Cramer@wv.gov

Type of Project: Traffic data collection, safety and operational analysis, and development of recommendations.

Goals and Objectives:

HDR performed a traffic study to address the closely spaced intersections of Emily Drive with U.S. 50 and Platinum and Emily Drives, located in close proximity to the I-79 interchange ramps in Bridgeport, West Virginia. Emily Drive provides access to a developing multi-use business park and two shopping centers. The shopping centers' land use is comprised of multiple superstores, strip malls, a 24-hour grocery store, a motel, and numerous outparcels and restaurants.

Included in the study were signal warrants, capacity analyses and a crash analysis, based on current and projected traffic volumes. The performance of the intersections was analyzed using Synchro with the two closely spaced intersections modeled as sharing one controller. A phased improvement plan was developed, including access management and ITS solutions, as well as geometric improvements to enhance traffic flow and safety through the area.

University Avenue ADA Study and Design



Location: Morgantown, WV

Project Manager: R.J. Scites, PE, WVDOT

Contact: 304.414.6479; Raymond.J.Scites@wv.gov

Type of Project: Pedestrian/ADA study, curb ramp and sidewalk design, crosswalk layout, and traffic signal modifications.

Goals and Objectives:

HDR was selected by the West Virginia Department of Transportation (WVDOT), Division of Highways to document the existing pedestrian conditions, provide recommendations to improve accessibility, and prepare contract plans within the 1,300' study area along University Avenue (US 119), also known as Don Knotts Boulevard. Situated in the urban core of downtown Morgantown and within close proximity to West Virginia University, this corridor has extensive pedestrian activity. The study area extends from Wall Street to Foundry Street and includes the sidewalks, crosswalks, and other pedestrian-related features such as signal heads and push buttons.

There are several sources for guidance on pedestrian facility design in accordance with the Americans with Disability Act (ADA) of 1990 and revised regulations implementing Title II. On July 26, 2011, the United States Access Board published the Public Rights of Way Accessibility Guidelines (PROWAG) for the design and construction of pedestrian facilities within the public right-of-way. Although not formally adopted yet, WVDOT is proactively following PROWAG in anticipation of its approval. HDR performed the following tasks:

- Pedestrian Access Route (PAR) Assessment to identify accessibility deficiencies within the corridor. A total of 55 deficiencies were documented in the PAR including:
 - Obstructions within the PAR.
 - Sidewalk cross slope exceeds 2% maximum.
 - Sidewalk cross slope at driveways exceed 2% maximum.
 - Excess running slope and lack of turning space at curb ramps.
 - Pedestrian push buttons (PPB) located outside of the recommended area for push buttons.
- Preparation of ADA Exception Justification Reports for deficiencies that could not be brought into full compliance with ADA and PROWAG.
- Preparation of contract plans for the proposed sidewalk, signal, and curb ramp improvements.

WV 7 and CR 857 Traffic Operations and Safety Study



Location: Morgantown, WV

Project Manager: R.J. Scites, PE, WVDOT

Contact: 304.414.6479; Raymond.J.Scites@wv.gov

Type of Project: Traffic operations and safety study, bicycle and pedestrian improvements, mid-block trail crossing layout, and traffic signal modifications.

Goals and Objectives:

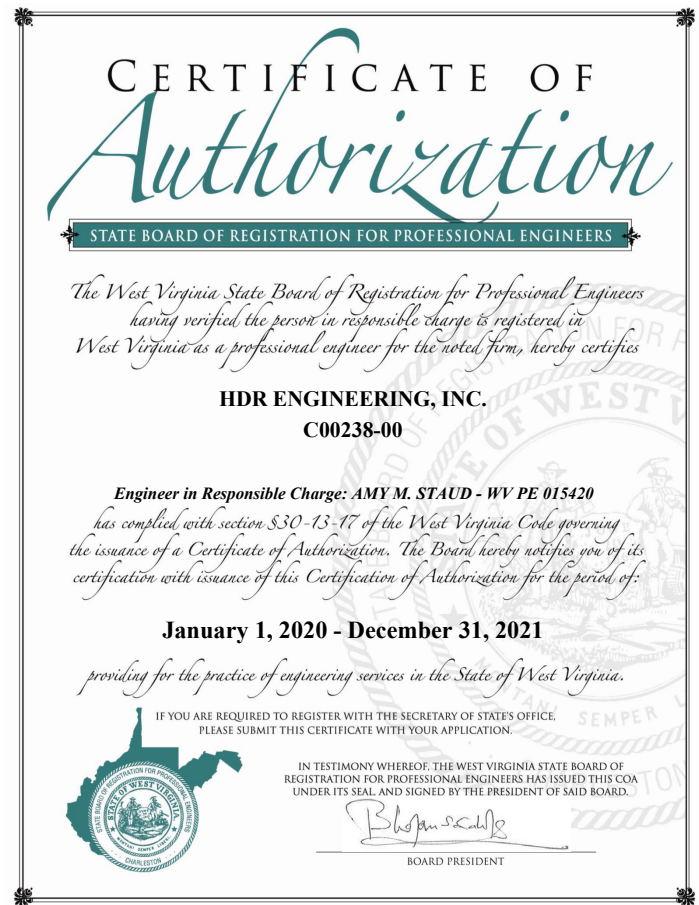
HDR worked with West Virginia Department of Transportation Division of Highways (WVDOH) to evaluate current and future traffic conditions, identify potential deficiencies, and develop alternatives to enhance traffic flow and safety along WV 7 in the Sabraton area of Morgantown. The traffic study limits extended from the WV 7 with CR 857 (Hartman Run Road) intersection (MP 34.95) to the WV 7 with Sturgiss Avenue intersection (MP 35.77). This study was originally initiated to address concerns at the intersection of WV 7 with CR 857 (Green Bag Road); however, due to the complex layout of the intersection and its contribution to the overall poor traffic conditions of the WV 7 corridor, the study area was expanded to include the adjacent intersections.

The Traffic and Operations Safety Study included the evaluation and analyses of existing and future traffic volumes, highway capacity analyses, traffic signal warrant analyses, crash analyses, pedestrian and bicycle connectivity, review of intersection geometry, and the development of short- and long-term improvement recommendations including pedestrian accessibility and access management. Six build alternatives were studied, including three roundabout alternatives.

Phase II included preparation of contract and right of way plans for the preferred intersection configuration, design of a mid-block crossing for the Deckers Creek Trail, and pedestrian improvements for the sidewalk and traffic signal.

COA and Specialized Certifications

As a consulting engineering firm, HDR maintains all required certifications to perform engineering work within the State of West Virginia. Below is our current Certificate of Authorization (COA), which was issued by the West Virginia State Board of Registration for Professional Engineers.



In addition, the HDR staff proposed for this project also hold the specialized licenses and certifications shown below.

Name	Certification	License Number
Amy Balmer Staud, PE, PTOE	Professional Engineer – WV	15420
	Professional Traffic Operations Engineer	2419
Matthew Selhorst, AICP	American Institute of Certified Planners	025250
Adam Holtzapple, PE, PTOE	Professional Engineer – WV	Reciprocity in Progress
	Professional Traffic Operations Engineer	2984
Shofiq Ahmed, EI	Engineering Intern - NH	07153
Scott Boehm, PE	Professional Engineer - WV	13212
Heidi Potocnik, PE	Professional Engineer - WV	16384



500 Virginia Street East, Suite 1250
Charleston, WV 25301
681.341.6100

hdrinc.com

We practice increased use of sustainable
materials and reduction of material use.

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Engineering Services Review Committee
Five Corners Traffic Study
July 27, 2021

--SCORING SHEET--

HDR ENGINEERING, INC.

Qualifications, Experience and Past Performance (50 points)	45
Oral Interview (50 points)	50

I, Jonathan Storage, certify that this scoring sheet represents the final score issued by the Review Committee for the engineering firm listed above.



Signature

8-12-21

Date

Committee Members:

Chris Knox, City Engineer
Dan Vriendt, City Planner
Matt Hartline, Traffic Engineering Director

Engineering Services Review Committee
Five Corners Traffic Study
July 27, 2021

--SCORING SHEET--

THE THRASHER GROUP

Qualifications, Experience and Past Performance (50 points)

40

Oral Interview (50 points)

35

I, Jonathan Storage, certify that this scoring sheet represents the final score issued by the Review Committee for the engineering firm listed above.



