

CHARLESTON CITY COUNCIL

Regular Meeting

December 20, 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 12-20-2021

PROCLAMATIONS

1. 12-20-2021

COMMUNICATIONS

1. Swearing in of Youth Council
2. 12-20-2021

MISCELLANEOUS RESOLUTIONS

1. Resolution No. 581-21 - Regarding the Petition for Review by Council, filed by Charles A. Boggs III and Rise C Boggs, appealing the November 16, 2021, Final Order of the City Manager resolving a previous hearing petition challenging a September 15, 2021, Notice of Public Nuisance and Order of

Abatement.

REPORTS OF STANDING COMMITTEES

PLANNING, STREETS AND TRAFFIC

1. Bill No. 7926 Committee Substitute - A Bill amending the Zoning Ordinance by amending the front setback exceptions in Section 22-020 General Exceptions to Height, Bulk, Area, and Density Regulations in Article 22 Height, Bulk, Area and Density Provision.
2. Bill No. 7931 - A Bill amending the Zoning Ordinance by amending the East End Historic District Overlay, in Article 21 Overlay Districts, for consistency with design guidelines developed and adopted by the Charleston Historic Landmarks Commission.
3. Bill No. 7933 - A Bill amending the Zoning Ordinance by rezoning from an R-O District to a C-10 District that certain parcel of land situate at 104 Tennessee Avenue and rezoning from a C-8 District to a C-10 District, those certain parcels of land situate at 110-116 Monongalia Street.
4. Bill No. 7934 - A Bill to amend and re-enact Ordinance No.7475 passed by Council on July 18, 2011 establishing a Loading Zone on the southerly side of Piedmont Road by adjusting the positioning of the Loading Zone, and amending the Traffic Control Map and Traffic Control File.
5. Bill No. 7937 - A Bill to repeal parking prohibitions along Court Street and authorize Council to approve parking along Court Street to begin on or after May 1, 2022; and modifying existing and/or adding necessary traffic control devices and amending the Traffic Control Map and Traffic Control File.

FINANCE

1. Resolution No. 571-21 - Authorizing the Mayor or City Manager to approve and execute Change Order No. 2 relating to the Slack Plaza / City Center project.
2. Resolution No. 572-21 - Authorizing the Mayor or City Manager to enter into a contract with Agsten Construction Company, Inc. to renovate approximately 1,330 square feet of office space on the 3rd floor of City Hall.
3. Resolution No. 573-21 - Authorizing the Finance Director to establish fund 046, HOME-ARP Investment Trust Fund to account for revenues received from the U.S. Department of Housing and Urban Development.
4. Resolution No. 574-21 - Authorizing the Mayor or City Manager to enter into a contract with SoftResources LLC to perform information technology consulting services for the replacement of the City's enterprise resource planning system and the City's revenue tracking system.
5. Resolution No. 575-21 - Authorizing the Mayor or City Manager to submit a grant application to the Land and Water Conservation Fund to perform athletic field turf renovations to four athletic fields within the City.
6. Resolution No. 576-21 - Authorizing the Mayor or City Manager to purchase 1 vehicle from

Thornhill Motor Car, Inc., to replace a fleet vehicle maintained by the Metropolitan Drug Enforcement Network Team and will be titled to the City of Saint Albans.

7. Resolution No. 577-21 - Authorizing the Mayor or City Manager to purchase 1 vehicle from Jim Robinson, Inc. to replace a fleet vehicle maintained by the Metropolitan Drug Enforcement Network Team and will be titled to the City of Charleston.
8. Resolution No. 578-21 - Authorizing the Mayor or City Manager to enter into a contract to perform construction and installation work to renovate the fire alarm and smoke detector systems at the YWCA Sojourner's Shelter for Homeless Women and Families, a City-owned facility.
9. Resolution No. 579-21 - Authorizing the Mayor or City Manager to execute and enter into a Subaward Recipient Agreement with Appalachia High Intensity Drug Trafficking Area for funds from the United State Office of National Drug Control Policy to be awarded to the Metropolitan Drug Enforcement Network Team.
10. Resolution 580-21 - Authorizing the Mayor or City Manager to enter into a contract with Tyler Technologies, Inc. to upgrade the City's cashiering computer system.
11. Bill No. 7935 – An Ordinance authorizing the Mayor to enter into an Agreement between the Kanawha County Emergency Ambulance Authority and the City of Charleston for allocation of authorized special levies and other matters incidental thereto for fiscal years beginning July 1, 2023, through 2028.
12. Bill No. 7936 – A BILL to amend and reenact the Municipal Code relating to adding Court Street to the list of areas where web-based parking meters are permitted at rates consistent with other downtown parking.
13. Bill No. 7938 – A BILL to amend the Municipal Code of the City of Charleston relating to clarifying the process regarding assessments for the City Center Business Improvement District, levying the assessments for FY2021, defining the assessment appeals process, and providing rulemaking authority.

REPORTS OF OFFICERS

1. 12-20-2021

NEW BILLS

1. 12-20-2021

UNFINISHED BUSINESS AND/OR MISCELLANEOUS BUSINESS

REMARKS BY MEMBERS

ROLL CALL

ADJOURNMENT

THE NEXT REGULAR MEETING OF COUNCIL WILL BE JANUARY 3, 2022 AT 7:00 PM.

***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,
JUANITA ALLEN & LINDA ALLEN, Claimant,
who, after being first by me duly sworn, deposes and says:

That this affiant resides at: 1306 ADELE STREET, CHARLESTON, WV 25302

Telephone Number: 304-346-1065 & 304-926-9192(CEU)

and that on the AUGUST day of 26, 2020 (2021) at approximately 12:09 am/pm
in the City of Charleston, West Virginia, he/she sustained

PROPERTY DAMAGE FROM RUNNING RAIN WATER DUE TO
DEFECTIVE CITY CURB.
Nature Of Injury And/Or Damage

As A Result Of:

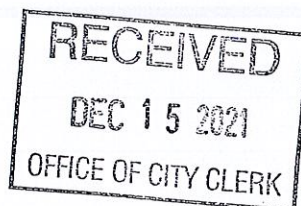
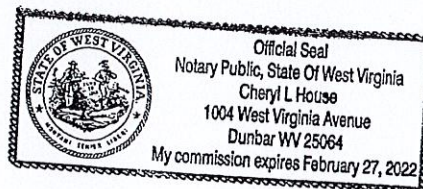
THE WATER PROBLEM HAD EXISTED FOR A WHILE AND CAUSED
PROPERTY DAMAGE TO THE HOME; FOUNDATION KITCHEN AREA,
DECK AREAS, SIDE PATIO, FRONT STAIRS.
SEE ATTACHED PHOTOS.

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

Juanita Allen, Linda Allen
Signature of Claimant

Taken, subscribed and sworn to before me this 14th day of December, 2021.
My commission expires February 27, 2022

Cheryl L. House
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, Leslie Karyn Farley, Claimant, who, after being first by me duly sworn, deposes and says:

That this affiant resides at: 274 Rustic Hills Drive, Crab Orchard, WV 25314

Telephone Number: 304-228-5756

and that on the 31st day of August, 2020, at approximately 11:30 am in the City of Charleston, West Virginia, she sustained

Contusions and abrasions to: left elbow, right palm of hand, right knee, right shin and pain in right shoulder. (pictures attached)

Nature Of Injury And/Or Damage

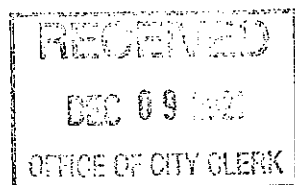
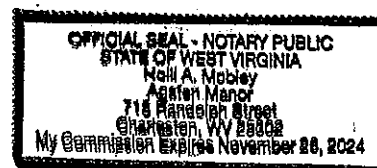
As A Result Of: Tripping on raised area of concrete on the sidewalk in front of the Judicial Annex Building.

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

Leslie Karyn Farley
Signature of Claimant

Taken, subscribed and sworn to before me this 18th day of December, 2020. 2021 HMK
My commission expires Nov. 26, 2024.

Neil A. Mobley
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,
Fleet Response on behalf of United Rentals, Inc., Claimant,
who, after being first by me duly sworn, deposes and says:

That this affiant resides at: 573 New Goff Mountain Road Cross Lanes WV 25313

Telephone Number: 304-964-7731 WORK 304-776-7028

and that on the 30th day of July, 2020/2021 at approximately 9:46 am/pm
in the City of Charleston, West Virginia, he/she sustained

Property damage to 2021 Ford F150 unit #11234838
8/1/2021

Nature Of Injury And/Or Damage

As A Result Of:

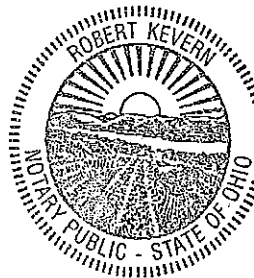
collision involving Alex Bodinger

As a result of which accident, the Claimant, Fleet Response obo United Rentals INC, does hereby make claim against the City of Charleston, West Virginia, for damages incurred and to be incurred by him/her in the future.

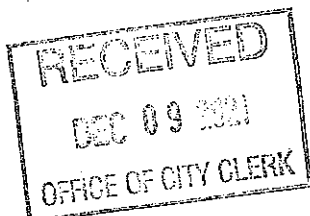
Michael Hall
Signature of Claimant

Taken, subscribed and sworn to before me this 22nd day of November, 2021.
My commission expires _____

Robert Kevern
Notary Public



Robert Kevern
Notary Public
In and For the State of Ohio
My Commission Expires
06 September 2022





TO: MILES CARY
CITY CLERK

FROM: AMY SHULER GOODWIN
MAYOR

RE: HISTORIC LANDMARKS COMMISSION

DATE: DECEMBER 20, 2021

A handwritten signature in blue ink, appearing to be "ASG", is written over the "FROM" line of the memo.

I recommend the following individual be appointed to the Historic Landmarks Commission:

Lis Fischer-Casto – filling a vacant seat on the Commission with an expiration date of 9-19-24.
Ms. Fischer-Casto will fill the requirement of a member of the Municipal Planning Commission
being on the Historic Landmarks Commission.

I respectfully request City Council's approval of this recommendation.

ASG/mls



**TO: MILES CARY
CITY CLERK**

**FROM: AMY SHULER GOODWIN
MAYOR**

A handwritten signature in blue ink, appearing to be "ASG", is written over the "FROM" line.

**RE: SELECT COMMITTEE ON NAMING RIGHTS - CHARLESTON
COLISEUM & CONVENTION CENTER**

DATE: DECEMBER 20, 2021

As the City has invested substantially in the renovation of the former Civic Center to create a world-class facility now known as the Charleston Coliseum & Convention Center, I find that it is important to further the City's great work in promoting the facility and its offerings. I recognize that a common marketing and revenue strategy for such crowd-drawing facilities is to offer naming rights under appropriate terms to suitable sponsors. In that vein, I find it both strategically and financially prudent to establish a select committee to develop and implement a solicitation and evaluation process for a naming rights contract for the Charleston Coliseum & Convention Center. The Select Committee is charged with submitting a naming rights contract recommendation to the City Council, with any such recommended contract being first approved as to form by the City Solicitor, specifically taking into account the City's obligations and covenants under applicable tax-exempt bond arrangements and applicable Internal Revenue Service tax statutes and regulations.

I appoint the following individuals to the Select Committee on Naming Rights – Charleston Coliseum & Convention Center: Carrie Fenwick, as its chairperson; Sam Minardi; Chad Robinson; Ronnie Murad; Jennifer Pharr; Joe Jenkins; Andy Richardson; and Jonathan Storage, as an ex officio non-voting member.

ASG/mls



**TO: MILES CARY
CITY CLERK**

**FROM: AMY SHULER GOODWIN
MAYOR**

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I appoint the following individuals to the Select Committee on Naming Rights – Charleston Coliseum & Convention Center: Carrie Fenwick, as its chairperson; Sam Minardi; Chad Robinson; Ronnie Murad; Jennifer Pharr; Joe Jenkins; Andy Richardson; and Jonathan Storage, as an ex officio non-voting member.

ASG/mls

Resolution No. 581-21:

Introduced in Council:

December 20, 2021

Adopted by Council:

Introduced by:

Becky Ceperley

Referred to:

Resolution No. 581-21: Regarding the Petition for Review by Council, filed by Charles A. Boggs III and Rise C. Boggs, appealing the November 16, 2021, Final Order of the City Manager resolving a previous hearing petition challenging a September 15, 2021, Notice of Public Nuisance and Order of Abatement.

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

That the City Council hereby affirms in part and modifies in part the November 16, 2021, Final Order of the City Manager regarding the Notice of Public Nuisance and Order of Abatement related to 423 Beech Avenue, which is up for review at the request of Charles A. Boggs III and Rise C. Boggs. The City Council affirms the Final Order in all respects, apart from the time period within which Mr. and Mrs. Boggs shall abate the public nuisance. The City Council modifies the Final Order such that Mr. and Mrs. Boggs shall abate the public nuisance on or before June 30, 2022.



PLANNING, STREETS AND TRAFFIC COMMITTEE

Mary Beth Hoover, Chair

COMMITTEE REPORT

To: Miles Carey, City Clerk
From: Council's Committee on Planning, Streets and Traffic
Date: December 13, 2021
Subject: Bill No. 7926

The Committee on Planning, Streets and Traffic has had under consideration bill no. 7926 attached hereto and an made a part thereof.

The Committee finds:

1. The bill will provide flexibility to construct front porches in traditional neighborhoods while maintaining the alignment of the predominant development pattern within the area; and,
2. The bill will allow for reinvestment in the existing housing stock in traditional core neighborhoods of Charleston.

and reports the same to Council with the recommendation that the bill do pass. *AS A COMMITTEE SUBSTITUTE*

Rebecca C. Carey
J L P
B. A. G. Hill
Bobby Hearn
Mary Beth Hoover
Chair
Naomi Bays

Bill No. 7926 Committee Substitute

Introduced in Council:

October 4, 2021

Adopted by Council:

Introduced by:

Bruce King
Jennifer Pharr

Referred to:

Municipal Planning Commission
Planning, Streets and Traffic

Bill No. 7926 - A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, adopted January 1, 2006, as amended, by amending the front setback exceptions in Section 22-020 General Exceptions to Height, Bulk, Area, and Density Regulations in Article 22 Height, Bulk, Area and Density Provision.

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

The Zoning Ordinance for the City of Charleston, West Virginia, effective January 1, 2006, is hereby amended as follows:

1) In Article 22 Height, Bulk, Area and Density Provision

Sec. 22-020 General Exceptions to Height, Bulk, Area, and Density Regulations

A. Height Exceptions

In all districts, spires, church steeples, chimneys, cooling towers, elevator bulkheads, fire towers, scenery lofts, transmission lines or towers and distribution poles and lines, and essential mechanical appurtenances may be erected to any height not prohibited by other laws or ordinances. Standard antenna and similar appurtenances may not exceed the maximum building height by more than twenty-five (25) feet.

B. Orientation

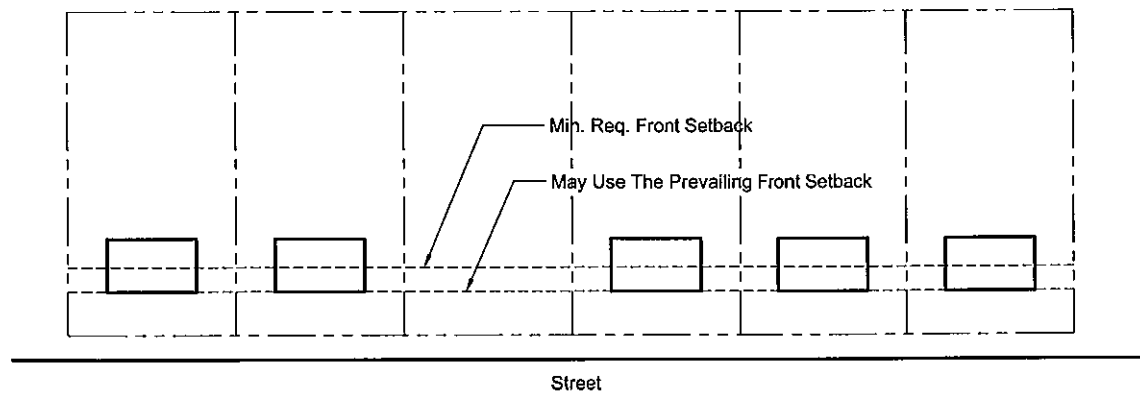
All residential structures shall be required to have a front door facing the street unless the applicant proves to the satisfaction of the Planning Director that the prevailing condition of the developed lots fronting the same street would warrant a different orientation.

C. Front Setback Exception

1. In traditional neighborhoods, all construction shall conform to the clearly prevailing front setback pattern of developed properties fronting the same side of the street between the street intersections, even when the prevailing front setbacks differ from the zoning district requirement. This is accomplished by averaging the front setback of those developed properties. Outliers, as determined by the Planning Director, shall be excluded from the calculation. Where there is no clearly prevailing front setback pattern, new construction shall be subject to the front setback required in the zoning district.

2. In non-traditional neighborhoods, all construction shall be subject to the front setback required in the zoning district, however when a property is situated between two lots with existing front setbacks that differ from those required in the zoning district, then the front setback may be adjusted to a depth equal to the average of the front setbacks of the two adjacent lots.
3. In nontraditional neighborhoods, no front porch or deck shall extend into the required front yard unless development patterns within the block are such that a porch would be appropriate. In no case, shall a front porch extend more than eight (8) feet into the required front yard.
4. In traditional neighborhoods, open air front porches may project beyond the prevailing front setback provided:
- a. the floor is less than 30 inches above grade;
 - b. there are no horizontal railings or knee walls;
 - c. it is not enclosed in whole or in part by glass, screening, or similar architectural features;
 - d. the support columns are less than 12 inches by 12 inches in width;
 - e. the roof pitch is 3:12 or less;
 - f. the projection is no more than (8) feet from the front door of the structure;
 - g. that it is not used for the storage, maintenance, repair, or shelter of automobiles, motorcycles, trucks, trailers, watercraft, motorhomes, or other similar vehicles; and
 - h. the exception may only be applied to one porch per dwelling unit.

Front Setback Exception: When the prevailing front setback is less than the required front setback



D. Projections into Required Setbacks

1. Cornices, eaves, sills or other similar architectural features, or other required means of egress, rain leads or chimneys or other similar structures that do not include space usable by persons may extend or project into a required yard not more than four (4) feet. Unenclosed and uncovered exterior stairways and fire escapes may extend or project into a required side or rear yard not more than four (4) feet. In no case, shall any of the above architectural features or means of egress be constructed less than three (3) feet from the property line.

2. ~~No front porch or deck shall extend into the required front yard unless development patterns within the block are such that a porch would be appropriate. In no case, shall a front porch extend more than eight (8) feet into the required front yard.~~

32. Fences, walls, concrete pads or patios, and brick pavers may extend or project into a required setback.

43. Uncovered ramps designed in accordance to American with Disabilities Act (ADA) standards may extend or project into a required setback. In no case, shall a ramp be constructed less than three (3) feet from the property line.

54. Uncovered decks less than five (5) feet in height may extend or project fifty (50) percent into the rear setback.

65. Uncovered stairs, landings, porches less than five (5) feet in height may project or extend three (3) feet into the side setback.

76. Awnings and canopies extending over a public right-of-way shall not be lower than 9 feet above the ground. Supporting posts or columns shall not be permitted on public property.

E. Yard, Building Setbacks, and Open Space Exceptions

1. No yard, open space or lot area required for a building or structure shall, during its life, be occupied by or counted as open space for any other building or structure.