Signature

8-12-21

Date

Committee Members:

Chris Knox, City Engineer
Dan Vriendt, City Planner
Matt Hartline, Traffic Engineering Director

Resolution No. 525-21

Introduced in Council:

Adopted by Council:

August 16, 2021

Introduced by:

Referred to:

Joseph Jenkins

Finance

1 Resolution No. 525-21 - Authorizing the Mayor or City Manager to enter into an Agreement
2 with Environmental Systems Research Institute, Inc. ("ESRI"), for a total of \$112,000.00 for a
3 three-year software license agreement for the Geographic Information System ("GIS") software
4 licenses for the Information Systems Department.

5

6 Be it Resolved by the Council of the City of Charleston, West Virginia:

7 That the Mayor or City Manager is authorized to enter into an Agreement with Environmental
8 Systems Research Institute, Inc. ("ESRI"), in the amount of \$112,000.00 for a three-year
9 software license agreement to upgrade the current Geographic Information System ("GIS")
10 software licenses for the Information Systems Department.

Resolution No. 526-21

Introduced in Council:

Adopted by Council:

August 16, 2021

Introduced by:

Referred to:

Joseph Jenkins

Finance

- 1 Resolution No. 526-21 - Authorizing the Mayor or City Manager to enter into a contract with
2 Suttle & Stalnaker, PLLC in the amount of \$85,000 to perform pension calculations on behalf of
3 the Charleston Firemen's Pension and Relief Fund Board of Trustees to determine whether
4 current pension distributions conform with applicable State law.
5
6 Be it Resolved by the Council of the City of Charleston, West Virginia:
7 That the Mayor or City Manager is authorized to enter into a contract with Suttle & Stalnaker,
8 PLLC in the amount of \$85,000 to perform pension calculations on behalf of the Charleston
9 Firemen's Pension and Relief Fund Board of Trustees to determine whether current pension
10 distributions conform with applicable State law.

Suttle & Stalnaker

Certified
Public
Accountants

A Professional Limited Liability Company



Our commitment to serve

CITY OF CHARLESTON



August 6, 2021

PROPOSAL TO SERVE: City of Charleston

City of Charleston
501 Virginia Street, East
Charleston, WV 25301

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TRANSMITTAL LETTER



Welcome and Introduction

CITY OF CHARLESTON

Suttle & Stalnaker, PLLC is pleased to have the opportunity provide you with a proposal to perform recalculation of pension benefits for the City's fire pension system in accordance with W.Va. Codes §8-22-16(d) and §8-22-25. This package is designed to demonstrate the engagement team that is best suited to assist the City. Furthermore, it will provide you with a summary of the scope of services, an outline of our proposed service timeline, and the price for the engagement.

Selecting the Suttle & Stalnaker, PLLC team to serve the City of Charleston provides you with a number of important advantages:

EXPERIENCE. We are uniquely experienced and have the skills and resources in the employee benefit industry to meet your needs. Our firm has made a commitment to this industry and our staff receive a significant amount of training. In addition, we will manage the engagement efficiently and will provide the City local access to their service provider. Our firm has one of the largest employee benefit industry niches in the State of West Virginia. You will have a significant amount of resources available that have first-hand knowledge of what issues you may be faced with.

SERVICE & QUALITY. We are flexible and will work with you to coordinate the engagement to fit your schedule. We will give you the attention necessary to develop a client service plan to ensure that your goals and deadlines are met. Our approach, our use of technology, and our people all contribute to our ability to serve you in the way that best meets your needs.

TRACK RECORD. S&S has a proven track record of meeting our clients' needs in a timely and effective manner. We encourage you to check with our references regarding our service and quality.

COMMITMENT. You will get responsive, attentive service. The City of Charleston will be a key client to our Firm and you can rest assured knowing that our experience and resources will facilitate our dedication to serving you.

Should you have questions or comments please contact Chris Lambert at 304-720-3102 or cslambert@suttlecpas.com. We look forward to the opportunity to discuss this proposal in person with you and other members of management.

Very truly yours,



FIRM EXPERIENCE AND QUALIFICATIONS



About Suttle & Stalnaker

SINCE 1973, SUTTLE & STALNAKER, PLLC HAS BEEN COLLABORATING WITH CLIENTS TO FIND SOLUTIONS TO ACHIEVE THEIR GOALS. AS THE LARGEST WEST VIRGINIA-OWNED FIRM, WE HAVE AN ESTABLISHED REPUTATION FOR PROVIDING EXCEPTIONAL SERVICE AND PERSONAL ATTENTION TO EVERY CLIENT. WE OFFER THE RESOURCES AND SERVICES REMINISCENT OF A LARGE FIRM, BUT OUR ATTENTION TO DETAIL, PARTNER ACCESSIBILITY, RESPONSIVENESS, AND STRONG DESIRE TO BUILD RELATIONSHIPS SETS US APART.

OUR FIRM BY THE NUMBERS



Suttle & Stalnaker professionals are experienced in, and perform, a full range of services. Our firm is organized according to staff financial discipline: accounting and auditing, tax and tax consulting, and management consulting. We consider ourselves business advisors who not only solve problems but also prevent them. S&S performs a full range of services including financial reporting consulting, SOX consulting and compliance, audit and attest services, tax and tax planning, merger and acquisition consulting, operational consulting, internal audit assistance, audit preparation consulting, business valuations, and outsourcing.

The Firm is one of the fastest growing CPA firms in West Virginia, which is a direct result of our high quality services, commitment to clients and competitive fees. While Suttle & Stalnaker is a well-established firm with a 45+ year history, we live a culture of accepting new ideas and technologies to remain relevant and effective in delivering high quality service to our clients. We are poised for the future with an equity partner group that includes a diverse range of ages and a high percentage of female ownership.

CHARLESTON OFFICE

The Virginia Center
1411 Virginia Street East, Suite 100
Charleston, WV 25301

Phone 304.343.4126

MORGANTOWN OFFICE

The Wharf District
68 Clay Street, Suite C
Morgantown, WV 26501

Phone 304.554.3371

PARKERSBURG OFFICE

The Rivers Office Park
200 Star Avenue, Suite 220
Parkersburg, WV 26101

Phone 304.485.6584

Expertise

WE BELIEVE YOUR ENGAGEMENT SHOULD PUT YOU IN A POSITION OF STRENGTH. TO DO THAT, WE FOCUS ON HOW WE CAN PROVIDE VALUABLE INSIGHTS AND RECOMMENDATIONS DURING THE ENGAGEMENT THAT WILL HELP YOU IMPROVE.

SUTTLE & STALNAKER IS A LEADING CPA FIRM IN THE STATE OF WEST VIRGINIA

300+

AUDITS
PREPARED
ANNUALLY

45+

YEARS
PERFORMING
AUDITS

30+

AUDIT
TEAM
MEMBERS

100+

COLLECTIVE
YEARS OF
AUDITING
EXPERIENCE

EMPLOYEE BENEFIT PLANS

Suttle & Stalnaker, PLLC has performed auditing and/or Form 5500 series preparation services for numerous employee benefit plans, including performing the audits of several defined benefit plans, health and welfare plans, and 3 Taft-Hartley multiemployer plans. Through this experience, we have become familiar with issues specific to the benefit plan industry.

Furthermore, we have already addressed many issues that have arisen in the industry and are familiar with the applicable requirements and concerns of the U.S. Department of Labor. The engagement team assigned will be familiar with the employee benefit plan industry and all will have received technical training specific to this industry.

Suttle & Stalnaker, PLLC is also a member of the AICPA Employee Benefit Plan Audit Quality Center. Membership in this organization requires us to meet certain rigorous training requirements, quality standards and many other membership criteria.

COMMITMENT TO AUDIT QUALITY & PROFESSIONAL STANDARDS

We don't just produce quality audits; we believe in helping shape and guide the standards that our profession uses when performing audits.

- Appointed member of the AICPA Auditing Standards Board
- Committee member for WVCPA Peer Review and Accounting and Auditing Standards Committee
- Participation in AICPA Peer Review Program, receiving the highest rating possible.
- Participation in the AICPA Audit Quality Centers



Professional Affiliations

OUR FIRM AND ITS PROFESSIONALS ARE MEMBERS OF NUMEROUS ORGANIZATIONS THAT CONDUCT EDUCATIONAL TRAINING AND PROVIDE EDUCATIONAL PUBLICATIONS TO KEEP UP WITH CHANGES IN THE AUDIT SECTOR. SOME OF THESE ORGANIZATIONS INCLUDE:

- American Institute of Certified Public Accountants (AICPA)
- PCPS: The AICPA Alliance for CPA Firms
- AICPA Government Audit Quality Center
- AICPA Employee Benefit Plan Audit Quality Center
- AICPA Center for Audit Quality
- West Virginia Society of CPAs
- Ohio Society of CPAs
- Allinial Global
- Government Finance Officers Association
- Public Company Accounting Oversight Board (PCAOB)
- Association of School Business Officials
- Association of Government Accountants (AGA)
- West Virginia Bankers Association (WVBA)
- Community Bankers of West Virginia (CBWV)
- Medical Group Management Association
- National Association of Certified Valuators and Analysts (NACVA)
- National CPA Health Care Advisors Association (HCAA)
- CPA Firm Management Association (CPAFMA)
- Contractors Association of West Virginia (CAWV)
- National Electrical Contractors Association (NECA) West Virginia Ohio Valley Chapter
- Associated Builders and Contractors, Inc. - West Virginia Chapter (ABCWV)

ALLINIAL GLOBAL NETWORK

Allinial Global is an accounting firm association of legally independent accounting and consulting firms with offices in North America and throughout the world through international members and partnerships.

Allinial Global firms have the flexibility to find not just a good solution to your business challenges—but the best solution for you. Working with an Allinial Global firm means that you have access to the experience and knowledge of every firm in our organization through our Transfer of Excellence.

Most important, though, is the shared Allinial Global commitment to provide the most client-centric service possible. When needed, we have the ability to leverage our membership in order find not just an adequate solution to your business needs, but the best-in-class solution anywhere in the world.

At Suttle & Stalnaker, PLLC, our goal is to be your most trusted advisors, both locally and globally. Allinial Global helps us deliver. For more information, please visit www.allinialglobal.com.



QUICK STATS

Member Firms: 137	Countries: 50
Net Fees: 2.5 billion	Locations: 383
Partners: 3,106	Largest Firm (millions): 380
Staff: 13,390	Average Firm (millions): 15

Professional Affiliations: Allinial Global



Learning & Development

- Become a leader you'd want to follow through progressive leadership development.
- Trust the guidance of an advisor up-to-date on the highest levels of technical training.



Human Resources

- Improve employee retention through the Retaining Employees Through Active Involvement Now (RETAIN©) program and develop talent from hire to retire.
- Collaborate with advisors who are in it for the long haul and dedicated to your continued success.



International Connection

- We'll go wherever we need to secure the highest quality solutions to your business needs, whether in or outside of our association.
- You're covered wherever you do business: get the best solution, not the best available.



Technical Support

- Depend on your Allinial Global Technical Support liaison to connect you directly to an experienced specialist.
- Have confidence that your advisor will provide a tailored solution to all your business needs.



Communities of Practice

- Tap our collective experience in a wide range of industries and service lines through our online portal and both in-person and virtual events.
- When advisors keep abreast of industry trends, you work with leaders who keep you ahead of the competition.



Marketing Resources

- Reduce your learning curve by connecting to peers who've already implemented the marketing projects you're considering.
- An Allinial Global firm won't bombard you with self-congratulatory promotions. Get the educational content that will help you make sound business decisions.



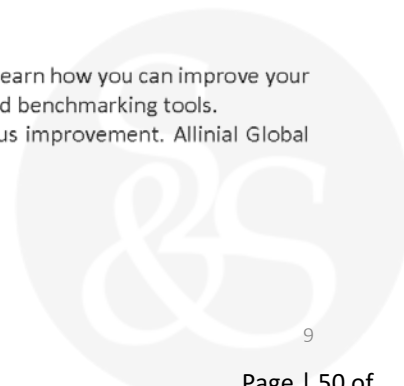
Information Technology

- IT services are like umpires: you shouldn't even notice they're at work. Keep your technology on track with our education and best practices-sharing.
- Rest assured that your personal data is protected by advisors who value your security and keep abreast of security best practices.



Practice Management

- Go through your firm with a fine-toothed comb: learn how you can improve your processes with the Firm Management Review and benchmarking tools.
- Work with a dynamic firm devoted to continuous improvement. Allinial Global firms are proud, but never satisfied.



Testimonials & References

Many of our current clients are industry leaders in our geographic area. In addition, we currently serve hundreds of additional entities representing a broad diversification of industry experience. The clients served range from assets of \$100 thousand to over \$5 billion and have revenues ranging from \$200 thousand to over \$1 billion. This experience and diversity will ensure that Suttle & Stalnaker, PLLC provides the engagement team necessary for the timely completion and resolution of your issues.

WE ENCOURAGE YOU TO CONTACT THE FOLLOWING REFERENCES TO GET A BETTER FEEL FOR OUR WORK AND CLIENT SERVICE:

Ms. Kristi Snyder
CAMC Basic Retirement Plan
(304) 388-6012

Mr. Marc Monteleone
Bowles Rice 401(k) Profit Sharing Plan
(304) 347-1132

Mr. Eric Jiles, CPA, MBA
Director of Finance
City of Parkersburg
(304) 424-8489

Mrs. Tia Robertson
City Auditor/Controller
City of Charleston
(304) 348-8000x127

Mr. John Galloway
West Virginia Consolidated Public Retirement Board
(304) 558-3570x52426

Scope of Services

Our proposal to the City of Charleston (City) to provide the recalculation of pension benefits for the City's fire pension system in accordance with W.Va. Codes §8-22-16(d) and §8-22-25. The extent to which we can do this will depend on your staff and management being available for questions and providing source documents. We do understand that the City has indicated there are some missing records of members that date back prior to 2002. Also that as of July 1, 2019, data request, there were ten known missing records, or at least information missing from the records.

- We will recalculate the pensions of the Firemen's Pension and Relief Fund in accordance with W.Va. Code §8-22-16(d) and §8-22-25.
 - The City of Charleston Firemen's Pension and Relief Fund, as of July 1, 2021, has 261 members receiving benefits and 2 members who have chosen to freeze their retirement until they reach the age of 50. The 261 members are classified as follows:
 - 172 regular retirees
 - 4 Qualified Domestic Relations Orders
 - 46 Survivors
 - 39 Disability Retirees



Fees & Billings

We generally base our fees on the time required at our regular rates for the services and personnel assigned plus out-of-pocket costs. Our charges also include other appropriate factors, including the difficulty of the assignment, the degree of skill required, time limitations imposed on us by others, the experience and ability of the personnel assigned, and the value of the services to the client. We will attempt to minimize our fees consistent with quality work. The extent to which we can do this will depend on your personnel offering us clerical and other assistance to prepare schedules, perform analyses, and provide source documents. Assuming adequate records and assistance from your personnel, our fees for reconciliation of pension benefits for the City's fire pension system will be as follows:

- **FEE AND TIME ESTIMATE: \$85,000 FOR 525 HOURS**

We will attempt to minimize our fees consistent with quality work. If we encounter circumstances not contemplated in preparing this estimate or management determines that additional procedures and/or test work are needed, we will discuss them with you in advance and arrive at a new fee arrangement.

This fee estimate will be subject to adjustments based on unanticipated changes in the scope of our work and/or the incomplete or untimely receipt by us of the information on the client participation list. Examples include if we discover significant recordkeeping problems, suspected violations of laws or regulations, or issues that cause the Plan's records to be questioned. You may request that we perform additional services not addressed in this proposal. If this occurs, we will communicate with you the scope of the additional services and the estimated fee.



PERSONNEL QUALIFICATIONS AND EXPERIENCE



Your Team

WE UNDERSTAND THAT YOU DESIRE A FIRM THAT CAN MEET YOUR NEEDS IN A TIMELY AND EFFECTIVE MANNER. WE WILL BRING YOU A TEAM THAT COMBINES IN-DEPTH EXPERIENCE AND KNOWLEDGE WITH A STRONG COMMITMENT TO SERVE YOU.

We provide an organizational structure that ensures ongoing and knowledgeable supervision by management already familiar with numerous industry related issues to ensure maximum efficiency.

The following key engagement team members will be available to serve the City of Charleston:



ENGAGEMENT MEMBER

CHRIS S. LAMBERT
CPA, CGMA, CCIFF

Audit & Employee Benefit
Consulting Member

Charleston
304.720.3102
cslambert@suttlecpas.com



RYAN MINK
CPA

Tax & Audit
Senior Manager

Morgantown
304.554.3371
rmink@suttlecpas.com



ERIKA POPP
CPA

Audit
Senior

Charleston
304.343.4126
epopp@suttlecpas.com

OUR TEAM IS YOUR TEAM

Additional staff with the necessary background skills and capabilities will be assigned as necessary. Suttle & Stalnaker, PLLC continually strives to hire the best personnel available to serve our clients. We are committed to this effort in order to provide our clients with the high quality service they deserve. You can learn more about the managers and staff assigned to your engagement, read the full bios of your core team in the appendix of the proposal starting on page 20.