2. For adjoining lots under single ownership, setback requirements may be determined from the perimeter of the adjoining lots, ignoring interior lot lines, provided that only one main structure and its accessory structures shall be allowed within the perimeter of such adjoining lots and, the following notation is first placed on the recorded deed to each such adjoining lot: "For planning and zoning purposes, the lot described herein shall be considered as part and parcel of the adjacent lot(s) owned by [insert owner's name] pursuant to a deed (or deeds) recorded at Deed Record [#s] page [#s], in the Office of the Clerk of the County Commission of Kanawha County. The real estate described herein shall not be considered to be a separate parcel of real estate for land use, development, conveyance or transfer of ownership, without having first obtained the expressed approval of the Charleston City Planning Commission. This restriction shall be a covenant running with the land."

F. Side and Rear Setback Exceptions

1. One-half of an alley abutting a side or rear yard may be included in the required setback. The required side yard may be reduced where the applicant proves to the satisfaction of the Planning Director that the provision of a smaller side yard setback will conform to the prevailing side yard pattern of the developed lots fronting the same street. In no event shall the required side yard be reduced to less than three (3) feet.

2. In all residential districts, rear additions may be constructed onto the principal residence even when the existing footprint of the principal residence extends into the side setbacks. The rear addition may be constructed as a permitted use, provided that the footprint of the proposed addition will not further extend into the side setbacks.

3. Corner lots shall have no rear lot lines and therefore shall be subject only to front and side setback requirements.

G. Through Lot Exception

Where an applicant proves to the satisfaction of the Planning Director that a through lot is developed in such a way that it is consistent with the clearly prevailing yard pattern of a neighborhood, the perceived rear yard shall be treated as a rear yard under the provisions of this ordinance.

1 2) All prior ordinances or parts of ordinances, inconsistent with this ordinance are
2 hereby repealed to the extent of such inconsistency.
3



PLANNING, STREETS AND TRAFFIC COMMITTEE

Mary Beth Hoover, Chair

COMMITTEE REPORT

To: Miles Carey, City Clerk
From: Council's Committee on Planning, Streets and Traffic
Date: December 13, 2021
Subject: Bill No. 7931

The Committee on Planning, Streets and Traffic has had under consideration bill no. 7931 attached hereto and an made a part thereof.

The Committee finds the bill will provide clarity and reference to staff, commissioners, and property owners on appropriate design guidance and requirements for minor and major work conducted to contributing structures within the East End Historic District.

and reports the same to Council with the recommendation that the bill do pass.

Rebecca C. Cepulley
J Z Plaut
Brady A. C. Phillips
Bobby Heas

Mary Beth Hoover
Chair
Naomi Bays

Bill No. 7931

Introduced in Council:

December 6, 2021

Adopted by Council:

Introduced by:

Mary Beth Hoover

Referred to:

Planning, Streets and Traffic

Bill No. 7931 - A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, adopted January 1, 2006, as amended, by amending the East End Historic District Overlay, in Article 21 Overlay Districts, for consistency with design guidelines developed and adopted by the Charleston Historic Landmarks Commission.

Be it Ordained by the Council of the City of Charleston, West Virginia:
The Zoning Ordinance for the City of Charleston, West Virginia, effective January 1, 2006, is hereby amended as follows:

1) In Article 21 Overlay Districts

Sec. 21-041 East End Historic District Overlay (EE)

Sec. 21-041-01 Purpose of the East End Historic District Overlay

It is the purpose of this historic district overlay to achieve the preservation of structures in the East End Historic District of Charleston in order to: 1) safeguard the heritage of the historic neighborhood by preserving the areas therein which reflect elements of its cultural, social, economic, political, or architectural, or archaeological history; 2) foster urban and civic beauty; 3) promote the preservation, and where permitted and appropriate, the use of historic districts properties for the education, welfare, and pleasure of the residents of the City and the region; and 4) strengthen the local economy.

Sec. 21-041-02 Establishment of the East End Historic District Overlay

The East End Historic District Overlay is hereby established as a district which overlays existing zoning districts, the extent and boundaries of which are as indicated on the official zoning map of the City of Charleston and are identical to those of the East End Historic District as listed on the National Register of Historic Places on April 20, 1978.

Sec. 21-041-03 Lot Provisions in the East End Historic District Overlay

Lot sizes, setbacks and density provisions required in the base zoning district apply in the East End Historic District Overlay. Exceptions noted in Article 22 of this ordinance also apply in the East End Historic District Overlay. Additional lot provisions may be specified in design guidelines for the district.

Accessory garage structures may be sited on the rear and side property lines. This

permits shared parking structures as was customary at the time of the district's development and helps conserve open space on the small urban lots in the neighborhood.

Sec. 21-041-04 Height Provisions in the East End Historic District Overlay

Height shall not exceed 35 feet above grade at the building line.

Sec. 21-041-05 Application for Permission to Build, Alter, etc. in the East End Historic District Overlay

Before the construction, alteration, reconstruction, ~~moving~~ relocation, or demolition of any structure within a designated historic district the East End Historic District Overlay, and before any changes take place which would affect either the exterior appearance of a structure or the character of its related environment within the ~~designated historic district~~ East End Historic District Overlay, the person proposing to make the changes shall file with the Planning Department an application for permission to build, alter, reconstruct, move or demolish. Every such application for a Certificate of Appropriateness shall be referred to and considered by the Charleston Historic Landmarks Commission or by the Planning Department as set forth in the design guidelines for the district.

Sec. 21-041-06 Parking, Loading and Internal Circulation in the East End Historic District Overlay

- A. The parking regulations of the underlying zoning district shall apply.
- B. Except for driveways serving single family dwellings, all parking shall be located in the rear of the primary structure.
- C. In addition to the parking regulations for the underlying zoning district, for principal uses located on lots fronting on Kanawha Boulevard, vehicular ingress and egress to and from Virginia Street are prohibited.

Sec. 21-041-07 Landscaping and Screening in the East End Historic District Overlay

In addition to the landscaping and screening regulations of the underlying zoning districts, the following landscaping and screening regulations also shall apply to all properties affected by the overlay designation:

- A. Parking areas for all multi-family residential and non-residential uses containing more than two (2) parking spaces and all loading facilities shall be screened from view from adjacent single-family residential properties by a six (6) foot high predominantly opaque fence or decorative wall, or by an earth berm or plantings.
- B. All parking areas, containing more than two parking spaces, and all loading facilities shall be screened from view from all public streets by a three and one-half (3.5) foot predominantly opaque fence, wall, berm, or plantings. Such fence, wall, plantings, or berm shall be compatible in appearance with existing fences, walls, plantings, and berms in the district. Such wall plantings or berms shall not be more than two and one-half (2.5) feet in height in triangles at the intersection of a driveway with the street right-of-way. The triangles shall be determined by

measuring twenty (20) feet along the street frontage on each side of the driveway, and by measuring back on each side of the driveway the depth of the required front setback.

Sec. ~~21-041-08~~ Signs in the East End Historic District Overlay

- A. ~~All signage shall be compatible with the exterior of existing buildings in the district.~~
- B. ~~One sign shall be permitted for the sole purpose of identifying the occupant of the principal structure on the lot. Such identification shall be limited to the name of the company or occupant, and the street number (not to exceed six digits).~~
- C. ~~The permitted sign shall not exceed 10 square feet including the supporting structure. The dimensions shall not exceed 2.5 feet in height or 4 feet in width.~~
- D. ~~The permitted sign shall be set back at least 10 feet from the property line.~~
- E. ~~The overall height of the entire permitted sign shall not exceed 3 feet above grade.~~
- F. ~~The permitted sign shall be designed and produced by a professional sign manufacturer or professional sign painter, using one of the following font styles:~~
 - 1. ~~Souvenir Medium~~
 - 2. ~~Times Roman~~
 - 3. ~~Standard Medium~~
 - 4. ~~Tiffany Medium~~
- G. ~~Any illumination of the permitted sign shall be from an indirect source.~~



PLANNING, STREETS AND TRAFFIC COMMITTEE

Mary Beth Hoover, Chair

COMMITTEE REPORT

To: Miles Carey, City Clerk
From: Council's Committee on Planning, Streets and Traffic
Date: December 13, 2021
Subject: Bill No. 7933

The Committee on Planning, Streets and Traffic has had under consideration bill no. 7933 attached hereto and an made a part thereof.

The Committee finds:

1. The rezoning is consistent with the future land use map which designates this property as "Downtown Transition";
2. The petitioner's request would standardize the zoning across their five parcels, thus simplifying redevelopment and allowing for a more orderly site design; and
3. Rezoning from R-O and C-8 will allow for more intense growth in a core commercial neighborhood that will provide a transition from Downtown to the West Side residential neighborhoods.

and reports the same to Council with the recommendation that the bill do pass.

Rebecca C. Cepaley
J L Rharr
Bef A Spill
Bobby Heas
Mary Beth Hoover
Chair
Naomi Bays

Bill No. 7933

Introduced in Council

Passed by Council

December 6, 2021

Introduced by

Deanna McKinney

Referred to

**Municipal Planning
Commission**

**Planning, Streets, and
Traffic**

Bill No. 7933 – A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, and the map made a part thereof, by rezoning from an R-O District to a C-10 District that certain parcel of land situate at 104 Tennessee Avenue, Charleston, West Virginia and rezoning from a C-8 District to a C-10 District, those certain parcels of land situate at 110-116 Monongalia Street, Charleston, West Virginia.

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

1. The Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, is hereby amended by rezoning:

A. from a R-O District to a C-10 District all of Parcel No. 32 as shown upon Charleston West Tax Map No. 26. The subject parcel being commonly known as 104 Tennessee Avenue. The above-mentioned tax map is as of record in the Charleston Planning Department.

B. from a C-8 District to a C-10 District all of Parcels Nos. 45, 46, 47, 48 and 235 as shown upon Charleston West Tax Map No. 26. Said properties being commonly known as 110-116 Monongalia Street, Charleston, West Virginia. The above-mentioned tax map is as of record in the Charleston Planning Department.

2. The Zoning Map, attached to and made a part of said Zoning Ordinance, is hereby amended in accordance with Article 27 of this ordinance.

3. All prior ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

**PETITION TO REZONE FROM RO AND C-8 TO C-10
THE LAND AT 104 TENNESSEE AVENUE AND
110-116 MONONGALIA STREET,
CHARLESTON, WEST VIRGINIA**

TO THE MAYOR AND COUNCIL OF THE CITY OF CHARLESTON, WEST VIRGINIA:

I

The Courtland Company, Petitioner, is the owner of the properties situate at 104 Tennessee Avenue and 110-116 Monongalia Street, Charleston, Kanawha County, West Virginia.

II

Petitioner wishes to have the subject property at 104 Tennessee Avenue rezoned from an R-O District to a C-10 District and the subject property at 110-116 Monongalia Street rezoned from a C-8 District to a C-10 District, said property is described as follows:

1. All of Parcel No. 32 as shown upon Charleston West Tax Map No. 26. Said property being commonly known as 104 Tennessee Avenue, Charleston, West Virginia. The above-mentioned tax map is as of record in the Charleston Planning Department.
2. All of Parcels Nos. 45, 46, 47, 48 and 235 as shown upon Charleston West Tax Map No. 26. Said property being commonly known as 110-116 Tennessee Avenue, Charleston, West Virginia. The above-mentioned tax map is as of record in the Charleston Planning Department.

III

Petitioner is a West Virginia based land-holding company which has operated in Charleston and the Kanawha Valley for nearly 100 years. Petitioner has owned the properties at Tennessee Avenue and Monongalia Street for approximately 25 and 35 years, respectively and operates its primary office at 114 Monongalia Street. The surrounding properties are already zone C-10 (e. g. Traveler's Insurance, tax map 26, parcel 34; West Virginia Oil & Lube, tax map 26, parcels 35 & 36; Mountaineer Pride Car Wash, tax map 26, parcel 37, and parcels 38 and 39, which are currently empty lots and have ownership shown as Francis M. Fisher & Bernard Fisher et al. and TCS Used Cars LLC, respectively). The adjacent property across Tennessee Avenue, currently occupied by Goodwill (tax map 25, parcels 379, 380, 381, 382, 382.2, 383, 384, 385, 386, 387, 388, 389, and 390) are also zoned C-10. The Petitioner requests this rezoning of its properties in order to be consistent with the zoning of the adjoining and adjacent properties mentioned above.

IV

Attached hereto is a Bill to accomplish the request rezoning and a list of property owners who own property within 250 feet of the subject properties, a map of the subject property, and a \$125.00 filing fee.

Respectfully submitted this 5th day of
November, 2021.

By: _____
Sam Harpold, President
The Courtland Company

Phone: (304) 343-1433



PLANNING, STREETS AND TRAFFIC COMMITTEE

Mary Beth Hoover, Chair

COMMITTEE REPORT

To: Miles Carey, City Clerk
From: Council's Committee on Planning, Streets and Traffic
Date: December 13, 2021
Subject: Bill No. 7934

The Committee on Planning, Streets and Traffic has had under consideration:

Bill No. 7934 - A Bill to amend and re-enact Ordinance No. 7475 passed by Council on July 18, 2011 establishing a Loading Zone on the southerly side of Piedmont Road from a point 137 feet west of California Avenue to a point 269 feet west of California Avenue by adjusting the positioning of the Loading Zone, and amending the Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

and reports the same to Council with the recommendation that the bill do pass.

Rebecca C. Ceperley
J L Phaw
B A C shell
Betty Haas
Mary Beth Hoover
Chair
Naomis Bays

Bill No. 7934

Introduced in Council

December 6, 2021

Introduced by:

Keeley Steele

Passed by Council:

Referred to

Planning, Streets and Traffic

Bill No. 7934 - A Bill to amend and re-enact Ordinance No.7475 passed by Council on July 18, 2011 establishing a Loading Zone on the southerly side of Piedmont Road from a point 137 feet west of California Avenue to a point 269 feet west of California Avenue by adjusting the positioning of the Loading Zone, and amending the Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

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

Section 1. A Bill to establish a Loading Zone on the southerly side of Piedmont Road from a point 35 feet west of California Avenue to a point 260 feet west of California Avenue from 6:00am. to 6:00pm., Monday through Friday.

Section 2. The Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, shall be and hereby are amended, to conform to this Ordinance.

Section 3. All prior Ordinances, inconsistent with this Ordinance are hereby repealed to the extent of said inconsistency.



PLANNING, STREETS AND TRAFFIC COMMITTEE

Mary Beth Hoover, Chair

COMMITTEE REPORT

To: Miles Carey, City Clerk

From: Council's Committee on Planning, Streets and Traffic

Date: December 13, 2021

Subject: Bill No. 7937

The Committee on Planning, Streets and Traffic has had under consideration:

Bill No. 7937 - A Bill to repeal parking prohibitions along Court Street and authorize Council to approve parking along Court Street to begin on or after May 1, 2022; and modifying existing and/or adding necessary traffic control devices and amending the Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

and reports the same to Council with the recommendation that the bill do pass.

Rebecca C. Caperley
J L Plaw
B J A Cphll
Bobby Hearn

Mary Beth Hoover
Chair
Naomi Bays

1 **Bill No. 7937**

2 Introduced in Council

Passed by Council:

3 December 6, 2021

4 Introduced by:

Referred to:

5 **Mary Beth Hoover**

Planning, Streets and Traffic

6
7
8 **Bill No. 7937** - A Bill to repeal parking prohibitions along Court Street and authorize
9 Council to approve parking along Court Street to begin on or after May 1, 2022; and
10 modifying existing and/or adding necessary traffic control devices and amending the
11 Traffic Control Map and Traffic Control File, established by the code of the City of
12 Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section
13 263, Division 2, Article 4, Chapter 114, to conform therewith.

14 **Be it Ordained by the Council of the City of Charleston, West Virginia:**

15 Section 1. A Bill to repeal parking prohibitions along Court Street from Kanawha
16 Boulevard to Washington Street, as contained in Ordinances No. 2140 and No. 7631,
17 authorize parking along Court Street from Kanawha Boulevard to Washington Street,
18 and authorize modifying existing and/or adding necessary traffic control devices.

19 Section 2. The effective date of this Ordinance is May 1, 2022, and the Planning,
20 Streets and Traffic Committee is directed to authorize specific placement of parking
21 locations, loading zones, and any other necessary designations before the effective
22 date, as authorized by the Municipal Code.

23 Section 3. The Traffic Control Map and Traffic Control File, established by the
24 Municipal Code of the City of Charleston, West Virginia, two thousand and three, as
25 amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, shall be and
26 hereby are amended, to conform to this Ordinance.

27 Section 4. All prior Ordinances, inconsistent with this Ordinance are hereby
28 repealed to the extent of said inconsistency.

Resolution No. 571-21

Introduced in Council:

December 20, 2021

Adopted by Council:

Introduced by:

Joseph Jenkins

Referred to:

Finance

1 Resolution No. 571-21 – Authorizing the Mayor or City Manager to approve and execute
2 Change Order No. 2 relating to the Slack Plaza / City Center project, where the adjusted pricing
3 details are indicated on Exhibit A attached hereto.

4

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

6

7 That the Mayor or City Manager is authorized to approve and execute Change Order No. 2
8 relating to the Slack Plaza / City Center project, where the adjusted pricing details are indicated
9 on Exhibit A attached hereto.



SQP Construction Group, Inc.
 281 Smiley Drive, St. Albans, West Virginia 25177
 Phone: (304) 440-9200 • Cell: (304) 575-5546
 Contact: Eric Nolan Project Manager

Project:

City of Charleston
 Slack Plaza Renovations

002

Proposal Description:

Change Order 2

	Description	Revised Totals 12/15/21
1	Drill holes in concrete under paver areas	\$ 1,975.00
2	Install aluminum fence and stone veneer at Peoples Building parking lot	\$ 24,385.00
3	Demolition and replacement of sidewalk and curb in front of police station and small triangle area adjacent the police station	\$ 11,216.00
4	LiveWall upgrades for control system	\$21,295.14
5	Central Walkway repair	\$ 4,780.00
6	Electrical enclosure CMU cap	\$ 999.00
7	Hot Box enclosure upgrade to aluminum. Cherry River and RFI	\$ 4,900.00
8	Grate modifications (Including ADA Paver Upgrades)	5,215.00
9	Credit fo small sculpture base	(1,800.00)
10	Credited Back on Contract from Change Order 1	(\$57,867.00)
11		
12.00	Demo existing valve and install frost free water supply outside the restrooms	\$1,246.47
13.00	Upgrade to 400 amp service	\$13,200.00
14.00	Contract Extension to 2/04/21	\$0.00
15.00	Tree Rings Total of 12 Granite and Paver Areas	5,857.00
Totals		\$ 35,401.61

Submitted By

Eric J. Nolan

[NAME]

[SIGNATURE]

Project Manager

[TITLE]

November 4, 2021

[DATE]

Resolution No. 572-21

Introduced in Council:

December 20, 2021

Adopted by Council:

Introduced by:

Joseph Jenkins

Referred to:

Finance

Resolution No. 572-21 – Authorizing the Mayor or City Manager to enter into a contract with Agsten Construction Company, Inc., in the amount of \$237,000 to renovate approximately 1,330 square feet of office space on the 3rd floor of City Hall, where the renovation work includes selective interior demolition, new ceilings, partitions, finishes, lighting, power, HVAC supply/return, and plumbing.

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

That the Mayor or City Manager is authorized to enter into a contract with Agsten Construction Company, Inc., in the amount of \$237,000 to renovate approximately 1,330 square feet of office space on the 3rd floor of City Hall, where the renovation work includes selective interior demolition, new ceilings, partitions, finishes, lighting, power, HVAC supply/return, and plumbing.