APPROACH



Approach

SUTTLE AND STALNAKER'S METHODOLOGY IS ROOTED IN PEOPLE, PROCESS, TECHNOLOGY AND INDUSTRY. OUR APPROACH BEGINS WITH UNDERSTANDING YOUR ORGANIZATION AND OPERATIONS. WHEN POSSIBLE, WE WANT TO SEE HOW YOUR ORGANIZATION OPERATES BECAUSE IT WILL MAKE US BETTER CONSULTANTS.

OUR 5-STAGE APPROACH

While every CPA firm that performs consulting has to comply with the applicable standards, firms will use different methodologies to meet those standards. In some cases, those methodologies are not customized to meet the needs of the client or industry.

Once we understand your organization, we use the knowledge of your processes, technology, and industry to customize our work plan and approach.

We are often told that we ask more relevant questions and look at items which previous accountants never reviewed, including controls. This customized approach based on our experience and knowledge allows our teams to produce high quality, effective solutions that produce more valuable insights for our clients.



OUR COMMITMENT

Open communication is the foundation of our work and we place significant emphasis on a coordinated approach aimed at trying to shorten the time of our engagements from start to finish. Here is what you can expect:

No Surprises. We communicate critical findings as they occur, not just when you receive our reports. You should always know what's coming in our reports before they are actually received.

Face-to-Face Meetings. Whether in person or via video, we hold weekly calls with our clients regarding the status of their engagement.

Technology. We leverage technology to securely share information, conduct interviews when we can't be there in person, and make your engagement as effective as possible.

When we deliver our report, we focus not just on our findings, but how they can help you improve.

Timeline

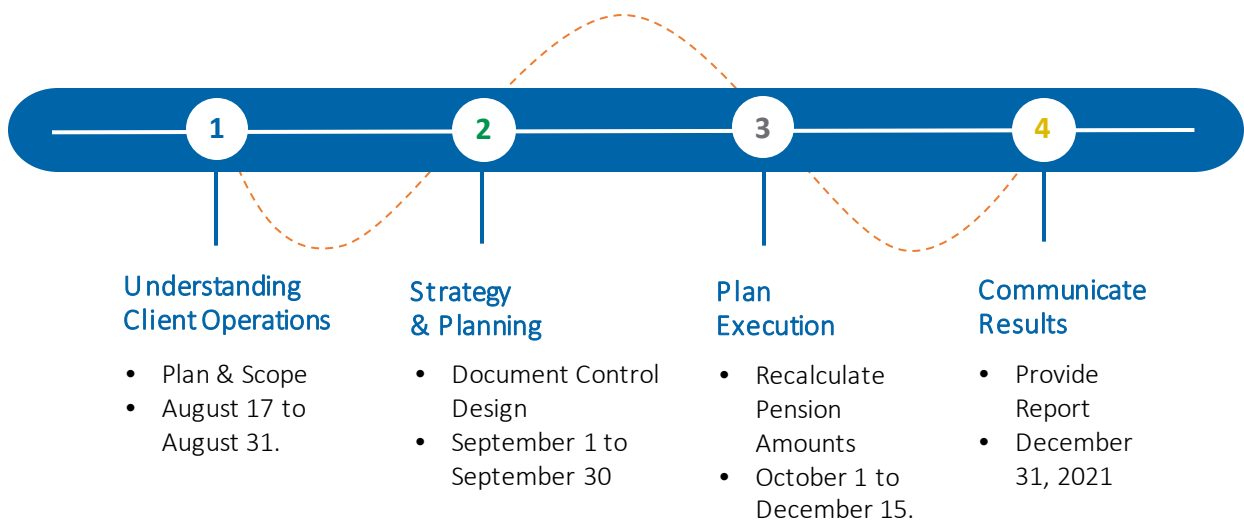
ENGAGEMENT TIMELINE

The team selected for you will be well seasoned to ensure this engagement goes smoothly. You'll see our partners in the field, not just at the beginning or end of an engagement.

We've further eased the transition for our clients in how we use and leverage technology and plan for your engagement. Using proprietary company processes and templates to communicate with clients, we make the participation in the engagement as easy as possible.

Most importantly, we customize the engagement to you by offering the flexibility of on-site visits, remote work, or a hybrid approach in order to meet your needs.

PHASES



Technology

SUTTLE & STALNAKER'S APPROACH TO TECHNOLOGY

At S&S, efficient and effective technology solutions are a top priority. Our philosophy on technology use is unique to our firm, and our policies help protect your sensitive and confidential information.

TECHNOLOGY PHILOSOPHY

It is S&S's philosophy that technology should be used to enhance the client experience through seamless connections and simplified workflow processes in a safe and secure environment. You will experience the firm's use of technology in all aspects of your work with us from engaging in video calls, to paying bills electronically, to secure file and data transfers, to the delivery of our products and services to enhance the value you receive. We believe technology should be used to simplify and advance a business's processes, not add to the administrative burden.

We seek balance in technology use and will coach our clients on the technology stack that is right for them at any given point in their business's evolution. We look for platforms that are easy to use and that provide optimal engagement capabilities so that we can deliver the highest quality product. Occasionally, it's necessary to encourage a platform update if security or standards compliance are at risk, but it is not our practice to force clients into technology with which they are uncomfortable.

Furthermore, when adopting new technology, we believe in being cutting edge – not bleeding edge. We look for technology solutions with a proven track record of at least a year, and we thoroughly vet each product before implementation. While we are often early adopters in the marketplace, we don't believe in making changes that affect our clients without the utmost confidence in positive results.

IT POLICY PHILOSOPHY

Our information technology (IT) policies inform our technology decisions and are designed to protect data both internally and externally following implementation. Our IT policies incorporate the IRS standards for protecting and securing client data, and we make regular updates to meet modern demands. Our policies cover all the ways in which we do business and use technology today both in the office and remotely from email and smartphone use, to remote access security, to data transfer and storage solutions, and password protection. Each team member is required to read and sign our IT policies and are held responsible for upholding our policies for firm and client protection. You can rest assured that we've taken every step in our power to protect your sensitive and confidential information.



RESUMES



Resumes



CHRIS LAMBERT
CPA, CGMA, CCIFP

Audit and Consulting
Member

Head of Employee Benefit Plan
Practice

Charleston Office

EDUCATION

Chris earned his Bachelor of Business Administration in Accounting from Marshall University.

RESPONSIBILITIES

Chris Lambert is an audit and consulting Member of Suttle & Stalnaker, PLLC with over 30 years of public accounting experience.

EXPERIENCE

Chris has extensive consulting and audit experience with governmental and pension plan clients. His client service experience also includes not-for-profit and construction entities. He has experience in accounting systems, internal audit assistance, financial reporting consultation, audit preparation consulting, and internal control systems consulting.

PROFESSIONAL ACTIVITIES

Chris is a member of the American Institute of Certified Public Accountants, West Virginia Society of Certified Public Accountants (WVSCPA), the Charleston Chapter of the WVSCPA, Designated partner of AICPA Employee Benefit Plan Audit Quality Center, Association of Government Accountants (AGA), Leadership West Virginia Class of 2012, the Contractors Association of West Virginia and the Construction Financial Management Association.

Chris has also been active in the community serving as President of the Marshall University Quarterback Club, the Big Green Scholarship Fund, WV Susan G. Komen Foundation and Treasurer of the West Virginia Soccer Club.

Resumes



E. RYAN MINK
CPA

Audit and Consulting
Senior Manager

Morgantown Office

EDUCATION

Ryan received a Bachelor of Science Degree in Accounting, Bachelor of Science Degree in Business Administration, and graduated magna cum laude from Lee University in Cleveland, Tennessee.

RESPONSIBILITIES

Ryan Mink is a senior manager in the tax and audit departments of Suttle & Stalnaker, PLLC. He has been in public accounting since 2007 and with the firm since 2008.

EXPERIENCE

Ryan specializes in employee benefit plan audits and has significant experience in performing financial audits in accordance with Government Auditing Standards. He also has experience in financial reporting and audit preparation consultation.

PROFESSIONAL ACTIVITIES

Ryan is a member of the American Institute of Certified Public Accountants, the West Virginia Society of Certified Public Accountants and the Central Chapter of the West Virginia Society of Certified Public Accountants.

In 2017 Ryan received the Advanced Defined Contribution Plan Auditing certificate from the AICPA which signifies not only his commitment to audit quality but his competency in performing these specialized audits.

Ryan is a member of the Leadership Kanawha Valley Class of 2013 and Leadership Monongalia Class of 2019 and the recipient of the 2020 West Virginia Society of CPAs Young CPA of the Year award.