Charleston City Hall Office Renovations
Bid Opening Date 12/08/21

			Agsten Construction 1700 State Route 34 Hurricane WV 25526 304-343-5400	Danhill Construction Company 9033 Midland Trail Glen Ferris WV 25090 304-632-1600	Start to Finish Construction Inc. 6982 Charleston Rd. Walton WV 25286 304-766-6000	SQP Construction Group 281 Smiley Drive St. Albans WV 25177 304-440-9200
Item		Qty	Item Total Cost	Item Total Cost	Item Total Cost	Item Total Cost
Item 1- Charleston City Hall Office Renovations		1	\$237,000.00	\$300,000.00	\$294,900.00	\$353,518.00
Base Bid Total			\$237,000.00	\$3,000,000.00	\$294,900.00	\$353,518.00
Local Vendor Preference (4%)			 (\$5,000) \$232,000.00	(\$5,000) \$295,000.00	(\$5,000) \$289,900.00	(\$5,000) \$348,518.00

Charleston City Hall Office Renovations
Bid Opening Date 12/08/21

Resolution No. 573-21

Introduced in Council:

December 20, 2021

Adopted by Council:

Introduced by:

Joseph Jenkins

Referred to:

Finance

Resolution No. 573-21 – Authorizing the Finance Director to establish fund 046, HOME-ARP Investment Trust Fund, a fund that accounts for revenues received from the U.S. Department of Housing and Urban Development to administer the HOME Program under the American Rescue Plan Act of 2021.

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

That the Finance Director is authorized to establish fund 046, HOME-ARP Investment Trust Fund, a fund that accounts for revenues received from the U.S. Department of Housing and Urban Development to administer the HOME Program under the American Rescue Plan Act of 2021.

Resolution No. 574-21

Introduced in Council:

December 20, 2021

Adopted by Council:

Introduced by:

Joseph Jenkins

Referred to:

Finance

Resolution No. 574-21 – Authorizing the Mayor or City Manager to enter into a contract with SoftResources LLC in the amount of \$83,900 to perform information technology consulting services for the replacement of the City’s enterprise resource planning (“ERP”) system and the City’s revenue tracking system (“RTS”), where the consultant was selected through a nationwide solicitation process and was among four applicants considered. The scope of services will include assisting the City with the procurement of a complete ERP and RTS solution, including software, hardware specifications, project management, and business process improvements.

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

That the Mayor or City Manager is authorized to enter into a contract with SoftResources LLC in the amount of \$83,900 to perform information technology consulting services for the replacement of the City’s enterprise resource planning (“ERP”) system and the City’s revenue tracking system (“RTS”), where the consultant was selected through a nationwide solicitation process and was among four applicants considered. The scope of services will include assisting the City with the procurement of a complete ERP and RTS solution, including software, hardware specifications, project management, and business process improvements.



REQUEST FOR EXPRESSIONS OF INTEREST

INFORMATION TECHNOLOGY CONSULTANT SERVICES

Issued: August 13, 2021

Jonathan Storage
City Manager

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SECTION ONE: GENERAL INFORMATION

1.1. Purpose

The City of Charleston, West Virginia, is soliciting Expressions of Interest (“EOI” or “Proposals”) from qualified firms to provide Information Technology Consultant Services to assist the City with the replacement of its Enterprise Resource Planning (“ERP”) system and its primary tax and fee software system, known as the Revenue Tracking System (“RTS”). Firms interested in providing these services MUST timely respond to this solicitation to qualify.

1.2. Background

The City of Charleston is West Virginia’s capital and largest municipality. The city limits span approximately 33 square miles, and it has a resident population of just under 50,000. The system of government is a Strong Mayor/City Council structure. The City Manager is the Chief Administrative Officer for the City and is appointed by the Mayor with approval by the Council.

The City has been using the same ERP system for 18 years, and the company that supports the program will cease maintenance activity in December 2021. The ERP system lacks many features that are standard in today’s ERP systems, and the program does not function as efficiently as it could.

The City uses a unique system to track taxes and fees, which is known as the Revenue Tracking System. RTS is also nearly 18 years old and was custom designed for the City. The original programmer no longer has rights to the program, and much of the programming work has been outsourced to India. Changes to the system are difficult, expensive, and sometimes unworkable.

1.3. Current Software Overview

ERP SYSTEM

The City began using its current ERP program in 2003 to manage financials, payroll & human resources, and citizen services.

DESCRIPTION OF MODULES & USES

Financial Module:

The Financials module is designed for fund level financial accounting. This includes paying vendors, preparing journal entries, tracking

expenditures/expenses, tracking revenues, billing for accounts receivables, budget preparation, accounting for fixed assets, tracking project accounting, and producing financial reports.

The information entered and adjusted within the Financials module allows the Accounting Department to compile financial statements on a monthly and year-end basis. This module also accounts for inventory, capital asset additions/subtractions, and preparation of year-end 1099 tax forms.

The financial module includes the following features:

- General ledger
- Budgeting
- Accounts payable
- Accounts receivable
- Purchasing
- Fixed assets
- Project accounting

Payroll, Human Resources, and Employee Self-service Modules:

The Payroll, Human Resources, and Employee Self-service Modules are designed to manage employee records, a comprehensive database of employee information, process payroll, and to compile year-end tax forms (i.e. W-2).

Mandi Carter, Director of Human Resources, summarized the Human Resources and Payroll module as follows:

“The Human Resources module acts as the master record for all employee personnel information (active, former, retiree) and includes all benefit elections and information related thereto, in addition to all standard information, including but not limited to, FLSA classification, pay grade, wage information, etc. We also track both city vehicle accidents and workers compensation claims (including OSHA reporting information).”

“All of the employee special licensing is tracked in the module as well (e.g., CDL license, electrician license, etc.). Safety sensitive/drug-testing classifications for each employee are utilized in the module. We drill down into leave balances in the module, including maximum sick leave balances assigned to employees. Medicare HICN numbers for Medicare reporting purposes are also maintained in the module. Reporting utilized in the HR module are as follows: new hires, terminations, Affordable Care Act report, OSHA incidents reports, EEO-4 reports, and occupational

employment survey (these are all relevant to mandatory federal reporting requirements).”

“Additionally, there is a change of status (COS) sub-module that is used to initiate all personnel changes to employee records such as new hires, job transfers, demotions, reclassifications, changes in pay, rehires, termination.”

“Reporting utilized in the payroll module are as follows: Federal Taxes, State Taxes, Local Taxes, FICA, Medicare, Pension, Worker’s Comp, Unemployment, All 941 reports, ICMA Pay Period Reports, Form E-4 Annual Survey of Public Employees, Multiple Worksite Report, CPRB Pension Report, Report WV Unemployment, W-2 processing, 1099R processing, and 1095-C processing (these are all relevant to mandatory federal reporting requirements).”

“A new ERP system would need to be compatible with the City’s timekeeping software and have the ability to process payroll checks for active employees and pension checks for fire and police pensioners. It must have the ability to utilize multiple, varied pay codes dependent upon certain departmental operations.”

“The current Web Extensions Module is the City’s online platform for employee self-service and multiple information contained therein is gathered from the ERP such as pay stubs, W-2s, leave balances, emergency contacts, employee contact information and benefit elections.”

Citizen Services model:

The Citizen Services module includes licensing, parcel manager, and permits/inspections. The system tracks and issues licenses for contractors, deer hunting permits, and loading zone permits. The parcel manager accounts for the physical address, type of zoning, and ownership of the parcel. The permits/inspections issues building and zoning permits.

REASON FOR REPLACEMENT

The most critical reason for the replacement of the ERP software is that software owner will be ceasing support for the system in December 2021. The system has been in twilight status for the last ten years, and the City of Charleston has been

receiving only regulatory enhancements.

The system is fast becoming obsolete technology. Over time, the system has become inefficient to complete tasks and City technology staff are spending ever-increasing time maintaining its functionality. Additionally, the City of Charleston needs an ERP system that is fully compatible with geographic information system mapping (GIS).

RTS SYSTEM

History of System

The Revenue Tracking System (“RTS”) is part of a triad of applications that were developed specifically for the City of Charleston. The idea to procure a revenue tracking system emerged in 2002 when the City Council discussed implementing a City Service Fee (“CSF”), and the RTS came into existence in 2004 after the City Council enacted an ordinance creating the CSF.

The City’s previous revenue tracking was handled via a Unix-based ITX system with COBOL programming. The program was written in-house sometime in the 1980s. The organization needed to find a fast, yet economical, solution that could handle the CSF requirements. It was determined that there were no off-the-shelf applications available that could be easily customized to suit the City’s needs and fulfill the pending city service-fee requisites. Therefore, in December 2003, Roy Gearhart of Gearhart & Associates was commissioned to convert the City’s revenue data from its antiquated COBOL system to a Microsoft SQL platform. The initial purchase agreement for the RTS build and implementation was \$15,000. In addition to minor modifications and enhancements throughout the life of the product, two major change orders occurred.

In February 2012, the city agreed to pay \$11,750 to update RTS to:

- Generate viewable images of online return information relating to Business and Occupation taxes, Municipal Licenses, and CSFs.
- Receive a file containing payment information from the Lockbox processes.
- Match payment file with return data.

- Post zero payments for online accounts that have zero payment returns.
- Verify the data for exception items defined by the city.
- Generate an online reconciliation report for balancing with the funds collected online.
- Generate an exception report for review.
- Modify the existing collection reports to provide separate totals of funds collected online.
- Ensure that the transaction in the history table identifies the item as being generated via the online capture application.

In April of 2010, the City adopted Bill 7412 “Rental Registration Properties” for the purpose of creating registration and inspection procedures applicable to property owners who provide residential rental properties. As a result of the Rental Properties Ordinance, in August of 2010, the City agreed to pay \$13,600 to Gearhart and Associates to develop the Rental Registration System (RRS) and the Rental Units Registration System (“RUR”). An additional \$3,500 was agreed to in November of 2010 to add Google Chrome compatibility.

As of December of 2012, Gearhart and Associates was absorbed by Strictly Business with Roy Gearhart remaining as a support consultant. Since he built the application, Mr. Gearhart was the “go-to” person for support. However, Mr. Gearhart permanently retired approximately two years ago. Since then, RTS support has been outsourced by Strictly Business to a team in India.

RTS Uses

Vendor and financials tracking is a critical component of the City’s daily operations. The City Collector’s Office is the primary department that maintains and uses the RTS/RRS/RUR applications. However, most, if not all, city departments rely on the RTS application to determine if vendors are in “good standing” with the City prior to conducting business with them. The systems are critical for tracking rental registration, business licensing, business and occupation taxes, contractor statuses, and service fees. The system also generates notification letters to constituents, vendors, and businesses. Essentially, RTS maintains all taxpayer/feepayer data and tracks the resulting collection of revenue. The system has served the City well throughout the past 18 years, but the proprietary nature of the products, lifecycle limitations, and the limited expertise available to support the programs requires the City to face system replacement.

The product's end-of-life is most apparent by the limitations of support. The City is currently paying \$14,720 annually for support and sometimes additionally invoiced for services "not covered by support." Requests for help, modifications, and additions, are channeled to a support center in India. There is generally a 24-to-36-hour turn-around for a response and recently they have not been capable of fulfilling minor change requests. As noted by the City Collector Christina Merbedone-Byrd, there are several specific concerns with RTS:

- RTS cannot accommodate any changes to City policies or procedures. Additionally, processes cannot be streamlined or made more efficient due to system limitations.
- RTS is unable to incorporate additional taxes such the Hotel/Motel, Amusement, and Public Utility. Also, other City fees are excluded from RTS.
- Other systems have been created to house data that RTS cannot maintain.
- RTS does not allow for workflows, automation, or interfaces.

SECTION TWO: SCOPE OF SERVICES

2.1. Expectations

The City is requiring that responding firms assist with the procurement of a complete ERP and RTS solution, including software, hardware specifications, project management, business process improvement, and other technology services for the entire scope of the project. **NOTE: THE SELECTED FIRM MAY NOT OWN ANY SOFTWARE SYSTEM THAT IT WILL RECOMMEND TO THE CITY FOR PROCUREMENT.**

The following definitions should be considered relative to the list below:

- **Core Features:** Components of the solution that MUST be addressed by the responding firms.
- **Expanded Features:** Components of the proposed solution that may be optionally proposed by responding firms but are not mandatory to include in the response.

SOFTWARE: An outline of the required software system solution is as follows:

- **ERP SYSTEM**

- **Core Features**

- Financial Management

- General ledger
 - Budgeting
 - Accounts payable
 - Accounts receivable
 - Purchasing
 - Fixed assets & general inventory management
 - Project accounting

- Payroll, HR, and Employee Self-service

- Employee information database
 - FLSA classification
 - Pay grade & wage information
 - Vehicle accident reports
 - Workers' compensation claims (including OSHA reporting information)
 - Employee special licensing (e.g., CDL license, electrician license, etc.)
 - Safety sensitive/drug-testing classifications for each employee
 - Leave balances (sick and vacation)
 - Medicare HICN numbers
 - New hires & terminations
 - Affordable Care Act reporting
 - OSHA incidents reports
 - EEO-4 reports
 - Occupational employment survey
 - Federal Taxes, State Taxes, Local Taxes, FICA, Medicare, Pension, Worker's Comp, Unemployment
 - All 941 reports
 - ICMA (457 Plans) Pay Period Reports
 - Form E-4 Annual Survey of Public Employees
 - Multiple Worksite Report
 - CPRB Pension Report
 - WV Unemployment Report

- W-2 processing
- 1099R processing
- 1095-C processing
- All relevant to mandatory federal reporting requirements
- Employee Self-service module

- **Citizen Services**
 - Contractor licensing
 - Deer hunting permits
 - Loading zone permits
 - Parcel management: physical address, type of zoning, and ownership of the parcel.
 - Building Permits/inspections
 - Zoning permits

- **Expanded Features:**
 - Cash receipting
 - Treasury Management
 - Electronic supporting documentation for purchase orders stored in the ERP system
 - Paperless requisition process
 - Automated/system generated length of service increases
 - API integration with current timekeeping software
 - Improved compatibility and workflow between modules
 - Modules for rental registry, inspections, vacant structures, and property maintenance
 - User-defined reporting
 - Multi-format export and printing of information.
 - Ability to record searchable notes in the ERP system
 - Ability to identify vendors being paid, but not registered, within RTS
 - Automated notifications when new permits are issued
 - Automated posting of revenues to eliminate the revenue import
 - Improve ability to search vendor records
 - Improvements to GIS compatibility
 - Improve ability to securely store documents
 - Ability to update parcel data with information from County Assessor
 - Master indices of city street names

- Electronic process for code enforcement action
 - Ability for employees in the field to access information via smartphone or tablet
 - Automated staff notifications when renewal fees are due
 - Improved integrated credit card transaction options
 - Utility billing module
- **RTS SYSTEM**
 - **Core Features:**
 - Tax & fee tracking
 - Collection process that generates notices and maintains a tracking history
 - Reporting capabilities
 - Manual and imported payment input ability
 - Receive a file containing payment information from Lockbox process and online payments
 - Ability to match payment file with return data
 - Automated computation of penalties, interest, and fees
 - GIS capability
 - Audit Trail
 - Automated billing/notices
 - Limited-access status report capability or non-Collector's Office employees to determine whether the City can or cannot conduct business with a vendor
 - Ability to detect anomalies or create smart-reports that help identify potential errors or entities that should be audited
 - **Expanded Features:**
 - Separate test system
 - Viewable images
 - Improved compatibility with other systems
 - Automatic system alerts
 - Improved ability to identify delinquent accounts
 - Automatic integration and posting of payments received online and via Lockbox
 - Workflow approval process for manual entries

SERVICES: An outline of the required services is as follows:

- Project management
- Software installation
- Data conversion

- Report development
- Integration and interface development
- Software modifications
- Implementation and training services
- Change management
- System documentation development
- Operational redesign assistance
- Ongoing support and maintenance services
- User training
- Administrator training

Technical Features

- High-level requirements for ERP and RTS
 - System audit trail and reporting
 - Data encryption and protection
 - Role-based user management
 - SAML compatible
 - Secured and redundant cloud infrastructure
- Regulatory Compliance References
 - NIST 800-53
 - HIIPA
 - PCI-DSS
 - GDPR

SECTION THREE: INSTRUCTIONS TO FIRMS SUBMITTING PROPOSALS

3.1. The Proposal

Proposals should be prepared simply and economically, providing straightforward, concise descriptions of the firm’s capabilities to satisfy the City’s service needs. Emphasis should be placed on completeness and clarity of content.

Ownership of all data, materials, and documentation originated and prepared for the City pursuant to this solicitation will belong to the City and are subject to the West Virginia Freedom of Information Act, unless the content is proprietary in nature such that it is excluded from production. All pages or sections of submitted documents considered by the firm to be proprietary in nature should be clearly labeled.

3.2. Questions About the Solicitation

All questions must be transmitted according to established deadlines to Ms. Jamie Bowles, Purchasing Director, by emailing Jamie.Bowles@cityofcharleston.org.

3.3. Submission of Proposal

All proposals must be submitted in writing and in electronic format as a PDF file readable with Adobe Acrobat software.

Proposals must be transmitted according to established deadlines to Ms. Jamie Bowles, Purchasing Director, by emailing Jamie.Bowles@cityofcharleston.org.

3.4. Qualifications, Experience, and Past Performance

Firms should provide information regarding its employees, such as staff qualifications and experience in completing similar services; copies or descriptions of any staff certifications or degrees applicable to this solicitation; proposed staffing plan; descriptions of past services completed, including the location of the client, project manager name and contact information, type of services provided, and the service goals and objectives and how they were met.

Firms must submit at least 3 current client references, 1 of which must be a municipality.

SECTION FOUR: PROPOSAL EVALUATION & SHORTLIST

4.1. Evaluation Committee

All proposals will be reviewed by an Evaluation Committee, which will consider the statements of qualifications and performance data and other material submitted by the interested firms. The Evaluation Committee will select no more than 3 firms that, in the committee's opinion, are the best qualified to perform the desired services.

The shortlisted firms will be invited to participate in interviews.

4.2. Shortlisted Firm Evaluation

The City of Charleston will evaluate the firms that have been determined most qualified and able to perform the desired services. The evaluation criteria are based on a 100-point total score:

Evaluation Criteria

Implementation Services.....55 pts

- Project management approach
- Including project management, training, and data conversion
- Project team
- Timeline
- Software support
- Access to broad property & casualty insurance marketplace
- Current workload and ability to complete work
- Location of where services will be performed

Experience & Qualifications.....45 pts

- Professional competence
- Financial stability of firm
- References
- Organizational chart
- Experience providing services to comparable municipalities

SECTION FIVE: SCHEDULE OF EVENTS

Release of the EOI.....8/13/21

Written Questions Submission Deadline.....8/30/21, 4:00 PM (EDT)

Addendum Issued9/3/21

Expressions of Interest Due Date.....**9/10/2021, 4:00 PM (EDT)**

Estimated Date for Interviews of Shortlisted Firms.....September / October

NOTE: This schedule is subject to change. Please visit the following City website for updates:
<https://charlestonwv.gov/bids-purchasing/current-bids>



Proposal

Request for Expressions of Interest Information Technology Consultant Services



The City of Charleston, West Virginia

Due: September 10, 2021

Submitted by SoftResources LLC

Spencer Arnesen, CPA, Principal

Phone: 425.216.4030

Email: sarnesen@softresources.com

September 10, 2021

Jonathan Storage, City Manager
City of Charleston City Hall
501 Virginia Street East
Charleston, WV 25301

Dear Mr. Storage:

SoftResources LLC is pleased to present this proposal to the City of Charleston, West Virginia (City) Request for Expressions of Interest (RFEI) – Information Technology Consultant Services.

The City's project is an excellent fit for our services and sole focus of providing unbiased software evaluation and selection services to our clients across North America. With more than 26 years of experience leading software evaluation projects, we will provide a mature and proven approach and methodology to assist the City with Needs Assessment, Request for Proposal (RFP) Development, and Vendor Selection Services for Enterprise Resource Planning (ERP) and tax and fee software.

Understanding – We Get It. Our focus is to facilitate, coordinate, and lead the City through the evaluation of the current ERP and tax and fee environment, process review, requirements analysis, RFP development, vendor procurement, contract review, and implementation oversight. Our knowledgeable and experienced project team along with our proven methodology will guide the City through the proposed project. We have completed hundreds of successful ERP software selection and implementation projects for similar Public Sector organizations.