Resumes



ERICKA POPP
CPA

Audit Senior

Charleston

EDUCATION

Erika has a bachelor's degree with a major in accounting from Marshall University and a Master's in Accountancy from West Virginia University. She is a Certified Public Accountant.

RESPONSIBILITIES

Erika Popp is an audit Senior in the Audit Department of Suttle & Stalnaker, PLLC. She has been with the firm since 2018. Erika will be responsible for supervising staff assigned during the course of the engagement and executing the engagement plan.

EXPERIENCE

Erika specializes in employee benefits plan audits and has experience in performing financial audits in accordance with Government Auditing standards. She also has experience in financial reporting and audit preparation.

PROFESSIONAL ACTIVITIES

Erika is a member of the West Virginia Society of Certified Public Accountants and American Institute of Certified Public Accountants.



EOI Committee Score Sheet

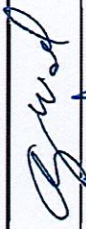
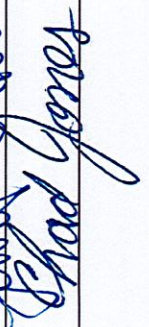
Firm Name: Suttle and Stahaker, PLLC
 EOI: Fire Pension Recalculation
 Number of Committee Members: 3
 Bid Amount: \$ 85,000

Understanding of the audit to be conducted: Maximum 15 points (Up to 5 points per question)										Score
Does the proposal specify the type of calculation to be performed and does the proposal indicate a clear understanding pension benefits?										5
Does the proposal describe in clear language the work plan to conduct the engagement including data collection, calculation, and comparison of results?										5
Does the proposal demonstrate the firm has the ability to complete the audit within a reasonable period?										5
Total										15

Technical Experience: Maximum 20 points (Up to 5 points per question)										Score
Do the supervisor and the assigned staff have experience in defined benefit pension calculations?										4
Does the majority of the key staff have three or more years of pension calculation experience?										5
Does the firm have experience with WV Municipal Police or Fire pensions?										5
Do the key team members hold any relevant professional certifications related to pension administration?										4
Total										18

Cost Criteria: Maximum 15 points					Total
Bid	Average	%	Multiplier		
\$ 85,000	\$ 113,750	1.338	10		13

Grand Total 46

Scored by: (Signatures of Committee)		Date	Printed Name
1.		8/12/2021	Andy Wood
2.		8/12/2021	Jennifer Vickers
3.		8/12/2021	Chad Jones

EOI Committee Score Sheet

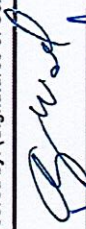
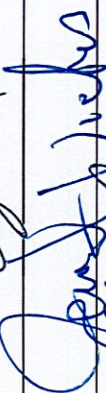
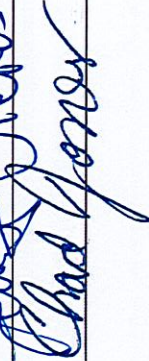
Firm Name: Athena Consulting LLC
 RFP #: Fire Pension Recalculation
 Number of Committee Members: 3
 Bid Amount: \$ 142,500

Understanding of the audit to be conducted: Maximum 15 points (Up to 5 points per question)										Score
Does the proposal specify the type of calculation to be performed and does the proposal indicate a clear understanding pension benefits?										5
Does the proposal describe in clear language the work plan to conduct the engagement including data collection, calculation, and comparison of results?										5
Does the proposal demonstrate the firm has the ability to complete the audit within a reasonable period?										4
Total										14

Technical Experience: Maximum 20 points (Up to 5 points per question)										Score
Do the supervisor and the assigned staff have experience in defined benefit pension calculations?										5
Does the majority of the key staff have three or more years of pension calculation experience?										5
Does the firm have experience with WV Municipal Police or Fire pensions?										3
Do the key team members hold any relevant professional certifications related to pension administration?										5
Total										18

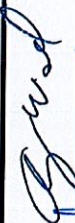
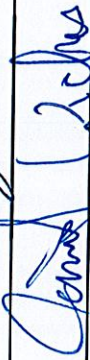
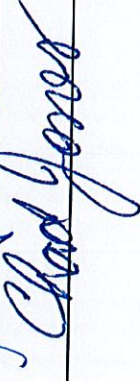
Cost Criteria: Maximum 15 points					Total
Bid	Average	%	Multiplier		
\$ 142,500	\$ 113,750	0.798	10		8

Grand Total	40
--------------------	-----------

Scored by: (Signatures of Committee)		Date	Printed Name
1.		8/12/2021	Andy Wood
2.		8/12/2021	Jennifer Vickers
3.		8/12/2021	Chad Jones

EOI SCORE SHEET SUMMARY						
EOI:	Fire Pension Recalculation					
Number of Bids Received:						
	2					
Firms						
Suttle and Stalnaker, PLLC	Contract Amount	0 - 15	0 - 20	Cost Criteria Average divided by Cost times 10	Total Points	
	\$ 85,000	15	18	13	50	
Athena Consulting LLC	\$ 142,500	14	18	8	46	
Average	\$ 113,750				40	

By signing below, you are making the assertion that there is no conflict of interest or collusion of the audit committee members or another representative of the entity with the firms submitting bid proposals and/or the firm awarded the contract. Further, you are making the assertion that the scoring of the bid proposals by the audit committee members are true and not influenced by any bidder or person.

Scored by: (Signatures of Committee)	Date	Printed Name
1. 	8/12/2021	Andy Wood
2. 	8/12/2021	Jennifer Vickers
3. 	8/12/2021	Chad Jones

Resolution No. 527-21

Introduced in Council:

Adopted by Council:

August 16, 2021

Introduced by:

Referred to:

Joseph Jenkins

Finance

1 Resolution No. 527-21 - Authorizing the General Manager of the Charleston Coliseum &
2 Convention Center to enter into a contract with ESI Production Services in the amount of
3 \$61,049.67 to install a sound system for the performance theater located within the
4 Charleston Coliseum & Convention Center, where the contract will first be reviewed by the City
5 Solicitor for approval as to form.

6

7 Be it Resolved by the Council of the City of Charleston, West Virginia:

8 That the General Manager of the Charleston Coliseum & Convention Center is authorized to
9 enter into a contract with ESI Production Services in the amount of \$61,049.67 to install a
10 sound system for the performance theater located within the Charleston Coliseum &
11 Convention Center, where the contract will first be reviewed by the City Solicitor for approval
12 as to form.

Charleston Coliseum & Convention Theater Sound System		
Project No. 2021-020		
Bid Opening: August 09, 2021		
	ESI Production Services 5126 W Cypress St Tampa, FL 33607 P: (304) 346-5301 otto@esi-productions.com Total	
Theater Sound System	\$61,049.67	
Local Vendor Preference (4%)	N/A	
Successful Bidder		

Resolution No. 528-21

Introduced in Council:

Adopted by Council:

August 16, 2021

Introduced by:

Referred to:

Joseph Jenkins

Finance

1 Resolution No. 528-21 - Authorizing settlement of pending disputed claims against the City in
2 the matter known as Johnny L. Barker v. City of Charleston, et al., Civil Action No. 2:20-cv-00357
3 in the United States District Court for the Southern District of West Virginia, as recommended
4 by the City Solicitor.

5

6 Be it Resolved by the Council of the City of Charleston, West Virginia:

7

8 That the City Council hereby authorizes and approves the settlement of pending disputed
9 claims against the City by Johnny L. Barker, as contained in Civil Action No. 2:20-cv-00357 in the
10 United States District Court for the Southern District of West Virginia, in the amount of
11 \$45,000, as recommended by the City Solicitor. The City Council authorizes the City Solicitor
12 and City Manager to take all necessary steps to finalize resolution of the claims.

**MUNICIPAL COURT
CITY OF CHARLESTON**

**Post Office Box 2749
Charleston, West Virginia 25330
(304) 348-8079**

Anne B. Charnock, Judge

Conrad Lucas, Clerk

TO: Mayor Amy Shuler Goodwin
FROM: Conrad Lucas, Clerk
DATE: **Thursday August 5, 2021**
RE: **July 2021** Financial Information, Charleston Municipal Court

TOTAL CITATIONS FILED: 1,147

Criminal Violations: 119
Traffic Violations: 999
Parking: 0
Building Search Warrants: 29

RESTITUTION COLLECTED (paid to victims): \$1,076.00

Primarily related to shoplifting cases, restitution monies are collected and refunded to the store/victim.