Our Experienced Team – We Can Do It. SoftResources will leverage our extensive history providing ERP software consulting services and experienced consulting team to provide the specific services required. We applaud the City for involving a consultant in this process to guide you through this project and lead you to a successful outcome. The contents of this expression of interest will further demonstrate the expertise of our firm and our staff.

Our Approach – We Guide You. The success of an organization's ERP software replacement project is dependent on many factors including the methodology deployed and the resources assigned to the project. Our team will work with your team to ensure project success and mitigate risk. Where possible we recommend that our clients take advantage of best practices offered from integrated enterprise solutions. We understand that the City's key business drivers for this project include replacement an ERP system and system known as Revenue Tracking System (RTS) that are falling short of meeting the business requirements.

Call to Action – Let's Do It. SoftResources is prepared to collaborate and guide the City through this software replacement project and commits to provide the following:

- **Proven and client focused methodology** from our sole business of providing software evaluation, selection, and implementation services to Public Sector organizations.
- **Experience providing ERP** software evaluation and selection projects to **Government organizations**.
- Our projects are managed to ensure adherence to the **scope, time, cost and quality** defined by our clients.
- We are **unbiased**, vendor independent and not aligned with nor compensated by software vendors for any reason.
- We maintain a **high standard of ethics with a commitment to quality** for the services we provide to all our clients.



Spencer Arnesen, Principal of SoftResources LLC, is the contact for this expression of interest proposal and has authority to bind SoftResources contractually. SoftResources looks forward to the opportunity of working with the City on this important Information Technology initiative.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Spencer Arnesen'.

Spencer Arnesen, CPA, Principal
SoftResources LLC

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1. Implementation Services

SoftResources will use our assessment and selection methodology that has been developed and improved over our 26+ year-history to assist the City to select new ERP and tax and fee software and a qualified implementation team or partner depending on the software selected. Our approach will be to include the tax and fee system requirements with the ERP (financials and HR/payroll) and citizen services requirements.

It is understood that the City's current system environment has been customized over the years. The current ERP system is 18 years old and the company supporting this system will cease maintenance in December 2021. The primary tax and fee software, known as Revenue Tracking System (RTS), was custom designed and is also nearly 18 years old. The original programmer for the RTS no longer has rights to the program and much of the programming work is being outsourced to India; changes to the system are difficult, expensive and at times unworkable. Based on these facts, the City desires to find replacement software that is secure, integrated, and that provides modern functionality to increase staff efficiency and accuracy in daily responsibilities and reporting.

SoftResources will approach the City's software needs by preparing one Request for Proposal document for an Enterprise Resource Planning (ERP) solution that is inclusive of the functionality listed below. It is expected that key staff across all impacted departments will participate in the software evaluation project to identify the ERP software requirements.

Financial Module	Payroll, Human Resources, Employee Self-service Modules	Citizen Services Module	RTS System
General Ledger, Budgeting, Accounts Payable, Accounts Receivable, Purchasing, Fixed Assets, Project Accounting	Timekeeping – new system needs to be compatible	Licensing, Parcel Manager, Permits/Inspections	Primary Tax and Fee software

1.1 Project Management Approach

SoftResources recommends the following work plan organized into 6 phases along with tasks by phase. Some tasks within different phases may be performed concurrently. We understand that not every project is the same and strive to deliver what is specifically required by our clients. Upon further discussion and review with the City this work plan may be adjusted. Our overarching goal is to provide the right level of service to support the project objectives for our clients. Optionally, SoftResources can provide implementation project management services. Please note we do not implement software, rather we work on our client's behalf to manage and augment implementation success. Project phases:



 Phase 1 – Project Management	
a. Project Initiation	Objective. SoftResources will work with the City to initiate the launch of the project as follows: • <u>Project Initiation</u> – meet with the City’s Project Team via conference to launch the project, discuss the contracted scope of work, collaborate on project expectations, and address any questions. • <u>Project Planning</u> –develop the project management documents that will be used to guide and manage the project including the following: Communication Plan, Project Plan and Timeline.
b. Manage Project	Objective. SoftResources will manage and monitor the Project Plan to ensure project milestones, tasks, and deliverables are completed as follows: • <u>Project Coordination</u> – work with the City to manage resources, communicate tasks, meetings and deadlines, and report on project progress to safeguard that target goals are achieved. • <u>Status Updates</u> – provide regular status updates as scheduled with the Project Team and stakeholders. The meetings will be used to review accomplishments, upcoming tasks, open issues, and overall status of the project as it relates to time, scope, budget, and quality.
Deliverables	• Kick-off Presentation • Project Plan • Status Updates

 Phase 2 – Needs Assessment	
a. Discovery Workshops	Objective. SoftResources will analyze the City’s ERP environment and review current business processes during the Discovery Workshops. Specifically, we will complete the following activities: • <u>Plan Workshops</u> – work with the City to plan three days of collaborative Workshops organized by function. Identify personnel who will participate (e.g., stakeholders, Project Team, Information Technology, executive management, subject matter experts, key users, etc.). Build the Workshop Schedule and deliver to the City. The City will issue to participating staff. • <u>Review Documentation</u> – review existing documentation and materials provided by the City in advance of the Workshops to prepare for and gain insight about the current system environment, project, and goals. • <u>Facilitate Workshops</u> – conduct scheduled Workshops (virtual or onsite). Workshops allow for collaborative dialogue across departments for all functional areas in scope. The objectives for the Workshops are to: ✓ Analyze how the current ERP system is used, strengths, weaknesses, limitations, functional and technical requirements.

 Phase 2 – Needs Assessment	
	✓ Review the current technical environment e.g., databases, interfaces, and infrastructure, discuss technology initiatives / strategies and future vision. ✓ Review current business processes and workflows across all functional areas being reviewed. ✓ Identify side-bar systems used by departments outside of the ERP solution e.g., Excel worksheets, Word documents, databases, etc. ✓ Review requirements for a future state vision. ✓ Provide educational insights to attendees about the capabilities of modern ERP systems and industry best practices.
b. Process Review	Objective. SoftResources will review current business processes and provide recommendations for improvement opportunities. • Process Review – conduct business process analysis based on the information gathered during the Workshops and SoftResources’ experience with ERP software. As part of the process review, we focus on the following: ✓ Understanding the challenges with current processes and business policies that may be driving those processes; identify recommendations focused on improving efficiencies and collaboration of information and data. ✓ Consider systems, people, policies, and processes and provide recommendations for process improvement. • Process Improvement Opportunities – based on the process review analysis and our experience selecting ERP software, SoftResources will summarize high level recommendations for process improvement and identify ERP best practices the City should consider as it evaluates, selects, and implements a replacement ERP solution. Deliver the Process Improvement Observations and Opportunities document to the City via email for review.
c. Document Requirements	Objective. SoftResources will define and develop a requirements specification document specific to the City as follows: • Define Requirements – use the data gathered during the Workshops, review of documentation, and our experience to identify key ERP functional and technical requirements specific to the City. These requirements consider interface, integration, and future state business process (to-be) needs. Create a Requirements Document that will be included in the RFP for solicitation of vendor responses. Requirements will be categorized with the following ratings: Required, Important, Nice to Have, or Explore per City input. • Finalize Key Requirements – deliver the Requirements document via email to the City for review. Based on the City’s feedback SoftResources will edit, finalize, and return to the City for final acceptance.



Phase 2 – Needs Assessment

Deliverables

- **Workshop Schedule**
- **Workshop Facilitation**
- **Process Improvement and Observations Document**
- **Requirements Document**



Phase 3 –RFP and Vendor Evaluation

a. Request for Proposal

Objective. SoftResources will draft an RFP for ERP software and work with the City to finalize it:

- **RFP for ERP Software**– create an RFP for ERP software that can be used to solicit software vendor responses for the specific City requirements. At a high level the RFP will include scope of work, final key requirements, vendor evaluation criteria, terms and conditions, and vendor instructions. Deliver the RFP document to the City via email for review and adjustments. Edit the RFP with City feedback and return to the City for final approval and issuance.

b. Vendor Longlist

Objective. SoftResources will create a Vendor Longlist to be used in the vendor solicitation process.

- **Vendor Longlist** – use our knowledge of the City and the ERP software market to prepare a Longlist of vendors that should be notified of the RFP opportunity. Deliver the Longlist to the City for review, adjustments, and final acceptance.

c. RFP Management

Objective. Assist the City through the RFP solicitation process as follows:

- **RFP Management** – the City will issue the RFP according to their Purchasing requirements. SoftResources will notify the Longlist Vendors, assist to issue addenda, address pre-bidder questions, and liaise with the vendors. We recommend the RFP be active for 4 weeks to ensure vendors have sufficient time to respond.

d. Vendor Evaluation

Objective. SoftResources will evaluate vendor proposals and assist the City to understand the vendor offerings as follows:

- **Vendor Proposal Review** – the City will receive vendor bids and provide a copy of each bid to SoftResources. SoftResources will review the vendor proposals and summarize the responses based on our experience and the key requirements. The following will be considered in this high-level review:
 - ✓ RFP process compliance
 - ✓ Relevant vendor experience
 - ✓ Key areas for consideration by the City’s evaluation team
 - ✓ Ability to meet minimum requirements
 - ✓ Alignment with RFP evaluation criteria
 - ✓ Total cost
 - ✓ Open questions

	Phase 3 –RFP and Vendor Evaluation
	• <u>Fit Analysis</u> – conduct a detailed review of the functional and technical requirements with the elevated vendors to identify strengths and limitations of their software. The result of the review will be to identify a Shortlist of vendors that will be invited to demos. Specifically, we will: ✓ Validate and clarify vendor responses to functional requirements. ✓ Assess vendor viability and future strategies. ✓ Determine if a single solution can meet all requirements or if multiple solutions are required. ✓ Validate and clarify technical requirements. ✓ Identify a Shortlist of recommended vendors. ✓ Evaluate the total cost investment required for software, implementation, and software maintenance.
e. Vendor Analysis Report	Objective. SoftResources will summarize the vendor review process into a Short List Comparison Chart and Vendor Analysis Report as follows: • <u>Shortlist Comparison Chart</u> – build a Shortlist Comparison Chart that details the fit analysis for the shortlisted vendors, approximately 3, as compared to the key Requirements. Deliver to the City via email for review and acceptance. • <u>Vendor Analysis Report</u> – prepare an executive-level Vendor Analysis Report in MS PowerPoint summarizing the vendor evaluation process, short list summary findings, 10-year cost review (for software, services, and implementation), procurement strategy overview and recommendation. Deliver to the City via email and answer questions about the report. The City will make final confirmation of vendor candidates to be invited to the demo process.
Deliverables	• RFP for ERP Software • Vendor Longlist • Shortlist Comparison Chart • Vendor Analysis Report

	Phase 4 – Software Demos and Decision
a. Demo Script	Objective. SoftResources will create a Demo Script document that is specific to the City’s business requirements and that will be used for vendor demonstrations as follows: • <u>Demo Script Draft</u> – create a Demo Script that defines the specific timeline and content to be reviewed during software demos. The Demo Script focuses the vendor to demonstrate their solution based on the City’s required functionality. • <u>Demo Script Final</u> – deliver the draft Demo Script via email. The City will review and provide required modifications. SoftResources will edit with City input, finalize, and return to the City for final acceptance.

 Phase 4 – Software Demos and Decision	
b. Demo Preparation	Objective. SoftResources will prepare the City and the software vendors for successful demos as follows: • <u>Set Up Demos</u>– work with the City to schedule demos and assist with the logistics and scheduling. SoftResources anticipates two-day demos for three short listed vendors. We recommend the City allow four weeks for vendors to prepare and schedule resources for the demos. • <u>Pre-Demo Meetings</u> – work with the City to set up and facilitate one-hour Pre-Demo Meetings with each vendor via a virtual meeting. These meetings allow the vendors to address questions in advance of the demo to ensure they are prepared.
c. Demo Facilitation	Objective. SoftResources will facilitate software demos for the City to ensure comprehensive presentations and complete the following: • <u>Demo Feedback</u> – prepare and provide to demo attendees a Demo Feedback Form. Demo attendees will record feedback and rankings for sessions attended. • <u>Facilitate Demos</u> – facilitate software demos, manage vendor adherence to the Demo Script, manage City staff questions, manage Demo Report documents, document questions, and follow up items. • <u>Demo Wrap Up Meeting</u> – at the completion of vendor demos conduct a Demo Wrap Up Meeting virtually to review demo feedback, assist the City to determine finalists, and identify key areas to evaluate through due diligence and final decision processes.
d. Decision Support	Objective. SoftResources will advise the City as they conduct due diligence and make the final vendor decision as follows: • <u>Vendor Management</u> – continue to manage vendor communications and questions, do follow up work, and liaise with the vendors. • <u>Due Diligence Tasks</u> – Advise the City as they conduct following due diligence activities including any of the following: ✓ <i>Reference Checks</i> – provide template questionnaires that will assist with the review of vendor references. ✓ <i>Due Diligence Demos</i> – assist the City with the creation of follow up Demo Scripts for finalist vendors to review specific topics or evaluate functionality in more depth to support the final decision process. ✓ <i>Decision Support Activities</i> – conduct follow-up meetings, scoping discussions, implementation assumptions, planning, other calls, and meetings to support the City to make the decision. • <u>Final Decision Meeting</u> – assist the City with preparations for and participate in the Final Decision Meeting remotely. The City will make the final software decision.
Deliverables	• Demo Script • Demo Feedback Form



Phase 4 – Software Demos and Decision

- **Facilitate Demos and Wrap Up Meeting**
- **Due Diligence Advisory Services**
- **Final Decision Meeting**



Phase 5 – Contract Review

a. Vendor Contract	Objective. SoftResources will assist the City with contract review with one finalist vendor as follows: • <u>Review Contract</u> – review vendor contract documents from a business perspective and document redline edits and review comments to the contract. This review includes the software license, subscription pricing, terms and conditions, and implementation services. • <u>Discussion</u> – address questions on the redline review edits and comments with the City via web conference and advise the City through the negotiation process. We recommend that the City’s legal counsel also review the contract documents to ensure a thorough review.
b. Vendor Statement of Work (SOW)	Objective. SoftResources will assist the City to review the Vendor SOW for Implementation before signing a contract to ensure resources and expectations are agreed to. • <u>SOW Review</u> – review the vendor’s SOW and document redline edits and review comments. • <u>Discussion</u> – address questions on the redline review edits and comments with the City via web conference and advise during SOW discussions. We recommend that the City’s legal counsel also review the contract documents to ensure a thorough review.
Deliverables	• Vendor Contract – Redline and Review Comments • Vendor SOW – Redline and Review Comments



Phase 6 – Implementation Project Management

Objective. SoftResources will support the City with ERP System Implementation and can provide a variety of services as outlined in this table. We will work with the City to determine the level of services required. Our experience with similar clients is that the services required will vary throughout the project and we are prepared to support the project in this manner. The services we can provide to guide the City through the ERP implementation will serve to address the following basic pillars:

- ✓ Plan and monitor project progress
- ✓ Extension and augmentation to the City implementation team
- ✓ Vendor management and liaison
- ✓ Manage project time, scope, quality, and budget

 Phase 6 – Implementation Project Management	
a. Project Charter	• Work with the City to develop the Project Charter that will outline the purpose and goals of the project and will be used as the governing document for the life of the implementation of the software. • We believe this is an important document that establishes a clear vision for the project and ensures project stakeholders are in alignment with the goals and objectives for the project.
b. Project Plan and Timeline	• Review the vendor's implementation Project Plan that defines tasks, assigns responsibilities, dates, milestones, and deliverables. • Ensure all tasks required for the project for all parties are included in this plan with start and end dates and resource assignments. • Monitor the documents as the project progresses with a vision towards completed, current as well as upcoming or future tasks. • Monitor vendor compliance with the negotiation contract.
c. Performance Standards	• Collaborate with the City to define a process to measure and evaluate vendor performance.
d. Task Management	• Participate in the coordination and oversight of task management ensuring adherence to the Project Plan and Timeline. Ensure staff are updated to current and upcoming tasks as outlined in the Project Plan.
e. Vendor Status Meeting	• Participate in regular status meetings with the City and the selected vendor. Status Meetings should be used to discuss the current state of the project and include a review of completed tasks, current tasks, future tasks, issues, risks, City and Vendor resources and other planning activities based on the current stage of the implementation. • Meetings are typically regularly scheduled weekly or biweekly with ad hoc meetings scheduled as needed throughout the project.
f. Project Team Status Meetings	• Coordinate, schedule and participate in implementation planning meetings with the City and Vendor Implementation Project Teams. • The meetings are used to review the status of the project as well as upcoming tasks and deliverables.
g. Executive Sponsor Liaison	• Participate in the required communication to keep the Executive Sponsor apprised of project status. This typically is in conjunction with the City's internal Project manager or Executive Steering Committee meetings.
h. Communications Plan	• Communication is a critical requirement for a successful implementation project. During implementation planning the vendor should work to create a Communication Plan document that defines the elements of communication for the project. This document outlines the who, what, where, when, and how of communication across the organization. • SoftResources will review the document to ensure it meets the needs of the City. Optionally SoftResources can create the Communication Plan according to Department preferences and direction.

 Phase 6 – Implementation Project Management	
i. Change Management	- Identify the possible change management issues the project may face and develop a Change Management Plan to address them. - SoftResources is certified in Prosci's Change Management methodology and will use that as the basis for a Change Management Plan. The Plan will be developed to City requirements.
j. Risk Management Plan	- A Risk Management Plan defines the potential risks for the project, assigns a risk owner, outlines a plan to mitigate the risk from occurring as well as a plan to address the risk if the risk occurs. - A Risk Management Plan may be created by the Vendor as part of the project planning process. Optionally SoftResources can create a Risk Management Plan document according to City preferences and direction.
k. Discovery	- This is typically the first phase of a software implementation. During this process the selected vendor will provide training on the software and review best practice functionality. The sessions will be used to review the current environment and business processes for all departments. - SoftResources can participate in these sessions and act as an objective guide to the information provided and the decisions made. It is critically important that the City is provided the right information to review options for the configuration of the software.
l. Design and Configuration	- Once the discovery sessions are complete the vendor will provide a system design recommendation. This will be augmented with the book that will be created as part of the pre-discovery process with the Department. - The Design phase also includes the plan for interfaces or integration, data conversion, cutover plan, forms development, report development, testing plan test scripts, roles definitions, user administration. - SoftResources can support the City through the review of the design document and completed configuration completed.
m. Data Conversion	- Assist with the review or development of a high-level Data Conversion Plan. The plan will include identification of data to be converted, an approach to extraction of data from legacy systems, how data will be imported to the new software, how to test the converted data and overall timing for the process. - SoftResources can monitor the data conversion process to ensure tasks are completed as defined, data is validated, and signoff is achieved.
n. Integration Plan	Development of an Integration Plan that defines the required integrations to other City business solutions. The plan defines the who, what, when, where, and how of data integration.
o. Training Plan	SoftResources can assist with the development of a high-level Training Plan that defines the who, what, when, where, and how of training. Who needs to be trained, what do they need to be trained on, what materials

 Phase 6 – Implementation Project Management	
	are required for training, when do they need to be trained, where will they be trained, and how will they be trained?
p. Budget vs. Actual Analysis	- Review project budget vs. actual reports provided by the vendor and reconcile to City records. - Create a budget vs actual monitoring tool. - It is important to manage project costs to the contract signed by the City. The reporting should provide the investment to date as well as estimated costs to complete the project to ensure a project that remains on budget.
q. Change Orders	- Review Project Change Orders initiated by the Vendor to ensure they are in line with expectations of the City. - Ensure the Change Orders include the proper documentation and justification for any additional services or software required beyond the original contract.
r. Testing	- Assist with the development of a high-level Testing Plan for all stages of the implementation including unit, integration, conversion, interfaces, forms and reports, workflow, and roles. - The plan will include tasks such as development of test scripts, assistance with documentation of testing results, and identification of configuration adjustments required. - Assist with the development of Test Scripts for each functional area. - Provide guidance in conduct user acceptance testing.
s. Go-Live and Cutover Plan	- Services can include development of a Cutover Strategy, go-live checklist, readiness assessment, quality review, definition of critical-success-factors, final data conversion, system cutover and future phase planning. - Participate in the review of tasks or activities that need to be completed after go-live or the move to production status.
t. Close Out	- Administer Project Close Out including review of the Project Plan to ensure all tasks are complete - Review the Cutover Strategy to be used by the City to ensure all steps have been properly executed - Participate in the vendor's transition to support process for City staff.

1.2 Timeline Estimate

SoftResources estimates eight months to complete the proposed work plan. This timeline is dependent on the availability of the City and vendor resources and can be adjusted based on further discussion with the City.

Phase/Task	Month	1	2	3	4	5	6	7	8
1. Project Management									
a. Project Initiation									
b. Manage Project									
2. Needs Assessment									
a. Discovery Workshops									
b. Process Review									
c. Document Requirements									
3. RFP and Vendor Evaluation									
a. Request for Proposal									
b. Vendor Longlist									
c. RFP Management									
d. Vendor Evaluation									
e. Vendor Analysis Report									
4. Software Demos and Decision									
a. Demo Script									
b. Demo Preparation									
c. Demo Facilitation									
d. Decision Support									
5. Contract Review									
a. Vendor Contract									
b. Vendor Statement of Work									

Phase 6 – Implementation Project Management. The timeline for implementation will be dependent on the software solution selected, vendor availability, modules to be implemented, and City resource availability. Typically, we see timelines from 12 to 24 months.

1.3 Project Team

Our team of consultants have from 20-35+ years' experience evaluating and implementing ERP solutions that will be leveraged to the benefit of the City's project. We have no junior consultants on staff and our consultants have working-level knowledge of ERP systems and modules in the market. The home office for consultants is Kirkland, Washington.

The City's project will be guided and supervised by highly qualified consultants who are veterans employing our selection methodology and that have been managing projects for organizations that are similar in size and scope. The SoftResources team assigned to guide and direct the City's project will be committed for the duration of the project. We ensure the project workload balance assigned to our team allows for continuity in resources. We can provide the City with a team of five consultants trained and available to provide the required services. The SoftResources team organization structure follows:



The team assigned to the City's project will include an Executive Sponsor, Project Manager, Lead Functional Analyst, Technology Analyst, and Contract Specialist. Additional resources from SoftResources can be assigned to the project if needed based on the final project scope and timeline.

Role	Responsibilities
Executive Sponsor	Overall responsibility for the contract engagement process, quality assurance and oversight to the services and products delivered to our clients.
Project Manager	Monitor Project Plan through completion, manage client relationship, provide regular status updates to all required parties, participate in workshops and meetings, participate in analysis, development of findings, and preparation and presentation of project deliverables, delivery of all outcomes for the project, proactively manage the project to ensure quality, consistency, budget, and timeliness of the project.
Lead Functional Analyst	Manage coordination of activities with client, document findings, maintain project documents, participate in workshops, onsite meetings, development and presentation of project deliverables, collaboration with Project Manager to ensure services and deliverables are provided as contracted.
Technology Analyst	Provide technology leadership and expertise in the definition of requirements and evaluation of vendor options including review of system infrastructure, integrations, and security.
Contract Specialist	Review and provide comments and redline edits to contract documents, discuss redline comments, participate in vendor discussions and negotiations.

Professional Profiles are provided on the following pages.



SPENCER ARNESEN, CPA, MAcc Principal

SUMMARY OF QUALIFICATIONS

Spencer is Principal and Co-Founder of SoftResources. He has over 28 years software consulting experience and has led and managed hundreds of software assessment and evaluation projects. Spencer manages sales and marketing and provides executive oversight for client projects. As a Certified Public Accountant, Spencer offers practical and insightful business expertise. His experience and knowledge of vendor solutions and technologies enables him to apply implementation ideas across all his clients. He brings valuable insight to clients through his knowledge of Financial, ERP, Human Resources/Payroll, EAM, CIS, and other enterprise software systems.

KEY QUALIFICATIONS

- 28 years' experience leading software assessment and selection projects.
- Thought leadership and development of focused software selection methodology.
- Effective with managing, communicating, and motivating teams through technology projects.
- Experience with ERP, Financial, CMMS/EAM, Permitting, HCM, Job Costing, CRM, Utility Billing, Budgeting, and other Public Sector solutions.

EDUCATION & CERTIFICATIONS

- Bachelor of Science in Accounting with Spanish Minor – Brigham Young University
- Master of Accountancy and Computer Information Systems Brigham Young University
- Certified Public Accountant

PROFESSIONAL AFFILIATIONS

- Washington Society of Certified Public Accountants
- Presenter at various conferences and tradeshows on software, technology, and contracts.
- CSMFO, WFOA, GFOA Conferences exhibitor and presenter
- Eagle Scout with Boy Scouts of America

RELEVANT EXPERIENCE

Software Expertise

Spencer leads, manages and provides principal oversight for software projects for public sector organizations as well as for commercial and nonprofit companies. He has vast experience writing and managing RFPs and developing system procurement strategies. Spencer keeps abreast of the latest vendor technologies through evaluation, vendor discussions and conferences. Spencer is a skillful communicator, presenter and motivator.

Assessment, Selection and Implementation Practice

Spencer leads SoftResources' Software Selection and Implementation Practice for all customers. He brings thoughtful and practical business insights gained from his experience with many industries including Public Sector. Spencer has extensive knowledge about and experience with evaluating enterprise software and vendors focused on the government market.

Sample Project – Puget Sound Regional Fire Authority, WA

Spencer led and managed for the Regional Fire Authority (serves 175,000 citizens) an ERP Assessment and Selection project. Through his leadership and management requirements were defined, business processes reviewed, Needs Assessment Report prepared and presented, RFI sent to vendors, vendor fit analysis conducted, scripted demos facilitated, decision analysis, contract reviewed and negotiated, pre-implementation services provided. The project was successfully completed on time and on budget.

KEY SKILLS



Project
Management



Public
Sector



Technology
Management



ERP
Strategy

SOME GOVERNMENT CLIENTS

Brazos River Authority
Community Transit
Peninsula Light Co.
King Cty Libraries, WA
Port of Tacoma, WA

Puget Sound Reg Fire, WA
Placer Cty Water Agency, CA
Ada County, ID
Anchorage Water-Wastewater
Seminole Tribe of Florida

Santa Rosa, CA
WorkSafeBC
TransLink BC
Bothell, WA
Burbank, CA



ELAINE WATSON, CPA, MBA

Principal

SUMMARY OF QUALIFICATIONS

Elaine is Principal and Co-Founder of SoftResources with 28 years of professional consulting experience. Her experience includes hundreds of software evaluation and implementation projects. She manages our Software Selection and Implementation practice for Public Sector, Private Sector, and Non-Profit organizations. As a CPA, Elaine brings experience in managing and directing financial departments in a variety of functional areas. She is ADKAR Certified in change management, has extensive project management training, and specializes in helping each client find the right solution.

KEY QUALIFICATIONS

- 35 years' experience leading software selection and implementation projects.
- Leads Government Software Selection and Implementation practice.
- Thought leadership and development of focused software selection methodology.
- Experience with Financial, ERP, CMMS/EAM, Permitting, Timekeeping and Scheduling, HCM, Utility Billing, Cashiering, Document Management, and other Public Sector focused solutions.

EDUCATION & CERTIFICATIONS

- Master of Business Administration - University of Puget Sound
- Bachelor of Arts – Business University of Washington
- Certified Public Accountant
- GFOA Project Management Training
- PMI Project Management Training
- Prosci Certified Change Practitioner



PROFESSIONAL AFFILIATIONS

- Washington Society of Certified Public Accountants
- GFOA, CSMFO, WFOA, AICPA Conferences exhibitor
- Project Management Institute Member (PMI)

RELEVANT EXPERIENCE

Software Expertise

Elaine has led and managed Financial, ERP, and other enterprise software evaluation, selection and implementation projects for the Public Sector including municipalities, counties, agencies, and special districts. She brings leadership and experience with requirements analysis, assessment analysis and evaluation of solutions from both an integrated ERP and as a best-of-breed solution perspective.

Assessment, Selection and Implementation Practice

Elaine leads SoftResources' Software Selection and Implementation practice for Local Government. She has strong leadership, management, and business skills with all phases of software assessment, vendor procurement and system implementation. Elaine brings extensive knowledge about and experience with evaluating enterprise software and vendors focused on government market.

Sample Project – Santa Clarita, CA

Elaine led and managed an ERP System project for Santa Clarita, CA. Through her leadership and expertise, the following tasks were completed: conducted assessment workshops, defined requirements, identified gap analysis, reviewed business process, documented best practices, developed and managed the RFP process, reviewed vendor responses, facilitated short list decision, created a Demo Script, facilitated demos, and supported the City through due diligence and final decision. This project was managed on time and on budget.

KEY SKILLS



Project
Management



Public
Sector



ERP
Strategy



Process
Improvement

SOME GOVERNMENT CLIENTS

Clearwater, FL
Champaign, IL
Durham, NC
Lea County, NM
Santa Clarita, CA

Redmond, WA
Gresham, OR
Newark, CA
Temecula, CA
Indio, CA

Whatcom County, WA
King Cty Housing Authority
Grays Harbor County, WA
Island County, WA
Tulare County, CA



PAMELA ETTIEN

Director

SUMMARY OF QUALIFICATIONS

Pamela is a Director at SoftResources. She has 23 years of professional consulting experience with SoftResources and works with Public Sector, Private Sector, and Nonprofit organizations. Pamela is expert with requirements definition, business process review, system assessment, process workflow charting, RFP writing, software and implementation vendor evaluation, and software implementation augmentation. She is a skilled presenter of knowledge, and a Prosci Certified Change Management Practitioner. Pamela's knowledge is enhanced with her extensive prior work experience within accounting departments working in various organizations and functional areas.

KEY QUALIFICATIONS

- 23 years professional consulting experience in software selection and implementation projects.
- Municipal government focused software evaluation and implementation expertise.
- Experience with Financials, ERP, Budgeting, EAM, Permitting, Planning, HR/Payroll, Workforce Scheduling, Parks and Rec, Utility Billing, Cashiering, Cemetery Management, and other municipal focused solutions.
- Implementation coordinator – Enterprise Training roll-out.

EDUCATION & CERTIFICATIONS

- Associate of Arts – Highline Community College
- Accounting Degree - Clover Park College
- Prosci Change Management Certification



PROFESSIONAL AFFILIATIONS

- Presenter at government conferences on technology and software selection
- WFOA and CSMFO Conference exhibitor and presenter
- Presenter at SoftWorld tradeshow on software market and selection

RELEVANT EXPERIENCE

Software Expertise

Pamela has completed dozens of Financial and ERP system evaluation and selection projects for municipalities, counties, districts, and agencies. Her knowledge and experience evaluating the vendor market brings leadership and vision to client projects. Pamela acts as vendor liaison for consulting projects and engages vendors during the evaluation process to vet viability and fit to client requirements.

Assessment and Selection Expertise

Pamela is expert with performing unbiased software assessment and selection for local governments nationwide. She has strong leadership and management skills in system assessment, requirements analysis, business process analysis, vendor fit/gap analysis, demo facilitation, and decision coaching. Pamela has augmented software implementation and performed the role of Training Coordinator for a large-scale project.

Sample Project – City of Santa Clarita, CA

Pamela led and managed an ERP System project for Santa Clarita, CA. Through her leadership and expertise, the following tasks were completed: conducted assessment workshops, defined requirements, identified gap analysis, reviewed business process, documented best practices, developed, and managed RFP, reviewed vendor bids, facilitated short list decision, facilitated demos, assisted through final decision, contract review and negotiations. This project was managed on time and on budget.

KEY SKILLS



Project
Management



Public
Sector



Software
Analysis



Change
Management

SOME GOVERNMENT CLIENTS

Clearwater, FL	Lea County, NM	Gresham, OR
Bedford County, VA	Champaign, IL	Newark, CA
Woodinville Water District, WA	Santa Clarita, CA	Bellevue, WA
Whatcom County, WA	Port Angeles, WA	Redmond, WA
King County Housing Authority	Washougal, WA	Durham, NC



RON LOOS, MBA

Director

SUMMARY OF QUALIFICATIONS

Ron has many years of experience providing software consulting services at SoftResources, over 20 years' experience with technology leadership and management, and 15 years of enterprise-level solutions development and deployment. His experience and expertise include ERP, Financials, EAM, CMMS, IWMS, CIS, CRM systems and more. Ron manages system assessment, vendor selection, and implementation oversight for organizations within Public Sector, Private Sector and Non-Profit organizations. He is a capable leader, motivator, problem solver and people person.

KEY QUALIFICATIONS

- Manages software assessment, selection and implementation projects for Public Sector.
- 6 years providing software consulting with SoftResources.
- 20 years operations and technology leadership at government agencies and Fortune 500 companies.
- Experience in assessing and procuring ERP, Financials, EAM, CIS, Permitting, HCM, and more.
- Skilled Project Manager assisting organizations with system implementation

EDUCATION & CERTIFICATIONS

- Bachelor of Arts - Sociology/ Criminology University of Washington
- Master of Business Administration - Seattle University
- Graduate Program - EC Studies École supérieure de commerce de Reims, France
- Certified Information Systems Security Professional (CISSP)

PROFESSIONAL AFFILIATIONS

- Past Member of ACWA
- Presenter at various conferences and trade shows on technology, IT security and software selection
- CSMFO and ACWA Conference exhibitor and presenter

RELEVANT EXPERIENCE

Software Expertise

Ron has led and managed numerous software projects at Public Sector, Private Sector, and Non-Profit organizations. He has managed large teams using those systems on a day-to-day basis. He has expert level knowledge and experience in technology, operations, and security. His skill set allows him to assess IT environments, application and network security, and other technological aspects of enterprise-wide software implementations.

Assessment, Selection, Implementation, and Operations

In addition to his expertise in ERP software systems, Ron leads the EAM practice at SoftResources. He also has a deep understanding of the marketplace for not only ERP, but also Fiscal Management, HCM, CRM, Budgeting, Utility Billing, Permitting systems, and more.

Sample Project – Harford County, MD

Ron led and successfully managed an ERP Selection and Implementation project for Harford County (population 249,000). Through his leadership and expertise requirements were defined, business processes assessed, RFP developed and issued, vendor fit analyzed, demos facilitated, software decision, and the contract reviewed and negotiated. Implementation Project Management services were provided throughout the implementation of the new ERP system. The implementation was completed on time and on budget.

KEY SKILLS



Project
Management



Public
Sector



Technology
Management



Operations
Management

GOVERNMENT CLIENTS

Mercer Island, WA	WorkSafe BC	Mid-Columbia Libraries, WA
Bothell, WA	Harford County	Community Transit, WA
Kirkland, WA	Shoreline, WA	Puget Sound Regional Fire
Monroe, WA	Lawrence, KS	Peninsula Light
Burien, WA	Santa Rosa, CA	Bedford County



CHERISH CRUZ, MBA

Director

SUMMARY OF QUALIFICATIONS

Cherish has extensive experience providing software consulting services at SoftResources as well as in her prior job experience. She has led hundreds of software evaluation, selection and implementation projects in her 16 years at SoftResources. She is a Prosci Certified Change Management Practitioner and specializes in helping each client find and implement the right solution. Cherish has expert level knowledge of software selection, RFP management, the vendor market in the government sector, and with implementation management.

RELEVANT EXPERIENCE

Software Expertise

Cherish has worked on a long list of Financial, ERP, and other enterprise software projects for the Public Sector including municipalities, counties, districts, and agencies. She has expertise with key requirements definition and vendor analysis for ERP and sub-systems such as Community Development, CMMS/EAM, HRIS, and other software solutions. She has vendor knowledge and expertise for both integrated ERP, as well as disparate standalone solutions.

Software Contract and SOW Review

Cherish leads the Contract and Statement of Work Review and Negotiation practice at SoftResources. She has completed software contract review and negotiation with many software vendors and is familiar with the key terms that are typically negotiable. She is particularly skilled in documentation of key negotiation terms and conditions and working as liaison between our clients and vendor representatives for a win-win relationship between parties.

Sample Project – City of Vancouver, WA

Cherish led and managed an ERP Assessment, Selection, and Implementation project for Vancouver (180,556 population). Through her leadership and expertise requirements were defined, business processes reviewed and mapped, needs assessment completed, RFP developed, vendor fit analyzed, scripted demos facilitated, decision coached, contract reviewed and negotiated, implementation project management provided. Services completed on time and on budget.

KEY QUALIFICATIONS

- 16 years professional software consulting experience with SoftResources.
- Experienced with software assessment, selection and implementation for Public Sector organizations.
- Experienced contract and review and negotiations for software vendor contracts and SLAs.
- Project Manager expertise assisting clients with system implementation.
- Experienced evaluator of Financial, ERP, HR/Payroll, Workforce Scheduling, CMMS/EAM, Permitting, Parks and Rec, Utility Billing, Cashiering, and other municipal focused solutions.

EDUCATION & CERTIFICATIONS

- Master of Business Administration - City University
- Bachelor of Arts Business Communications and Education - City University
- Minor in Japanese - University of Washington
- Prosci Change Management Certification



PROFESSIONAL AFFILIATIONS

- Presenter at government conferences on technology and software selection
- GFOA and WFOA Conferences exhibitor

KEY SKILLS



Project
Management



Public
Sector



Contract
Management



Change
Management

SOME GOVERNMENT CLIENTS

Vancouver, WA	Ada Cty, ID	Truckee Meadows Water Auth.
Fairbanks, AK	Toppenish, WA	Anchorage Water & Wastewater
Labrador, NL	Bothell, WA	Golden Valley Electric Assoc.
Brookfield, WI	Hayward, CA	Placer Cty Water Agency, CA
Mill Valley, CA	Pasadena, CA	Brazos River Authority, TX

2. Experience and Qualifications

The City's project is an excellent fit for SoftResources' unbiased software consulting services. As a partner we bring to the City 26 years of experience selecting enterprise business software for Public Sector organizations. You will work with senior level consultants who have been providing software selection services at SoftResources using our methodology and approach to bring excellent service to every client.



History. In 1993, our founders began a consulting practice at KPMG to provide software selection consulting for their audit and tax clients. In 1995 after reorganizations at KPMG the founders amicably separated from KPMG and formed SoftResources to continue providing focused and client software evaluation and selection services to our customers. SoftResources is vendor agnostic; we do not receive compensation from software vendors to provide each client with objective software advice.

Our Company. SoftResources LLC is a software evaluation consulting firm dedicated to helping government, nonprofit and commercial organizations throughout North America make knowledgeable decisions about business software and successfully implement the solutions they select. SoftResources has completed 875+ projects with 635+ clients across our 26-year history. We believe the repeat business from many of our clients is a testimony to the effectiveness of our team and value of our services. SoftResources is managed by its cofounders Spencer Arnesen and Elaine Watson.

Unbiased. SoftResources does not take compensation from software vendors for any reason to remain vendor agnostic and provide each client with objective software advice. We do not develop, implement, or sell software. Our methodology is to conduct vendor fit analysis based on key requirements that are unique to each client.

Financial Stability. SoftResources LLC is a privately held firm organized owned and managed by Elaine Watson, CPA, Principal and Spencer Arnesen, CPA, Principal also original founders. We are a financially sound company, have been profitable since inception, and have never defaulted on a project.