FINANCIAL REPORT ATTACHED

cc: Judge Anne B. Charnock
Miles Cary, City Clerk
Victor Grigoraci, Treasurer
Scott Dempsey, Deputy Chief of Police
Tony Harmon, Building Department
David Potters, Office of the City Attorney
Captain Mike Pridemore, CPD
Nikki Smith, City Clerk's Office

CHARLESTON MUNICIPAL COURT

Page: 1

Report For July

1, 2021 Thru July

31, 2021

FILEDST

Violations by Filed Date...

TRAFFIC	999	
CRIMINAL	119	
BUILDING SEARCH WARRANT	29	
Total Filed Violations		1,147

Completed Cases...

Paid Fine...

TRAFFIC	262	
CRIMINAL	6	
BUILDING SEARCH WARRANT	0	
Total Paid Fines		268

Before Judge...

TRAFFIC	6	
CRIMINAL	5	
BUILDING SEARCH WARRANT	0	
Total Before Judge		11

Total Completed		279
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Other Completed...

DISMISS- OFFICER NOT WITH CITY

TRAFFIC	2	
CRIMINAL	1	
BUILDING SEARCH WARRANT	0	
Total		3

DISMISSED OFFICER FAIL TO PROS

TRAFFIC	18	
CRIMINAL	7	
BUILDING SEARCH WARRANT	0	
Total		25

DISMISSED (PRESENTED INSURANCE)

TRAFFIC	58	
CRIMINAL	0	
BUILDING SEARCH WARRANT	0	
Total		58

DISMISSED (BY JUDGE'S ORDER)_

TRAFFIC	2	
CRIMINAL	0	
BUILDING SEARCH WARRANT	0	
Total		2

DISMISSED E-PROOF

CHARLESTON MUNICIPAL COURT

Page: 2

Report For July

1, 2021 Thru July

31, 2021

FILEDST

TRAFFIC	9		
CRIMINAL	0		
BUILDING SEARCH WARRANT	0		
Total		9	
DISMISSED (PRESENTED DL)			
TRAFFIC	8		
CRIMINAL	0		
BUILDING SEARCH WARRANT	0		
Total		8	
DISMISSED STORE CLOSED			
TRAFFIC	0		
CRIMINAL	5		
BUILDING SEARCH WARRANT	0		
Total		5	
DISMISSED OFF FAIL TO PROV VIN			
TRAFFIC	2		
CRIMINAL	0		
BUILDING SEARCH WARRANT	0		
Total		2	
DISMISSED (PROSECUTOR'S ORDER)			
TRAFFIC	27		
CRIMINAL	5		
BUILDING SEARCH WARRANT	0		
Total		32	
Dismissed at Officers Request			
TRAFFIC	79		
CRIMINAL	2		
BUILDING SEARCH WARRANT	0		
Total		81	
DISMISSED PRESENTED RECORDS			
TRAFFIC	160		
CRIMINAL	0		
BUILDING SEARCH WARRANT	0		
Total		160	
DISMISSED AFTER PT DIVERSION			
TRAFFIC	13		
CRIMINAL	5		
BUILDING SEARCH WARRANT	0		
Total		18	
Dismissed Pursuant to Plea			
TRAFFIC	2		
CRIMINAL	5		
BUILDING SEARCH WARRANT	0		
Total		7	
DISMISSED WITHOUT PREJUDICE			

CHARLESTON MUNICIPAL COURT

Page: 3

Report For July 1, 2021 Thru July 31, 2021 FILEDST

TRAFFIC	18	
CRIMINAL	26	
BUILDING SEARCH WARRANT	0	
Total		44

VOIDED DOCKET

TRAFFIC	2	
CRIMINAL	1	
BUILDING SEARCH WARRANT	1	
Total		4

Total Other Completed	458
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Grand Total Completed	737
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Net Difference Filed/Complete	410
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Warrants...

Issued...

TRAFFIC	339	
CRIMINAL	358	
BUILDING SEARCH WARRANT	0	
Total Violations		697
Total Warrants Issued		697

Cleared...

TRAFFIC	301	
CRIMINAL	362	
BUILDING SEARCH WARRANT	0	
Total Violations		663
Total Warrants Cleared		663

Change in Total Warrants	34
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Other Paid Cases...

Paid Fine...

Total Other Paid Fines	127
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FINE FINE	\$28,824.84
LAWFND LAW ENFORCE. TRAIN STATE	\$3,356.00
LAWLOC LAW ENFORCE. TRAIN (LOCAL)	\$1,445.00
CVC CRIME VICTIM'S FUND	\$2,564.00
ADMIN ADMINISTRATIVE COST	\$631.00
JAILF REGIONAL JAIL CORR.	\$12,636.00
CCF COMMUNITY CORRECTIONS FUND	\$262.66
REST RESTITUTION	\$1,076.00
OP OVER PAYMENT	\$5.50
NSF NSF	\$50.00

CHARLESTON MUNICIPAL COURT

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Report For July

1, 2021 Thru July

31, 2021

FILEDST

PCADM PC ADMIN FEE

\$196.00

Total Fees/Fines Paid

\$51,047.00

Municipal Court Building Search Warrant Report- July 2021

Docket No	Name	Defendant Address	Status Date/Time
SW21000069	FAITH & TRUTH, APOSTOLIC CHURCH	1415 1ST AVENUE	7/8/2021 3:30 PM
SW21000070	RUTHERFORD, DANNY	1209 ADELE STREET	7/8/2021 3:30 PM
SW21000071	RUTHERFORD, CRYSTAL	1209 ADELE STREET	7/8/2021 3:30 PM
SW21000072	SMITH, PHILLIP D.R.	1038 SOUTH PARK ROAD	7/8/2021 3:30 PM
SW21000073	SMITH, ERNESTINE	1038 SOUTH PARK ROAD	7/8/2021 3:30 PM
SW21000074	KENNEDY, RICHARD	28 LANCE DRIVE	7/8/2021 3:30 PM
SW21000075	KENNEDY, ANNA	28 LANCE DRIVE	7/8/2021 3:30 PM
SW21000076	501 KING STREET LLC,	1404 VIRGINIA STREET EAST	7/8/2021 3:30 PM
SW21000077	RHODY, GRACE	1538 CLARK ROAD	7/8/2021 3:30 PM
SW21000078	RHODY, ETAL	1538 CLARK ROAD	7/8/2021 3:30 PM
SW21000079	VANCE, ROBERTA	3817 VIRGINIA AVENUE	7/8/2021 3:30 PM
SW21000080	COWGILL C/O AIGIS IN, DORIS	513 GLOVER STREET	7/8/2021 3:30 PM
SW21000081	E AND E INVESTMENTS,	511 GLOVER STREET	7/8/2021 3:30 PM
SW21000082	ROSS, LARRY A	2909 5TH AVENUE	7/8/2021 3:30 PM
SW21000083	MITCHELL, KEVIN	606 HUNT AVENUE	7/8/2021 3:30 PM
SW21000084	SNODGRASS, LEWIS	803 SHARON DRIVE	7/8/2021 3:30 PM
SW21000085	SNODGRASS, ANTHONY	803 SHARON DRIVE	7/8/2021 3:30 PM
SW21000086	PILAR, OBENZA MA	1715 LOUDEN HEIGHTS RD	7/8/2021 3:30 PM
SW21000087	RAY, EDWARD H	711 BREAM STREET	7/8/2021 3:30 PM
SW21000089	LESTER, WILLIAM	413 VIRGINIA STREET	7/8/2021 3:30 PM
SW21000090	P & J REAL ESTATE,	1504 CHANDLER DRIVE	7/8/2021 3:30 PM
SW21000091	LILLY, PAUL A	1929 4TH AVENUE	7/8/2021 3:30 PM
SW21000093	LILLY, KAREN D	1929 4TH AVENUE	7/8/2021 3:30 PM
SW21000094	NAJ, LLC,	1839 CORAL DRIVE	7/8/2021 3:30 PM
SW21000095	ABLE CONTRACTING,	952 BURGESS STREET	7/8/2021 3:30 PM
SW21000096	DANDY, ARDITH N	1507 6TH AVENUE	7/8/2021 3:30 PM
SW21000097	DANDY, S.W.	1507 6TH AVENUE	7/8/2021 3:30 PM
SW21000088	RAY, CARLA	711 BREAM STREET	7/18/2021 3:30 PM

Monthly Report – Definition Key

Violations by Filed Date:

Violations keyed into the Court software during the month

Completed Cases:

Cases where the fine and court costs were paid in full and the case was closed during the month.

Before Judge:

Number of violations where a case set for trial before the judge; the defendant was found guilty or entered a guilty plea at trial and the defendant paid off all costs/fines in full thereby closing the case.