Experience Providing Services. SoftResources confirms we understand the scope of services required by the City for this project as presented in the EOI and supporting Addenda. Our expertise and experience are augmented through our work with more than 635 customers to complete over 875 software projects. We act as your advocate and champion the City's needs first. Our firm specializes in software evaluation projects, and we specifically focus on the following five key areas of services to our clients:



SoftResources Services

-  **System Assessment**
Current system assessment, cost, business process review, readiness analyses
-  **Software Selection**
Needs Assessment, RFP, Vendor Selection
-  **Implementation Partner Selection**
Requirements and Implementation Partner Analysis
-  **Contract Review**
Contract and Statement of Work review and negotiations
-  **Implementation Management**
Client-side project management services



Similar Projects. SoftResources is well qualified for the City's project and has a strong history evaluating software for the specific core features detailed in the City's RFP including financial, human resources, payroll, employee self-service, citizen services, RTS and more. Our focus as an organization from the start has been to provide unbiased software selection services to our clients. We have evaluated both integrated ERP solutions and best-of-breed solutions for Public Sector organizations.

In the table below, SoftResources outlines recent projects that are similar in scope and size to the City's project and further demonstrate our specific experience for the selection and implementation of ERP systems. We have strong expertise with needs assessment, process review, documenting requirements, RFP creation, and selecting and implementing software.

Santa Clarita, CA - ERP - Needs Assessment - Process Review - Requirements Definition - RFP Development - Vendor Selection - Contract Development	Temecula, CA - ERP - Needs Assessment - Process Review - Requirements Definition - RFP Development - Vendor Selection - Contract Development - Implementation Project Management	Newark, CA - ERP - Needs Assessment - Process Review - Requirements Definition - RFP Development - Vendor Selection - Contract Development
Clearwater, FL - ERP - Needs Assessment - Process Review - Documented Requirements - RFP and Management - Vendor Selection - Contract Development - HR/Payroll Pre-Implementation Project Management	Waukesha, WI – HCM - Needs Assessment - Process Review - Documented Requirements - RFP and Management - Vendor Selection - Contract Development	Gresham, OR - ERP - Needs Assessment - Process Review - Documented Requirements - RFP and Management - Vendor Selection - Contract Development
Florin Resource Conservation District - ERP - Needs Assessment - System Fit/Gap - ERP Market Review - Cost Analyses - Assessment Report	Tulare County, CA - ERP - Needs Assessment - Process Review - Documented Requirements - RFP Development - Upgrade Project Management	Elk Grove, CA - ERP - Needs Assessment - Process Review - Documented Requirements - RFP and Management - Vendor Selection
Puget Sound Regional Fire Authority, WA - ERP - Needs Assessment - Documented Requirements - RFP and Management - Vendor Selection - Contract Development - Pre-Implementation Service	Port Angeles, WA - ERP - Needs Assessment - Process Review - Documented Requirements - RFP and Management - Vendor Selection - Contract Development	Vancouver, WA - ERP - Needs Assessment - Process Review - Documented Requirements - RFP and Management - Vendor Selection - Contract Development - Implementation Project Management
Simi Valley, CA - ERP Implementation Project Management	Indio, CA - ERP Implementation Project Management	Independence, MO - ERP Implementation Project Management
Grays Harbor County, WA - ERP Implementation Project Management	Champaign, IL - ERP - Needs Assessment - Process Review - Documented Requirements - RFP and Management - Vendor Selection - Contract Development	Bellingham, WA - ERP - Needs Assessment - Process Review - Documented Requirements - RFP and Management - Vendor Selection - Contract Development

Kirkland, WA - ERP - Needs Assessment - Process Review - Documented Requirements - RFP and Management - Vendor Selection - Contract Development	Trinity River Authority, TX - ERP - Needs Assessment - Process Review - Documented Requirements - RFP and Management - Vendor Selection - Contract Development	Port Freeport, TX - ERP - Needs Assessment - Documented Requirements - Vendor Selection - Contract Development
Brazos River Authority, TX - ERP - Needs Assessment - RFP and Management - Vendor selection - Contract Development	Inland Empire Utilities Agency – IT Strategic Plan - Current State Review - Technology Assessment - Technology Master Plan	Community Transit, WA – Budgeting and Time & Attendance - Needs Assessment - Documented Requirements - Business Case Feasibility Study - Vendor Selection - Contract Development
Ada County, ID - ERP - Needs Assessment - Process Review - Documented Requirements - RFP and Management - Vendor Selection - Contract Development - Implementation Project Management	Placer County Water Agency - ERP - Needs Assessment - Process Review - Documented Requirements - RFP and Management - Vendor Selection - Contract Development - Implementation Project Management	Harford County, MD - ERP - Needs Assessment - Process Review - Documented Requirements - RFP and Management - Vendor Selection - Contract Development - Implementation Project Management
Grant County, WA - Needs Assessment - Process Review - Documented Requirements - RFP and Management - Vendor Selection - Contract Development - ERP Implementation Project Management	Lea County, NM - Needs Assessment - Process Review - Documented Requirements - RFP and Management - Vendor Selection - Contract Development	Bedford County, VA - Needs Assessment - Documented Requirements - RFP and Management - Vendor Selection - Contract Development

References. SoftResources has provided a summary recap of three recent projects. We invite the City to contact them to understand more about our experienced team, the quality of the services we provide, the expertise we bring to each project, and the proven methodology we use to guide our clients to successful software decisions.

City of Temecula, California	
Contact	Jennifer Hennessy, Director of Finance 41000 Main Street, Temecula, CA 92590 951-693-3945; jennifer.hennessay@temeculaca.gov
Size	Population: 113,381; Employees: 344
Projects	- Evaluation, Acquisition, and Implementation of ERP Software - Other Projects: Evaluation, Acquisition, and Implementation of Land Management Software; Evaluation, Acquisition, and Implementation of Asset Management Software

City of Temecula, California	
Dates	- ERP Project: October 2019-current - EAM Project: January 2018-current - Community Development: March 2012-July 2014
Scope	- ERP Software: General Ledger, Purchasing, Accounts Payable, Accounts Receivable and Billing, Project and Grant Accounting, Fixed Assets, Human Resources, Time and Attendance, Payroll - Asset Management Software: Asset Management, Work Order Management, GIS Interface - Permitting Software: Permitting, Project Tracking, Inspections, Code Enforcement, Reporting and Query Tools, GIS, Cashiering/Cash Receipting, Business License
Services	<u>Project Management</u> – developed and managed Project Plans, assigned resources to tasks and activities, provided status updates. <u>Requirements Analysis</u> – conducted on-site workshops and survey, analyzed current system environment, gathered user requirements, business process review, developed Key Functional and Technical Requirements document. <u>ERP Fit/Gap Analysis and Report</u> – using the requirements conducted fit/gap analysis to Tyler Munis product (current system Eden), business process analysis and opportunities for improvement, written report, and presentation. <u>EAM Assessment and Report</u> – evaluated current system environment for capital and infrastructure assets and fleet assets, process improvement opportunities, fit/gap evaluation of current EAM system and a second vendor at the City's request, EAM market analysis, budget estimates for an upgrade or replacement, compiled findings and presented report. <u>RFP</u> – developed RFP, built vendor long list, provided RFP management. <u>Vendor Selection</u> – developed demo scripts and facilitated demos, provided decision consulting. <u>Contract Review</u> – reviewed and provided redline comments for vendor contract and SOW, advised the City through contract negotiations with the vendors. <u>Implementation Management</u> – provided implementation project management services for the implementation of selected software systems.
Outcome	Successfully evaluated all ERP options and elected to migrate from Eden to Munis. The contract has been signed and implementation is expected to begin in 2021.

City of Clearwater, Florida	
Contact	Billie Kirkpatrick, Project Manager, Information Technology 100 S Myrtle Avenue, 3 rd Floor, Clearwater, FL 33756 727-562-4669; billie.kirkpatrick@myclearwater.com
Size	Population: 115,159; Employees: 1,750
Project	- Financial Management System (FMS) Assessment and Selection - HRIS Pre-Implementation Consulting Services
Dates	- October 2015-February 2017 - October 2018-February 2019
Scope	General Ledger, Purchase Order, Accounts Payable, Accounts Receivable/Billing/Cash Receipts, Project and Grant Accounting, Fixed Assets, Budget Management, Human Resources, Time and Attendance, Payroll, Reporting

City of Clearwater, Florida	
Services	• <u>Project Management</u> – developed Project Plan, kicked off project, assigned responsibilities and resources, provided status updates, and managed and monitored project through completion. • <u>Requirements Analysis</u> – conducted on-site workshops, analyzed current system environment, gathered functional and technical requirements, reviewed business processes, developed Key Functional and Technical Requirements document. • <u>Needs Assessment</u> – analyzed current system environment, developed system map, reviewed business processes, and made recommendations, ERP strategy options, prepared written Needs Assessment Report, Plan of Action and Project Charter and presented. • <u>RFP</u> – developed RFP and assisted with RFP solicitation. Received 12 bids. • <u>Vendor Selection</u> – evaluated vendor bids, conducted fit analysis, made Short List Recommendation, facilitated scripted demos, advised through decision. • <u>Contact Review</u> – reviewed software contracts and vendor statement of work, provided input and assisted through negotiation. • <u>HRIS Pre-Implementation Assessment</u> – conducted requirements analysis, fit/gap analysis, discovery sessions with the vendor, demo script and demo facilitation, observations report.
Outcome	Successfully evaluated all ERP options using City-specific requirements, negotiated a contract that protected the City's investment, and was able to begin implementation.

Lea County, New Mexico	
Contact	Chip Low, CPA CGMA, Finance Director 575-396-8653; CLow@leacounty.net
Size	Population: 71,070; Employees: 360
Project	Evaluation, Acquisition, and Implementation of ERP Software
Dates	May 2018-February 2020
Scope	General Ledger, Purchasing, Accounts Payable, Project and Grant Accounting, Fixed Assets, Budgeting, CAMA and Assessment, Tax Billing and Collections, Cash Receipting, Records Management, Human Resources, Payroll, Reporting
Services	• <u>Project Management</u> – developed project plan and schedule, assigned responsibilities and resources, kicked off project, managed project, and status updates through completion. • <u>Requirements Analysis</u> – facilitated workshops, analyzed current system environment, gathered system/user requirements, business process observations, developed Key Functional and Technical Requirements document. • <u>Needs Assessment</u> – analysis of current business processes, prepared table of business processes and opportunities for improvement in modern ERP, ERP options analysis, change management recommendations, compiled report and presented. • <u>RFP</u> – developed RFP for ERP software and assisted with RFP management. • <u>Vendor Selection</u> – evaluated vendor proposals, conducted fit analysis with vendors/products, made shortlist recommendation, prepared Demo Script, facilitated demos, conducted due diligence and final decision consulting. • <u>Contract Review</u> – reviewed and provided input into the final selected vendors' software contracts and statements of work and assisted through negotiations.
Outcome	Successfully evaluated all ERP options using County-specific requirements, negotiated contracts to protect the County's investment.

Client Testimonials. It is extremely important to us that our clients believe we add value to their project. The following are a few of the testimonials that we have received from our clients.

“SoftResources provided a structured process that really helped us with our software selection; we couldn’t have done it without them. They helped us negotiate our licensing contracts, too. They do not implement software and are unbiased. I cannot stress enough how valuable their assistance was. They were well worth it!”

“...we are pleased with the results which ended up significantly under our original budget. ...Your consulting role in this whole complicated process was priceless. I am particularly impressed with the level of detail you took in leading us through this from the workgroup sessions, interviews, and follow up strategies. Clearly you have a great understanding of what is required to produce great results. There is no question to completeness of work that we all went through to objectively evaluate the proposals received. Your added work to get us through the contract negotiations was also invaluable and an important step to completion. Thank you for producing a really fine example of consulting services.”

“The world of a Public Housing is extraordinarily complex with its myriad of funding sources and ever-changing federal regulations. When we started looking for new financial accounting software, we knew we needed a consultant that could keep up with us. SoftResources has been with us every step of the way, from helping us define our needs to interviewing vendors to negotiating the contracts to successful project implementation. Without exception, every SoftResources employee has been highly knowledgeable, professional, and dedicated to ensuring our project was a complete success.”

“...From the very onset of the project, SoftResources have been a pleasure to work with. Through interviews with our staff, they were able to take our information and understood exactly what we were looking for in a software program. They did an amazing job preparing the RFP and were very thorough in the evaluation of the bids that were received. Once our selection was made, their contract negotiation skills were fundamental to us entering a contract that was agreeable. Now that we are head and eyes into the configuration and implementation of the software, SoftResources have been there with us every step of the way. Without their oversight of this project, we would probably be floundering around in the dark. We could not have done this without them...”

Attachment: Addendum Acknowledgement Form

SoftResources has provided a signed Addendum Acknowledgement Form following.

CITY OF CHARLESTON
ADDENDUM ACKNOWLEDGEMENT FORM

By signing below and submitting with my bid response, our team acknowledges receipt of Addendum #1 pertaining to the **EOI for ERP Consultant Services**, which was issued on September 03, 2021.

<u>Spencer Arnesen</u>	<u>Principal</u>
Authorized Bidder's Signature	Title

<u>Spencer Arnesen</u>	<u>September 9, 2021</u>
Printed/Typed Bidder's Name	Date

<u>SoftResources LLC</u>
Company Name



Proposed Fee Schedule

Request for Expressions of Interest Information Technology Consultant Services



The City of Charleston, West Virginia

December 3, 2021

Submitted by SoftResources LLC

Spencer Arnesen, CPA, Principal

Phone: 425.216.4030

Email: sarnesen@softresources.com

Proposed Fee Schedule

The City of Charleston's Enterprise Resource Planning (ERP) and Revenue Tracking System (RTS) project is a fixed fee engagement. Fees will be billed monthly on a percent complete of fixed fees (as agreed to by the City) during the month plus any travel expenses incurred within the month. The City will approve all invoices. Estimated travel expenses include airfare, rental car, hotel, parking fees, tolls, per diem GSA per diem rate for meals and incidental expenses. Every effort is made to secure reasonable rates for expenses. SoftResources will follow Federal and State guidelines for the current pandemic.

Phase and Tasks	Hours	Fixed Fees
1. Project Management a. Project Initiation b. Manage Project	24	\$ 4,800.00
2. Needs Assessment a. Discovery Workshops b. Process Review c. Document Requirements	120	24,000.00
3. RFP and Vendor Evaluation a. Request for Proposal b. Vendor Longlist c. RFP Management d. Vendor Analysis e. Vendor Analysis Report	94	18,800.00
4. Software Demos and Decision a. Demo Script b. Demo Preparation c. Demo Facilitation d. Decision Support e. Staff Requirements	98	19,600.00
5. Contract Review a. Vendor Contract b. Vendor Statement of Work	56	11,200.00
Subtotal Fees	392	\$ 78,400.00
*Travel Expense Cap	-	5,500.00
Totals	<u>392</u>	<u>\$ 83,900.00</u>

*Travel Expense Cap: travel expenses are provided as a cap and will only be billed if incurred. SoftResources has successfully developed best practices to address working in a remote and virtual environment. We will work to accommodate the City's request for onsite vs remote services.

Resolution No. 575-21

Introduced in Council:

December 20, 2021

Adopted by Council:

Introduced by:

Joseph Jenkins

Referred to:

Finance

Resolution No. 575-21 –

Whereas, the Land and Water Conservation Fund (“LWCF”) was established by Congress in 1964 to fulfill a bipartisan commitment to safeguard natural areas, water resources, and cultural heritage, as well as to provide recreation opportunities to all Americans;

Whereas, the LWCF is a state and federal partnership program benefiting the State of West Virginia and its political subdivisions;

Whereas, the funding for the program is provided through congressional appropriations to the State & Local Assistance Programs Divisions of the National Park Service;

Whereas, the LWCF program provides matching grants to states for planning, acquiring, developing, or renovating state and local parks;

Whereas, the LCWF grant program may be used to renovate athletic fields, including installing synthetic turf;

Whereas, the City maintains numerous athletic fields that are frequently used by community groups, City Parks & Recreation Department programs, little league organizations, and more;

Whereas, the City has identified the athletic fields that are in the most need of renovation through turf replacement: two little league fields along Bigley Avenue, one little league field at the Kanawha City Community Center, and one little league field at the North Charleston Community Center;

Whereas, the estimated cost of turf replacement project is approximately \$2,000,000;

Whereas, the LCWF requires applicants to submit a 50% cash match for any awarded funds; and

Whereas, the Council finds that proceeding with the grant application, including committing to the 50% cash match requirement, is in the best interests of the City and its residents

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

2
3 The Mayor or City Manager is authorized to submit a grant application to the Land and Water
4 Conservation Fund in the amount of \$1,970,529 to perform athletic field turf renovations to
5 four athletic fields within the City: two little league fields along Bigley Avenue, one little league
6 field at the Kanawha City Community Center, and one little league field at the North Charleston
7 Community Center. The Mayor or City Manager is further authorized to commit the City to the
8 50% cash match grant requirement and agrees to abide by all rules and regulations pertaining
9 to the Land and Water Conservation Fund Program, including the operation and maintenance
10 of the proposed facilities for public use should this project receive Federal assistance.

Resolution No. 576-21

Introduced in Council:

December 20, 2021

Adopted by Council:

Introduced by:

Joseph Jenkins

Referred to:

Finance

Resolution No. 576-21 – Authorizing the Mayor or City Manager to purchase one (1) vehicle from Thornhill Motor Car, Inc., (DBA Thornhill CDJR), in the amount of \$34,462, where the vehicle will replace a fleet vehicle maintained by the Metropolitan Drug Enforcement Network Team (“MDENT”) and will be titled to the City of Saint Albans.

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

That the Mayor or City Manager is authorized to purchase one (1) vehicle from Thornhill Motor Car, Inc., (DBA Thornhill CDJR), in the amount of \$34,462, where the vehicle will replace a fleet vehicle maintained by the Metropolitan Drug Enforcement Network Team (“MDENT”) and will be titled to the City of Saint Albans. The purchase will be made through a competitively sourced state-wide contract.

Resolution No. 577-21

Introduced in Council:

December 20, 2021

Adopted by Council:

Introduced by:

Joseph Jenkins

Referred to:

Finance

1 Resolution No. 577-21 – Authorizing the Mayor or City Manager to purchase one (1) vehicle
2 from Jim Robinson, Inc., in the amount of \$25,550, where the vehicle will replace a fleet vehicle
3 maintained by the Metropolitan Drug Enforcement Network Team (“MDENT”) and will be titled
4 to the City of Charleston.

5
6 Now, therefore, be it Resolved by the Council of the City of Charleston, West Virginia:

7
8 That the Mayor or City Manager is authorized to purchase one (1) vehicle from Jim Robinson,
9 Inc., in the amount of \$25,550, where the vehicle will replace a fleet vehicle maintained by the
10 Metropolitan Drug Enforcement Network Team (“MDENT”) and will be titled to the City of
11 Charleston. The purchase will be made through a competitively sourced state-wide contract.

Resolution No. 578-21

Introduced in Council:

December 20, 2021

Adopted by Council:

Introduced by:

Joseph Jenkins

Referred to:

Finance

Resolution No. 578-21 – Authorizing the Mayor or City Manager to enter into a contract with Brewer & Co. in the amount of \$83,500.00 to perform construction and installation work to renovate the fire alarm and smoke detector systems at the YWCA Sojourner’s Shelter for Homeless Women and Families, a City owned facility.

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

That the Mayor or City Manager is authorized to enter into a contract with Brewer & Co. in the amount of \$83,500.00 to perform construction and installation work to renovate the fire alarm and smoke detector systems at the YWCA Sojourner’s Shelter for Homeless Women and Families, a City owned facility.

Sojourners YWCA Fire Alarm System
Bid Opening Date 12/15/21

			Brewer & Co. Ave WV 25387 304-744-5314	3601 7th Charleston Appalachian Signals & Products PO BOX 508,5550 State Route 34 Winfiled WV 25213 304-586-2913	NewTech Systems 420 16th Street Dunbar WV 25064 304-766-6000
Item		Qty	Item Total Cost	Item Total Cost	Item Total Cost
Item 1- YWCA Fire Alarm System		1	\$83,500.00	\$121,180.03	\$141,000.00
Base Bid Total			\$83,500.00	\$121,180.03	\$141,000.00
Local Vendor Preference (4%)			 (\$3,340.00) \$80,160.00	Not Requested	(\$5,640.00) \$35,360.00

Resolution No. 579-21

Introduced in Council:

December 20, 2021

Adopted by Council:

Introduced by:

Joseph Jenkins

Referred to:

Finance

Resolution No. 579-21 – Authorizing the Mayor or City Manager to execute and enter into a Subaward Recipient Agreement with Appalachia High Intensity Drug Trafficking Area (“HIDTA”) for funds from the United State Office of National Drug Control Policy in the total amount of \$153,000 to be awarded to the Metropolitan Drug Enforcement Network Team (“MDENT”), where the 2022 calendar year funds are designated for the purchasing of evidence and information (totaling \$20,000), funding six (6) full-time officers at \$19,000 each (totaling \$114,000), and funding one (1) full-time officer for DEA-HIDTA at \$19,000.

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

That the Mayor or City Manager is authorized to execute and enter into a Subaward Recipient Agreement with Appalachia High Intensity Drug Trafficking Area (“HIDTA”) for funds from the United State Office of National Drug Control Policy in the total amount of \$153,000 to be awarded to the Metropolitan Drug Enforcement Network Team (“MDENT”), where the 2022 calendar year funds are designated for the purchasing of evidence and information (totaling \$20,000), funding six (6) full-time officers at \$19,000 each (totaling \$114,000), and funding one (1) full-time officer for DEA-HIDTA at \$19,000.



December 1, 2021

Chief of Police
Charleston Police Department
P.O. Box 2749
Charleston, WV 25330

Dear Chief of Police:

We are pleased to inform you that the CY 2022 Appalachia HIDTA Subaward Agreement is ready for your review and signature.

The original Subaward Agreement for CY 2022 and the subaward conditions are enclosed. By accepting this subaward, you assume the administrative and financial responsibilities outlined in the enclosed Subaward Conditions. Should your organization not adhere to these terms and conditions, Appalachia HIDTA may terminate the grant for cause or take other administrative action.

Also enclosed you will find a copy of your agency's CY 2022 HIDTA budget and information regarding the AHIDTA Reimbursement Form LC-07.

If you accept this subaward, **please sign and date both the Subaward Agreement on page 1 and the Subaward Conditions on page 12 and return via email or regular mail to the following:**

Email: Finance@ahidta.org

**Mail: Finance Department
Appalachia HIDTA
400 South Main Street, 3rd Floor
London, KY 40741**

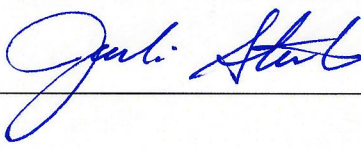
Please return the completed Subaward Agreement by January 17, 2022.

If you have questions, please feel free to call. Remember that we are always here to assist you and we look forward to working with your agency.

Sincerely,

Vic Brown, Director
Appalachia HIDTA

Encl.

Financial Commission for Appalachia HIDTA (FCAHIDTA)		Subaward Agreement	
1. Recipient Name and Address: Charleston Police Department P.O. Box 2749 Charleston, WV 25330		7. Federal Award Project Description: <i>This grant will support initiatives designed to implement the Strategy proposed by the Executive Board of the Appalachia HIDTA and approved by the Office of National Drug Control Policy.</i>	
2. Subrecipient DUNS number (If this number is not correct, please make pencil changes before returning this agreement. If no number is listed in the box below, please provide your agency DUNS number when returning this signed document). 068128198 (DUNS number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. A non- Federal entity is required to have a DUNS number in order to apply for, receive, and report on a Federal award. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet (currently at http://fedgov.dnb.com/webform).		8. Federal Award/Subaward Number (FAIN): G22AP0001A	9. Federal Award Date: January 1, 2022
		10. Subaward period of Performance: From: 01/01/2022 to 12/31/2022	
		10a. Budget Amount: See Budget detail beginning at page 15 of this document.	
3. Federal Award Identification: High Intensity Drug Trafficking Areas (HIDTA) Program		11. Pass-through entity name: Laurel County Fiscal Court	
4. Federal Awarding Agency: Office of National Drug Control Policy		12. Pass-through entity contact information: Jodi Albright, Commissioner 400 South Main Street, 3 rd Floor London, KY 40741	
5. CFDA Name and Number: <i>High Intensity Drug Trafficking Areas Program – 95.001</i>		13. Indirect Cost Rate: \$0.00	
6. Award Type: B-Projects		14. R&D Award: No	
FCAHIDTA APPROVAL		RECIPIENT ACCEPTANCE	
15a. Typed Name and Title of Approving Official: Jodi Albright, Commissioner Financial Commission for Appalachia HIDTA		17a. Typed/Printed Name and Title of Authorized Official:	
15b. Signature of Approving FCAHIDTA Official: 	Date: 11/15/21	17b. Signature of Authorized Recipient:	Date:
16a. Typed Name and Title of Approving Official: Jackie Steele, Commissioner Financial Commission for Appalachia HIDTA		18. Authorized Official e-mail address:	
16b. Signature of Approving FCAHIDTA Official: 	Date: 11/15/21	19. Authorized Official telephone number:	

SUBAWARD CONDITIONS

1. **PURPOSE:** This agreement is entered into by and between the Charleston Police Department (hereinafter referred to as "Subrecipient") and the Financial Commission for Appalachia High Intensity Drug Trafficking Area (hereinafter referred to as "Financial Commission"). The Subrecipient has been selected by, and agrees to accept funds awarded from the United States Office of National Drug Control Policy (hereinafter referred to as "ONDCP") and Financial Commission pursuant to this subaward agreement. The funds will be administered by the Financial Commission and the HIDTA Assistance Center on behalf of ONDCP. The purpose of this agreement is to clarify the conditions under which the funds are to be accepted, and may be used, by the Subrecipient and to outline the responsibilities of the participating parties.
2. **AUDIT READINESS AND COMPLIANCE:** The Subrecipient agrees to maintain appropriate and detailed records of its receipt and use of the funds, in accordance with the generally accepted accounting principles applying to government agencies. The Subrecipient understands that it may be subject to audit by the Appalachia HIDTA, Laurel County Fiscal Court (Financial Commission), agencies of the United States of America, and/or any other applicable agency and agree to fully cooperate with any or all of those entities in the event of inquiry or audit. The Subrecipient further agrees to maintain an inventory control system to account for all expenditures of these funds, in accordance with the policies of, and procedures required by, the Appalachia HIDTA.
3. **STANDARDS AND GUIDELINES:** The Subrecipient acknowledges receipt and understanding of the HIDTA Program Policy and Budget Guidance produced by ONDCP as well as other guidelines that have been, or will be, approved by the Executive Board, and agrees to abide by them. The Subrecipient further agrees to comply with the terms of the Office of Management and Budget's "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards", as well as all relevant state, county and municipal financial and accounting rules, regulations, standards and guidelines. Subrecipient further agrees to abide by all regulations and guidelines governing the use of ONDCP funds distributed for the purchase of evidence or information ("PEPI" Funds).
4. **PUBLIC RECORDS COMPLIANCE:** The Subrecipient agrees to comply with the provisions of Chapter 61.870, Kentucky Statutes, entitled "Public Records", as well as any other public record statutes that may be applicable to the Subrecipient's jurisdiction.
5. **ROLE OF THE FINANCIAL COMMISSION FOR APPALACHIA HIDTA:** The Subrecipient understands that the role of the Financial Commission for Appalachia HIDTA is limited to disbursing ONDCP funds per the instructions of the Appalachia HIDTA, through its designated representative, and/or the HIDTA Assistance Center staff. The Subrecipient understands that it may not bind or commit the HIDTA Assistance Center or Financial Commission for Appalachia HIDTA contractually, or act as an agent for either entity in any way.
6. **TERMINATION, SUSPENSION OR DELAY:** The Subrecipient agrees that the HIDTA Assistance Center and the Financial Commission for the Appalachia HIDTA have the right to terminate, suspend or delay any payment to Subrecipient if the payment request clearly fails to meet Financial Commission budgetary guidelines. In the event that the HIDTA Assistance Center and/or Financial Commission deem such an act necessary, the HIDTA Director and the Subrecipient shall be notified within three business days of the decision. The Director shall then make a determination regarding whether to continue the termination, suspension or delay of the payment. The Financial Commission shall act according to the directive of the Director and/or the Executive Board regarding the payment. The Subrecipient agrees that it shall have no cause of action or legal claim whatsoever against the HIDTA Assistance Center or the Financial Commission for Appalachia HIDTA in the event either decides to exercise its rights under this agreement.
7. **CONDITIONS OF SIGNATURES:** It is expressly understood and agreed that the agency representative's signature in execution of this Agreement does not alter or constitute a waiver in whole or part of any of the privileges or immunities otherwise enjoyed by any of the units of Government that are parties hereto. Parties agree that the signatures of Jackie Steele and/or J. L. Albright, are placed on this document in their official capacities as Financial Commissioners for HIDTA only, and this agreement constitutes an obligation only to the extent that there is money available from a grant for payment and for all other purposes shall be of no force and effect. These signatures do not to any extent bind or obligate Jackie Steele and/or J. L. Albright or Laurel County, Kentucky, to any extent, except to the extent grant funds are available, and then only from said funds.

8. **LEGAL ACTION:** Any and all suits or any legal action naming Appalachia HIDTA and/or Financial Commission for Appalachia HIDTA as a party; and, relating to this agreement shall be instituted and prosecuted in the appropriate Court of the Commonwealth of Kentucky or United States District Court, Eastern District of Kentucky and each party hereto waives the right to a change in venue and jurisdiction. This agreement shall in all respects be interpreted and construed in accordance with and governed by the laws of the Commonwealth of Kentucky regardless of place of its execution or performance.
9. **DECONFLICTION:** All officers from your agency that are assigned to an AHIDTA initiative shall use the AHIDTA's Investigative Support Center for event and case/subject deconfliction of all AHIDTA enforcement activities.
10. **SUPPLEMENTAL AGREEMENTS ATTACHED:** The Subrecipient acknowledges following documents are attached to this agreement and that the policies set forth therein are acceptable to the Subrecipient and considered an integral portion of the Subaward Agreement.

Documents are as follows:

- A. General Terms and Conditions
- B. Recipient Integrity and Performance Matters
- C. Program Specific Terms and Conditions
- D. Federal Award Performance Goals
- E. Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements; Federal Debt Status, and Nondiscrimination Status and Implementing Regulations
- F. HIDTA Program Policy and Budget Guidance

11. **REQUESTS FOR REIMBURSEMENT AND CLOSEOUT OF SUBAWARD:**

Requests for reimbursements should be submitted for processing on a monthly basis and no more than on a quarterly basis. The requests should be submitted no later than 30 days past the end of the month or quarter. Final reimbursements for each calendar year are due 60 days after the end of the year (February 28). Any reimbursements submitted past the February 28 deadline will not be reimbursed.

All reimbursement requests must be submitted on the AHIDTA reimbursement form (LC-07). The LC-07 form and LC-07 instructions sheet are maintained on the AHIDTA website www.ahidta.org. Information regarding the submittal process for requests of reimbursement can be found on the instructions sheet.

This subaward is considered closed after this final payment has been made. Any remaining balance in the subaward at that time will be released to the AHIDTA program to be reallocated per guidance from the AHIDTA Executive Board.

12. **PAYMENT METHOD:**

All payments will be made via Electronic Funds Transfer (also referred to as ACH Direct Deposit) to the subrecipient's bank account.

13. **LAW ENFORCEMENT OVERTIME REIMBURSEMENT:**

The overtime limit for the Appalachia HIDTA program is \$19,000 per officer per calendar year. Appalachia HIDTA further limits overtime reimbursement to \$4,000 per officer, per month without prior approval from the State Coordinator in your respective state.

Be advised, overtime reimbursement from all Federal sources cannot exceed the lower of: (1) applicable state, local, and tribal regulations of officer's parent agency; or (2) 25% of the Federal GS-12, Step 1 level pay scale for "Rest of US" in the law enforcement general schedule in effect at the beginning of the calendar year. This overtime rate is the maximum that an officer can receive during the calendar year, fiscal year or other 12-month period from all Federal funding sources combined.

Appalachia HIDTA allocates overtime funding each calendar year based on fulltime task force officer positions. If your agency has been awarded overtime funding for such a position, and the position goes unfilled for six consecutive months, Appalachia HIDTA may terminate the position and the funding will no longer be available for reimbursement.

14. NATIONAL DEFENCE AUTHORIZATION ACT (NDAA)

This subaward is subject to NDAA rules.

Effective January 3, 2020, Section § 889(b)(2) of the John McCain National Defense Authorization Act (NDAA) for FY 2019 prohibits executive agencies that administer loan or grant programs from permitting their funds to be used to purchase certain telecommunications and video surveillance equipment and services produced by certain Chinese entities. This applies to Executive Branch agencies like the Office of National Drug Control Policy (ONDCP) and Federal grantees, including the High Intensity Drug Trafficking Areas (HIDTA) Program.

The purpose of this legislation is to reduce the vulnerabilities of Federal agencies and their grantees to foreign interference in technology, data, and operations that rely on telecommunications or video surveillance. The covered telecommunications equipment or services include equipment manufactured or services provided by the following Chinese entities, and their subsidiaries or affiliates:

- Huawei Technologies Company
- ZTE Corporation
- Hytera Communications Corporation
- Hangzhou Hikvision Digital Technology Company
- Dahua Technology Company

Types of prohibited items include (but are not limited to) equipment that can be used to route or redirect user data traffic or permit visibility into any user data or packets that the equipment transmits or otherwise handles. Prohibitions also include telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

Any item purchased with HIDTA funds must be in compliance with NDAA. AHIDTA will not purchase or reimburse an agency for items found to not be in compliance with NDAA.

A. General Terms and Conditions

1. This award is subject to The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200 (the "Part 200 Uniform Requirements"), as adopted and implemented by the Office of National Drug Control Policy (ONDCP) in 2 C.F.R. Part 3603. For this award, the Part 200 Uniform Requirements supersede, among other things, the provisions of 28 C.F.R. Parts 66 and 70, as well as those of 2 C.F.R. Parts 215, 220, 225, and 230.

For more information on the Part 200 Uniform Requirements, see <https://cfo.gov/cofar/>. For specific, award-related questions, recipients should contact Financial Commission for Appalachia HIDTA promptly for clarification.

2. This award is subject to the following additional regulations and requirements:
 - 28 C.F.R. § 69 - "New Restrictions on Lobbying"
 - 2 C.F.R. § 25 - "Universal Identifier and System of Award Management"
 - Non-profit Certifications (when applicable)
3. Audits conducted pursuant to 2 CFR Part 200, Subpart F, "Audit Requirements" must be submitted no later than 9 months after the close of the grantee's audited fiscal year to the Federal Audit Clearinghouse at <https://harvester.census.gov/facweb/>.
4. The recipient gives the awarding agency, through any authorized representative, access to, and the right to examine, all paper or electronic records related to the grant.
5. Recipients of HIDTA funds are not agents of ONDCP. Accordingly, the grantee, its fiscal agent(s), employees, contractors, as well as state, local, and Federal participants, either on a collective basis or on a personal level, shall not hold themselves out as being part of, or representing, the Executive Office of the President or ONDCP.
6. Mandatory Disclosure Requirement

As a non-Federal entity, you must disclose, in a timely manner, in writing to ONDCP and the Financial Commission for Appalachia HIDTA all violations of Federal criminal law involving fraud, bribery or gratuity violations potentially affecting the Federal award. Non-Federal entities that have received a Federal award that includes the term and condition outlined in 200 CFR Part 200, Appendix XII "Award Term and Condition for Recipient Integrity and Performance Matters," are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in remedies such as: temporary withholding of payments pending correction of deficiency, disallowance of all or part of the costs associated with noncompliance, suspension, termination of award, debarment, or other legally available remedies outlined in 2 CFR 200.338 "Remedies for Noncompliance".
7. FFATA/DATA Act Compliance. Each applicant is required to (i) Be registered in the System for Award Management (SAM) (ii) provide a valid DUNS number on the subaward agreement; (iii) continue to maintain an active SAM registration with current information at all times during which it has an active Federal award; and (iv) provide all relevant grantee information required for ONDCP to collect for reporting related to FFATA and DATA Act requirements.
8. Recipients must comply with the Government-wide Suspension and Debarment provision set forth at 2 CFR Part 180.
9. Recipients are prohibited from using federal grant funds to purchase certain telecommunication and video surveillance services or equipment in alignment with §889 of the National Defense Authorization Act of 2019, Pub. L. No. 115-232. See 2 C.F.R. § 200.216. See also, HIDTA PPBG, § 7.20, Prohibited Uses of HIDTA Funds.
10. Grantees should provide a preference, to the extent permitted by law, to maximize use of goods, products, and materials produced in the United States. See 2 C.F.R. § 200.322.

11. Failure to adhere to the General Terms and Conditions as well as the Program Specific Terms and Conditions may result in the termination of the grant or the initiation of administrative action. ONDCP may also terminate the award if it no longer effectuates program goals or agency priorities. See 2 C.F.R § 200.340.

B. Recipient Integrity and Performance Matters

Reporting of Matters Related to Recipient Integrity and Performance

1. General Reporting Requirement

If the total value of your currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then you as a recipient during that period of time must maintain and report current information to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIS)) about civil, criminal, or administration proceedings described in paragraph 2 of this award term and condition (below). This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 U.S.C. 2313). As required by section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available. See 41 U.S.C. § 417b(e)(1).

2. Proceedings About Which You Must Report

Submit the information required about each proceeding that:

Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal Government;

- a. Contract from the federal government;
- b. Reached its final disposition during the most recent 5 year period; and
- c. Is one of the following:
 - (1) A criminal proceeding that resulted in a conviction, as defined in paragraph 5 of this award term and condition;
 - (2) A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages of \$5,000 or more;
 - (3) An administrative proceeding, as defined in paragraph 5 of this award term and condition, that resulted in a finding of fault and liability and your payment of either a monetary fine or penalty of \$5,000 or more or reimbursement, restitution, or damages in excess of \$100,000; or
 - (4) Any other criminal, civil, or administrative proceeding if:
 - (i) It could have led to an outcome described in paragraph 2.c.(1), (2), or (3) of this award term and condition;
 - (ii) It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on your part; and
 - (iii) The requirement in this award term and condition to disclose information about the proceeding does not conflict with applicable laws and regulations.

3. Reporting Procedures

Enter in the SAM Entity Management area the information that SAM requires about each proceeding described in paragraph 2 of this award term and condition. You do not need to submit the information a second time under assistance awards that you received if you already provided the information through SAM because you were required to do so under Federal procurement contracts that you were awarded.

4. *Reporting Frequency*

During any period of time when you are subject to the requirement in paragraph 1 of this award term and condition, you must report proceedings information through SAM for the most recent 5 year period, either to report new information about any proceeding(s) that you have not reported previously or affirm that there is no new information to report. Recipients that have Federal contract, grant, and cooperative agreement awards with a cumulative total value greater than \$10,000,000 must disclose semiannually any information about the criminal, civil, and administrative proceedings.

5. *Definitions*

For purposes of this award term and condition:

- a. Administrative proceedings means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., Securities and Exchange Commission Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level but only in connection with performance of a Federal contract or grant. It does not include audits, site visits, corrective plans, or inspection of deliverables.
- b. Conviction, for purposes of this award term and condition, means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.
- c. Total value of currently active grants, cooperative agreements, and procurement contracts includes—
 - (1) Only the Federal share of the funding under any Federal award with a recipient cost share or match; and
 - (2) The value of all expected funding increments under a Federal award and options, even if not yet exercised.