Other Completed -Dismissed (By Complainant):

The City Attorney moved to dismiss cases because the person who filed the complaint no longer wishes to pursue the charges.

Defendant Deceased:

Cases dismissed because the defendant died.

Dismissed Officer Fail to Pros:

Cases dismissed because the officer failed to appear in Court.

Dismissed (presented insurance):

Cases dismissed because the defendant presented valid proof of insurance for the offense date.

Dismissed (presented DL):

Cases dismissed because the defendant presented a valid driver's license.

Dismissed Mistaken Identity:

Cases dismissed cases on the City Attorney's motion due to mistaken identity.

Dismissed (Prosecutor's Order):

Cases dismissed on the City Attorney's motion or as a result of a plea agreement.

Dismissed Presented Records:

Cases dismissed because the defendant presented records to satisfy a code or Court requirement.

Dismissed After PT Diversion:

Cases dismissed because the defendant entered into a Pre-Trial Diversion agreement with the City and satisfied the requirements of the Pre-Trial Diversion.

Dismissed Victim/Witness FTA:

Cases dismissed because the witness or victim did not appear in Court for trial.

Dismissed without prejudice:

Cases dismissed but the City having the option to re-file the case within one (1) year of the date of the offense.

Dismissed No Drug Results:

Drug results were not received for trial.

Dismissed – Officer Not With City

Officer/Witness is no long employed by the City.

Warrants

The Court issues warrants for Failure to Appear in Court for court sessions. These warrants are printed and copied to the CPD Warrants Division.

Cleared:

The Court clears warrants once the warrant is served by an officer or when a defendant self reports to the Court. The Court also clears warrants if a person is deceased, posts bond and or, in some cases, enters a plea.

Other Paid Cases:

The Court received a partial payment for a case; however, the defendant still has a balance due.

Search Warrant Issued:

A search warrant document was prepared and presented to the court by the City Attorney's office with regard to safety and public health concerns of a structure/property.

This report is not indicative of the case volume in Municipal Court. Rather, this information reflects payment status/coding for cases.

Resolution No. 529-21

Introduced in Council:

August 16, 2021

Introduced by:

Adam Knauff

Adopted by Council:

Referred to:

Ordinance and Rules

Resolution No. 529-21 - Amending Rules No. 3 and No. 13 of the Rules of Council to require that appointment recommendations from the Mayor to City Council be filed with the clerk by 12:00 noon on Friday immediately preceding the day of the meeting considering the recommendation; that each recommendation be made individually and voted on individually; and that each recommendation state whether the person has a familial relationship with the Mayor, any Member of Council, and any member of the Mayor's Administration.

Now, therefore, be it Resolved by the Council of the City of Charleston, West Virginia:

That Rules No. 3 and No. 13 of the Rules of Council be amended, all to read as follows:

Rule No. 3. - Filing of papers to be introduced at city council meetings, and action thereon by clerk of council.

In order to promote the orderly conduct of the business of the city council and the timely preparation of an accurate agenda, the following rules are hereby established:

(a) All bills, resolutions, petitions, committee reports, communications, appointments, and other documents for consideration by the city council must be filed in the office of the clerk of the council not later than 12:00 noon on Friday immediately preceding the day of the meeting at which it is intended they be considered; provided that this restriction shall not apply to the mayor or the mayor's designated deputy; provided, however, that any written mayoral recommendation or communication for the appointment of any individual to a position, board, or seat that requires the consent of Council may not contain more than one individual appointee and shall be filed by 12:00 noon on Friday immediately preceding the day of the meeting and such recommendation or communication shall include a statement disclosing any familial relationships the recommended appointee has to the Mayor, any Member of Council, and any member of the Mayor's Administration. For the purposes of this rule, "Mayor's Administration" means any employee of the City of Charleston who holds a position of influence, including but not limited to the City Manager, City Solicitor, Department Directors, or assistants to the Mayor.

1 (b) Nothing herein shall be construed to prohibit any member of the city council,
2 at the proper order of business, from introducing or submitting any bill, resolution,
3 petition, committee report or communication during any regular meeting.

4 (c) The clerk of the council shall assign a serial number to each bill and
5 resolution introduced and shall have authority to edit and correct them as to form.

6 (d) No bill or resolution shall be filed with the clerk of the council or introduced
7 from the floor unless it bears the signature of at least one member of the city council as
8 sponsor. Any member of the city council, for this purpose, may verbally authorize the
9 clerk of the council or any of the clerk's deputies to sign the member's name thereto.

10
11 **Rule No. 13. - Call for a division of a question.**
12

13 Any member of the city council may call for a division of any question before a
14 vote is taken thereon if it comprehends propositions in substance so distinct that, if one
15 proposition be taken away, another substantive proposition remains for decision by the
16 city council; but a member of the city council calling for a division of a question shall
17 state in what manner the question shall be divided. Notwithstanding the foregoing,
18 every vote regarding the appointment of a person to any position, board, or seat shall
19 be taken individually, identifying each proposed appointment for its own separate vote,
20 and under no circumstances may multiple proposed appointments be combined for a
21 single vote.

Bill No. 7923

Introduced in Council:

August 16, 2021

Introduced by:

Becky Ceperley and Brent Burton

Adopted by Council:

Referred to:

Planning/Streets & Traffic

Bill No. 7923 - A BILL to amend the Municipal Code of the City of Charleston, as amended, by adding thereto a new Article consisting of sections 2-711, 2-712, 2-713, 2-714, 2-715, and 2-716, all relating to creating the City Center Business Improvement District; detailing the terms, method of appointment, and powers and duties of the district boardmembers; creating the City Center BID Fund; stating the maximum rate of any annual fees that may be imposed upon the commercial properties in the district and the manner in which the rate will be imposed; generally stating the intention of the City to increase services within the district with the fees collected; summarizing the proposed services to be provided within the district and a reasonable estimate of the attendant cost; describing the boundaries of the district; and stating requirements for continuation or dissolution of the City Center BID.

Now, therefore, be it ordained by the Council of the City of Charleston:

That the Municipal Code of the City of Charleston, as amended, is amended by adding thereto a new Article, consisting of sections 2-711, 2-712, 2-713, 2-714, and 2-715 all to read as follows:

ARTICLE VII. – BOARDS, COMMITTEES AND COMMISSIONS.

DIVISION 11. – CITY CENTER BUSINESS IMPROVEMENT DISTRICT.

Sec. 2-711. – Creation of the City Center Business Improvement District.

Pursuant to West Virginia Code Chapter 8, Article 13A, a group of owners of commercial property in the City of Charleston submitted a Petition to initiate a Business Improvement District to the City Clerk. Following the appointment of a district planning committee by City Council, members of the committee timely submitted a written report to City Council requesting the creation of the City Center Business Improvement District. The written report is titled City Center Business Improvement District FY2021 BID Work Plan and Budget.

The City Council of the City of Charleston, having held a public hearing on the matter, hereby determines that it is advisable and in the public interest to establish the City Center Business Improvement District. Accordingly, upon the adoption of this ordinance, the City Center Business Improvement District, which is sometimes referred

to as the City Center BID, is created.

Sec. 2-712. – Board Members Terms, Appointment, Powers, and Duties.

(a) The City Center BID Board shall consist of seven members, appointed by the Mayor with the approval of City Council. The initial appointments shall be staggered such that two members are appointed for 5-year terms, one member is appointed for a 4-year term, two members are appointed for 3-year terms, one member is appointed for a 2-year term, and one member is appointed for a 1-year term. After the initial appointments, all subsequent appointments shall be for terms of 5 years. At all times, a majority of City Center BID Board members shall be owners of commercial property situated within the boundaries of the City Center BID. Members of the Board may not receive compensation, either directly or indirectly, for service on the Board.

(b) The City Center BID Board shall have the following powers and duties:

(1) Oversee the operations of the City Center BID;

(2) Adopt bylaws to govern the procedures of the City Center BID;

(3) Adopt an annual budget;

(4) To prepare spending requests to be submitted to the City Manager, or his or her designee, who shall act as the fiscal agent for the City Center BID;

(5) Calculate and provide to the City Collector the annual amount due by each commercial property owner within the City Center BID within 30 days of the adoption of this ordinance and by July 1 of each subsequent year;

(6) Coordinate and plan the Clean and Safe line of business within the City Center BID;

(7) Coordinate and plan the Entertainment and Recreation line of business for the City Center BID;

(8) Coordinate and plan the Beautification and Image line of business within the City Center BID;

(9) Collaborate on efforts for the City Center BID with the City of Charleston and other community partners; and

(10) Submit an annual report on or before May 15, 2022, and by May 15 each year thereafter to City Council that includes, at a minimum, the following:

(A) An itemized statement of its receipts and disbursements for the preceding fiscal year;

(B) A description of its activities for the preceding fiscal year;

(C) A recommended program of services to be performed or provided within the district for the coming fiscal year; and

(D) A proposed budget to accomplish its objectives.

(c) Meetings of the City Center BID Board are subject to the West Virginia Open Governmental Proceedings Act, West Virginia Code Chapter 6, Article 9A. Members of the City Center BID are subject to the West Virginia Governmental Ethics Act, West Virginia Code Chapter 6B.

Sec. 2-713. – Creation of Fund; Rate and Manner of Fees.

82
83 (a) There is hereby created a special revenue fund within the city treasury to be
84 known as the City Center BID Fund, along with any subaccounts deemed necessary by
85 the district board.

86
87 (b) The City Center Business Improvement District FY2021 BID Work Plan and
88 Budget sets the rate of annual fees for the City Center BID on each private for-profit
89 property owner at the equation of (total land lot size square footage x .075) + (total
90 building square footage x .03325). The maximum rate of any annual fees that may be
91 imposed upon a single commercial property in the City Center BID, as calculated by the
92 aforementioned formula, will be \$25,000 annually. It is anticipated that cumulative
93 revenue from the initial annual fee will be \$100,000.

94
95 (c) The fees assessed by the City Center BID upon the property owners shall be
96 collected through the City of Charleston's City Collector in conjunction with the
97 assessment, notice, billing, and collection process for the City's fire service fee on a
98 monthly basis. If this collection is impractical, the City Collector may send out a
99 separate bill, under separate cover, that clearly states it is assessing fees for the City
100 Center BID. All funds collected from the fees shall be placed in the City Center BID
101 Fund created by this section. The City Center BID Fund may also receive other
102 voluntary contributions.

103
104 **Sec. 2-714. – Services within the City Center Business Improvement District.**

105
106 (a) All revenues generated from assessments for the City Center Business
107 Improvement District shall be used to maintain, enhance, promote, market and
108 otherwise increase services to the City Center Business Improvement District and may
109 not be used to reduce, replace, or supplant existing funds or services. In particular, the
110 increased services provided within the City Center Business Improvement District may
111 include, but are not limited to, the following:

112 (1) Beautification of the district, by means such as landscaping and construction
113 and erection of fountains, shelters, benches, sculptures, signs, lighting, decorations and
114 similar amenities;

115 (2) Provision of special or additional public services, such as sanitation, security
116 for persons and property and the construction and maintenance of public facilities
117 including sidewalks and other public areas;

118 (3) Making principal or interest payments on bonds issued by the municipality for
119 public improvements located within and designated to improve the economic viability of
120 the district;

121 (4) Providing financial support for public transportation and vehicle parking
122 facilities open to the general public;

123 (5) Constructing, operating and maintaining parking facilities;

124 (6) Developing plans for the general architectural design of public areas and
125 developing plans and programs for the future development of the district;

126 (7) Developing, promoting and supporting community events and activities open
127 to the general public;

(8) Providing the administrative costs for a district management program; and
(9) Providing any other services which the municipality or district board is authorized to perform and which the municipality does not also perform to the same extent on a municipality-wide basis.

(b) At the outset of the City Center BID, the board is focused on three lines of business with the following proposed services and reasonable estimate of cost:

(1) Clean and Safe: by spending \$60,000 on an ambassador/safety/cleaning program and \$5,000 on materials and supplies;

(2) Beautification and Image: by spending \$15,000 on conceptual master planning, \$10,000 on greenery, \$20,000 on master plan implementation, and \$10,000 on marketing/branding; and

(3) Entertainment and Recreation: by spending \$5,000 on Slack Plaza equipment and \$10,000 on Slack Plaza public art/lighting.

Other expected initial funds are for project management services or unallocated.

Sec. 2-715. – Description of boundaries of the City Center Business Improvement District.

The City Center Business Improvement District boundary is shown in Appendix A to the City Center Business Improvement District FY2021 BID Work Plan and Budget, currently consisting of thirty-seven commercial properties that are owned by taxable entities.

The City Center Business Improvement District boundary is further described as follows: Beginning at the intersection of the Virginia Street and Court Street centerlines; Thence following said centerline of Court Street northeasterly to the intersection of the Court Street and Washington Street, East centerlines; Thence southeasterly along the centerline of Washington Street, East to a point perpendicular with the southerly side of the Summers Street right-of-way; Thence southwesterly along the Summers Street right-of-way to the northern most corner of land owned by SNIVLAC LLC (Deed Book 2396, Page 672 and known in Kanawha County as District 11, Map 9, Parcel 84); Thence with said property line southeasterly to the eastern most corner of said land; Thence continuing southwesterly with said property line to a point extending to the centerline of Lee Street, East; Thence northwesterly along the Lee Street, East, centerline to point perpendicular with the westerly most property line of land owned by REALCO LLC (Deed Book 2446, Page 949 and known in Kanawha County as District 11, Map 8, Parcel 45); Thence with said property line southwesterly across an unnamed alley to a point perpendicular with land owned by CARLISLE DEVELOPMENT COMPANY LLC (Deed Book 3051, Page 317 and known in Kanawha County as District 11, Map 8, Parcels 44 and 43); Thence with said property line southeasterly to the western most corner of said land; Thence along said property line southwesterly and continuing across the Brawley Walkway right-of-way to a point on the division line between two parcels of land owned by DUPONT HOTEL LLC (Deed Book 3051, Page 178 and known in Kanawha County as District 11, Map 8, Parcel 41) and the CITY OF CHARLESTON (Court Order Book 94, Page 968 also recorded at Deed Book 2365,

Page 743 and known in Kanawha County as District 11, map 8, Parcel 42); Thence southeasterly along the Brawley Walkway right-of-way to a point on the northerly side on an unnamed alley; Thence southwesterly along said right-of-way to a point on the division line between two parcels of land owned by the CITY OF CHARLESTON/CHARLESTON URBAN RENEWAL AUTHORITY (Court Order Book 94, Page 968 also recorded at Deed Book 2365, Page 743 AND partial conveyance recorded at Deed Book 2397, Page 249 and known in Kanawha County as District 11, Map 9, Parcel 38) and 209 CAPITOL LLC (Deed Book 2713, Page 205 and known in Kanawha County as District 11, Map 8, Parcel 63); Thence continuing southwesterly along the property line of land owned by the CITY OF CHARLESTON/CHARLESTON URBAN RENEWAL AUTHORITY (Court Order Book 94, Page 968 also recorded at Deed Book 2365, Page 743 AND partial conveyance recorded at Deed Book 2397, Page 249 and known in Kanawha County as District 11, Map 9, Parcel 38) and continuing across the Quarrier Street right-of-way to a point on the land owned by the KANAWHA COUNTY PUBLIC LIBRARY (Deed Book 1415, Page 517 and known in Kanawha County as District 11, Map 7, Parcel 28); Thence southeasterly along said property to the intersection of the Quarrier Street and Capitol Street right-of-way; Thence continuing along said property lines for four calls to point at the intersection of the land owned by KANAWHA COUNTY PUBLIC LIBRARY (Deed Book 1415, Page 517 and known in Kanawha County as District 11, Map 7, Parcel 28) and the MIDWINTER INVESTMENT GROUP LLC (Deed Book 2575, Page 327 and known in Kanawha County as District 11, Map 7, Parcel 29); Thence southwesterly of said property line to a point at the centerline of the Virginia Street right-of-way; Thence northwesterly along said centerline to the point of the beginning, containing 27.37 acres more or less.

Sec. 2-716. – Continuation or Dissolution and Other Provisions.

(a) Pursuant to West Virginia Code § 8-13A-15(b), the City Center BID may not exist for a period beyond ten years unless it is reinstated pursuant to state code. In order for the City Center BID to be continued beyond July 1, 2031, the City Council shall adopt a bill amending this section of Code during calendar year 2031 that sets forth findings in the title of the bill declaring that the City Center BID has complied with all of the requirements and procedures set forth in this article and in West Virginia Code Chapter 8, Article 13A during the initial ten years of existence and therein amend this section to set a new deadline for reauthorization no further than ten years thereafter.

(b) Dissolution of the City Center BID, along with any other provisions not stated in this article, shall be governed by the provisions of West Virginia Code Chapter 8, Article 13A. Pursuant to West Virginia Code § 8-13A-15, upon dissolution of the City Center BID any amounts remaining in the City Center BID Fund shall be transferred to the General Maintenance Fund for the benefit of the area included within the City Center BID.