C. Program Specific Terms and Conditions

The following special conditions are incorporated into this award document.

1. This award is subject to the requirements in the SUPPORT for Patients and Communities Act, 21 U.S.C. § 1701 et seq. and in the ONDCP National HIDTA Program Office HIDTA Program Policy and Budget Guidance (Jan. 6, 2020) (PPBG). The HIDTA PPBG is issued pursuant to authority granted the Director of ONDCP by the SUPPORT for Patients and Communities Act (21 U.S.C. § 1706) and the Uniform Administration Requirements (2 C.F.R. § 200) which provide the Director of ONDCP authority to coordinate funds and implement oversight and management function with respect to the HIDTA Program. The HIDTA PPBG can be accessed at the following website;
https://www.nhac.org/hidta_guidance/Program_Policy_and_Budget_Guidance2020.pdf
2. The requirements of 28 CFR Part 23, which pertain to information collection and management of criminal intelligence systems, shall apply to any such systems supported by this award.
3. Special accounting and control procedures must govern the use and handling of HIDTA Program funds for confidential expenditures; i.e. the purchase of information, evidence, and services for undercover operations. Those procedures are described in Section 7.4 of the “HIDTA Program Policy and Budget Guidance.”
4. Property acquired with these HIDTA grant funds is to be used for activities of the Appalachia HIDTA. If your agency acquires property with these funds and then ceases to participate in the HIDTA, you should make this equipment available to the HIDTA’s Executive Board for use by other HIDTA participants.
5. All law enforcement entities that receive funds from this grant must report all methamphetamine laboratory seizure data to the National Clandestine Laboratory Database/National Seizure System at the El Paso Intelligence Center.

D. Federal Award Performance Goals

1. All entities that receive funds from this award are responsible for achieving performance goals established in the HIDTA Performance Management Process (PMP) and approved by the HIDTA's Executive Board and ONDCP.
2. All entities that receive funds from this award must report progress in achieving performance goals at least quarterly using the quarterly reporting system established by the Appalachia HIDTA.

OFFICE OF NATIONAL CONTROL POLICY

E. CERTIFICATIONS REGARDING LOBBYING, DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; DRUG-FREE WORKPLACE REQUIREMENTS; FEDERAL DEBT STATUS, AND NONDISCRIMINATION STATUS AND IMPLEMENTING REGULATIONS

Instructions for the certifications

General Requirements

The Office of National Drug Control Policy (ONDCP) is required to obtain from all applicants certifications regarding federal debt status, debarment and suspension, and a drug-free workplace. Applicants requesting monies greater than \$100,000 in grants funds must also certify regarding lobbying activities and may be required to submit a "Disclosure of Lobbying Activities" (Standard Form LLL). Institutional applicants are required to certify that they will comply with the nondiscrimination statutes and implementing regulations.

Applicants should refer to the regulations cited below to determine the certifications to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of the form provides for compliance with certification requirements under 21 CFR part 1405, "New Restrictions on Lobbying" and 21 CFR part 1414, Government wide Debarment and Suspension. (Non procurement), Certification Regarding Federal debt Status (OMB Circular A-129), and Certification Regarding the Nondiscrimination Statutes and Implementing Regulations. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Office of National Drug Control Policy determines to award the covered cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented in 21 CFR part 1405, for persons entering into a cooperative agreement over \$100,000, as defined at 21 CFR Part 1405, the applicant certifies that:

- (a) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal Grant or cooperative agreement, the undersigned shall complete and submit Standard Form -LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

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

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

As required by Executive Order 12549, Debarment and Suspension and implemented at 21 CFR Part 1404, for prospective participants in primary covered transactions.

A. The applicant certifies that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this application been convicted of or and a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State, or local) transaction or contract under a public transaction violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) terminated for cause or default; and

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

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

As required by the Drug-Free Workplace Act of 1988, and implemented at 21 CFR Part 1404 Subpart F.

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

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the applicant's workplace and specifying the actions that will be taken against employees for violations of such prohibition;
- (b) Establishing an on-going drug-free awareness program to inform employees about

- (1) The dangers of drug abuse in the workplace;
 - (2) The applicant's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violation occurring in the workplace;
- (a) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
 - (b) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will
- (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (c) Notifying the agency, in writing, within 10 calendar days of receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such convictions. Employers of convicted employees must provide notice including position title to: The Assistance Center, 11200 NW 20 Street, Suite 100, Miami, Florida 33172. Notice shall include identification number of each affected grant;
 - (d) Taking one of the following actions within 30 calendar days of receiving notice under subparagraph (d) (2), with respect to any employee who is so convicted.
- (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
 - (c) Making a good faith effort to continue to maintain a drug-free free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).
- A. The applicant may insert in the space provided below the site(s) for the performance of work done in connection with the specific cooperative agreement:

Agency Name – Charleston Police Department

Place of performance (street address, city, county, state, zip code)

**P.O. Box 2749
Charleston, WV 25330**

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

The regulations provide that a recipient that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for ONDCP Funding.

DRUG-FREE WORKPLACE (RECIPIENTS WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 21 CFR Part 1404 Subpart F.

- A. As a condition of the cooperative agreement, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and
- B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction in writing, within 10 calendar days of the conviction, to: The Assistance Center, 11200 NW 20 Street, Suite 100, Miami, FL 33172.

4. CERTIFICATION REGARDING FEDERAL DEBT STATUS (OMB Circular A-129)

The Applicant certifies to the best of its knowledge and belief, that it is not delinquent in the repayment of any federal debt.

5. CERTIFICATION REGARDING THE DISCRIMINATION STATUTES AND IMPLEMENTING REGULATIONS

The applicant certifies that it will comply with the following nondiscrimination statutes and their implementing regulations: (a) title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000D et seq.) which provides that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination under any program or activity for which the applicant received federal financial assistance; (b) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the basis of handicap in programs and activities receiving federal financial assistance; (c) title IX of the Education Amendments of 1972 as amended (20 U.S.C. 1681 et seq.) which prohibits discrimination on the basis of sex in education programs and activities receiving federal financial assistance; and (d) the Age Discrimination Act of 1975, and amended (42 U.S.C. 6101 et seq.) which prohibits discrimination on the basis of age in programs and activities receiving federal financial assistance, except that actions which reasonably take age into account as a factor necessary for the normal operation or achievement of any statutory objective of the project or activity shall not violate this statute.

F. HIDTA Program Policy and Budget Guidance

Section 7.24

7.24 Confidential Payments

HIDTA Program funds may be used by participating agencies for the confidential purchase of services, evidence, and information, subject to the requirements of this subsection. These provisions apply to all grantees or resource recipients involved in the use of HIDTA grants for confidential funds.

Confidential funds are those monies allocated under the following categories:

- Purchase of Services (P/S) – This category includes travel or transportation of an informant; the lease of an apartment, business front, luxury-type automobiles, aircraft, or boats, or similar effects to create or establish the appearance of affluence; and/or meals, beverages, entertainment, and similar expenses including buying money and flash rolls, etc.) for undercover purposes, within reasonable limits.
- Purchase of Evidence (P/E) – This category is for the purchase of evidence and/or contraband (e.g., narcotics and other dangerous drugs, firearms, stolen property, counterfeit tax stamps, documents) required to determine the existence of a crime or to establish the identity of a participant in a crime.
- Purchase of Specific Information (P/I) – This category includes the payment of monies to an informant for specific information. All other informant expenses would be classified under P/S and charged accordingly.

7.24.1 Written Procedures

Special accounting and control procedures should govern the use and handling of HIDTA Program funds for confidential expenditures. Expenditures must be accurately reported as PE/PI/PS to properly account for spending and provide accurate forecasts of projected needs. Each agency authorized to disburse confidential funds must develop and follow written procedures that incorporate the elements listed below. This information must be made available to the Executive Director, his/her representatives, or to representatives of ONDCP upon request. If an agency does not have such procedures, the Executive Director is responsible for working with that agency to develop adequate procedures.

Transaction records must clearly reflect:

- Case identifier;
- The date of payment(s) of confidential funds;
- The purpose for which the funds were used;
- Informant number or other non-sensitive identifier;
- Adequate explanation to allow an auditor to determine that the funds were properly categorized; and
- The names and signatures of the payer, the witness to the payment, and the person approving the payment. These must be three separate individuals.

7.24.2 Documentation

Purchase of Services expenditures, when not endangering the safety of the officer or informant, must be supported by canceled tickets, receipts, lease agreements, etc. If not available, the office head or his immediate subordinate must certify that the expenditures were necessary and justify why supporting documents were not obtained. HIDTA grantees and resource recipients must document informant identities, actual receipts, and other information that the agency deems appropriate. These records may be maintained as sensitive and for agency use only

RECIPIENT ACCEPTANCE OF SUBAWARD CONDITIONS

Printed Name and Title of Authorized Official

Signature of Authorized Recipient

Date

Charleston Police Department

AHIDTA Reimbursement Form LC-07

- The LC-07 Reimbursement Form can be found under the Resources Tab on AHIDTA's website at www.ahidta.org.
- We have provided the forms in two different formats, Excel and a fillable PDF.
- We encourage you to download the form from the website with each reimbursement request to ensure you are using the most current form.
- Instructions for the LC-07 form can also be found on the AHIDTA website.

2022 - Appalachia

Initiative - Metropolitan Drug Enforcement Network Team

Award Recipient - Laurel County Fiscal Court (G22AP0001A)

Resource Recipient - Charleston Police Department

Overtime	Account Number	Quantity	Amount
Investigative - Law Enforcement Officer	01-02-22-284-64-6080.05	6	\$114,000.00
Total Overtime		6	\$114,000.00
Other	Account Number		Amount
PE/PI/PS	01-02-22-284-64-5601.01		\$20,000.00
Total Other			\$20,000.00
Total Budget			\$134,000.00

2022 - Appalachia**Initiative - West Virginia DEA HIDTA Task Force****Award Recipient - Laurel County Fiscal Court (G22AP0001A)****Resource Recipient - Charleston Police Department**

Overtime	Account Number	Quantity	Amount
Investigative - Law Enforcement Officer	01-02-22-284-66-6080.05	1	\$19,000.00
Total Overtime		1	\$19,000.00
Total Budget			\$19,000.00

Resolution No. 580-21

Introduced in Council:

December 20, 2021

Adopted by Council:

Introduced by:

Joseph Jenkins

Referred to:

Finance

Resolution No. 580-21 – Authorizing the Mayor or City Manager to enter into a contract with Tyler Technologies, Inc. to upgrade the City’s cashiering computer system.

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

That the Mayor or City Manager is authorized to enter into a contract with Tyler Technologies, Inc., in the amount of \$32,259 to upgrade the City’s cashiering computer system. The total contract amount represents a one-time charge of \$26,594 for the software upgrade and data integration and \$5,665 for yearly software maintenance fees. The cost of the software upgrade will be paid from the IT Infrastructure Fund.



Quoted By: Christina Young
 Quote Expiration: 05/03/22
 Quote Name: Charleston-ERP-Tyler Cashiering
 Quote Description: Tyler Cashiering

Sales Quotation For:

City of Charleston
 501 Virginia St E
 Charleston WV 25301-2194
 Phone: +1 (304) 348-8048

Tyler Software and Related Services

Description	Qty	License	Hours	Module Total	Year One Maintenance
Revenue Management					
Tyler Cashiering	1	\$ 31,473	52	\$ 9,442	\$ 5,665
		<i>Sub-Total</i>		\$ 9,442	\$ 5,665
		<i>Less Discount</i>			<i>\$ 0</i>
		TOTAL	52	\$ 9,442	\$ 5,665

Professional Services

Description	Quantity	Unit Price	Extended Price	Maintenance
Remote Implementation	52	\$ 185	\$ 9,620	\$ 0
	TOTAL		\$ 9,620	\$ 0

3rd Party Hardware, Software and Services

Description	Qty	Unit Price	Unit Discount	Total Price	Unit Maint/SaaS	Unit Discount	Total Maint/SaaS
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Cash Drawer	4	\$ 260	\$ 0	\$ 1,040	\$ 0	\$ 0	\$ 0
Printer (TM-S9000)	4	\$ 1,623	\$ 0	\$ 6,492	\$ 0	\$ 0	\$ 0
TOTAL				\$ 7,532			\$ 0

Summary	One Time Fees	Recurring Fees
Total Tyler Software	\$ 9,442	\$ 5,665
Total Annual	\$ 0	\$ 0
Total Tyler Services	\$ 9,620	\$ 0
Total Third-Party Hardware, Software, Services	\$ 7,532	\$ 0
Summary Total	\$ 26,594	\$ 5,665
Contract Total	\$ 32,259	

Unless otherwise indicated in the contract or amendment thereto, pricing for optional items will be held For six (6) months from the Quote date or the Effective Date of the Contract, whichever is later.

Customer Approval: _____ Date: _____

Print Name: _____ P.O.#: _____

All Primary values quoted in US Dollars

Tyler Software Discount Detail (Excludes Optional Products)

Description	License	Liense Discount	License Net	Maintenance Basis	Year One Maint Discount	Year One Maint Net
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Revenue Management

Tyler Cashiering	\$ 31,473	\$ 22,031	\$ 9,442	\$ 5,665	\$ 0	\$ 5,665
TOTAL	\$ 31,473	\$ 22,031	\$ 9,442	\$ 5,665	\$ 0	\$ 5,665

Comments

Client agrees that items in this sales quotation are, upon Client's signature or approval of same, hereby added to the existing agreement ("Agreement") between the parties and subject to its terms. Additionally, payment for said items, as applicable but subject to any listed assumptions herein, shall conform to the following terms:

- License fees for Tyler and third party software are invoiced upon the earlier of (i) deliver of the license key or (ii) when Tyler makes such software available for download by the Client;
- Fees for hardware are invoiced upon delivery;
- Fees for year one of hardware maintenance are invoiced upon delivery of the hardware;
- Annual Maintenance and Support fees, SaaS fees, Hosting fees, and Subscription fees are first payable when Tyler makes the software available for download by the Client (for Maintenance) or on the first day of the month following the date this quotation was signed (for SaaS, Hosting, and Subscription), and any such fees are prorated to align with the applicable term under the Agreement, with renewals invoiced annually thereafter in accord with the Agreement.
- Fees for services included in this sales quotation shall be invoiced as indicated below.
 - Implementation and other professional services fees shall be invoiced as delivered.
 - Fixed-fee Business Process Consulting services shall be invoiced 50% upon delivery of the Best Practice Recommendations, by module, and 50% upon delivery of custom desktop procedures, by module.
 - Fixed-fee conversions are invoiced 50% upon initial delivery of the converted data, by conversion option, and 50% upon Client acceptance to load the converted data into Live/Production environment, by conversion option. Where conversions are quoted as estimated, Tyler will invoice Client the actual services delivered on a time and materials basis.
 - Except as otherwise provided, other fixed price services are invoiced upon complete delivery of the service. For the avoidance of doubt, where "Project Planning Services" are provided, payment shall be invoiced upon delivery of the Implementation Planning document. Dedicated Project Management services, if any, will be invoiced monthly in arrears, beginning on the first day of the month immediately following initiation of project planning.
 - If Client has purchased any change management services, those services will be invoiced in accordance with the Agreement.
 - Notwithstanding anything to the contrary stated above, the following payment terms shall apply to services fees specifically for migrations: Tyler will invoice Client 50% of any Migration Fees listed above upon Client approval of the product suite migration schedule. The remaining 50%, by line item, will be billed upon the go-live of the applicable product suite. Tyler will invoice Client for any Project Management Fees listed above upon the go-live of the first product suite. Unless otherwise indicated on this Sales quotation, annual services will be invoiced in advance, for annual terms commencing on the date this sales quotation is signed by the Client. If listed annual service(s) is an addition to the same service presently existing under the Agreement, the first term of the added annual service will be prorated to expire coterminous with the existing annual term for the service, with renewals to occur as indicated in the Agreement.
- Expenses associated with onsite services are invoiced as incurred.

Tyler's quote contains estimates of the amount of services needed, based on our preliminary understanding of the scope, level of engagement, and timeline as defined in the Statement of Work (SOW) for your project. The actual amount of services required may vary, based on these factors.

Tyler's pricing is based on the scope of proposed products and services contracted from Tyler. Should portions of the scope of products or services be altered by the Client, Tyler reserves the right to adjust prices for the remaining scope accordingly.

Unless otherwise noted, prices submitted in the quote do not include travel expenses incurred in accordance with Tyler's then-current Business Travel Policy.

Tyler's prices do not include applicable local, city or federal sales, use excise, personal property or other similar taxes or duties, which you are responsible for determining and remitting. Installations are completed remotely but can be done onsite upon request at an additional cost.

In the event Client cancels services less than two (2) weeks in advance, Client is liable to Tyler for (i) all non-refundable expenses incurred by Tyler on Client's behalf; and (ii) daily fees associated with the cancelled services if Tyler is unable to re-assign its personnel.

Implementation hours are scheduled and delivered in four (4) or eight (8) hour increments.

Tyler provides onsite training for a maximum of 12 people per class. In the event that more than 12 users wish to participate in a training class or more than one occurrence of a class is needed, Tyler will either provide additional days at then-current rates for training or Tyler will utilize a Train-the-Trainer approach whereby the client designated attendees of the initial training can thereafter train the remaining users.

Bill No. 7935

Introduced in Council:

December 6, 2021

Introduced by:

Joseph Jenkins

Adopted by Council:

Referred to:

Finance

Bill No. 7935 - An Ordinance authorizing the Mayor to enter into an Agreement between the Kanawha County Emergency Ambulance Authority and the City of Charleston for allocation of authorized special levies and other matters incidental thereto for fiscal years beginning July 1, 2023, 2024, 2025, 2026, 2027, and 2028.

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

That the Mayor is hereby authorized to enter into an Agreement between the Kanawha County Emergency Ambulance Authority and the City of Charleston, attached hereto as Exhibit A, for allocation of authorized special levies and other matters incidental thereto for fiscal years beginning July 1, 2023, 2024, 2025, 2026, 2027, and 2028.

AMBULANCE SERVICES & LEVY REVENUE SHARING AGREEMENT

This Agreement, made this the ____ day of _____, 2021, is by and between **KANAWHA COUNTY EMERGENCY AMBULANCE AUTHORITY**, (hereinafter referred to as "**KCEAA**" or the "**AUTHORITY**") a public corporation, and **THE CITY OF CHARLESTON**, a municipal corporation, (hereinafter referred to as "**CITY**"); and the Kanawha County Sheriff's Tax Office, as a party hereto solely for acknowledging the obligation of remitting the monthly distribution payments contemplated by the agreement (hereafter referred to as "**SHERIFF**").

RECITALS

WHEREAS, by Agreement dated the 1st day of September, 1991, the Authority and the City agreed to the sharing of levy funds received for fiscal years beginning July 1st, 1992, 1993, and 1994; and,

WHEREAS, by Agreement dated the 12th day of October, 1994, the Authority and the City agreed to the sharing of funds received for fiscal years beginning July 1st, 1995, 1996, and 1997; and,

WHEREAS, by Agreement dated the 1st day of July, 1997, the Authority and the City agreed to the sharing of funds received for fiscal years beginning July 1st, 1998 , 1999, and 2000; and,

WHEREAS, by Agreement dated the 1st day of July, 2000, the Authority and the City agreed to the sharing of funds received for fiscal years beginning July 1st, 2001 , 2002, and 2003; and

WHEREAS, by Agreement dated the 24th day of July, 2004, the Authority and the City agreed to the sharing of funds received for fiscal years beginning July 1st, 2004, 2005, and 2006; and

WHEREAS, by Agreement dated the 1st day of July, 2007, the Authority and the City agreed to the sharing of funds received for fiscal years beginning July 1st, 2007, 2008, 2009, and 2010; and,

WHEREAS, by agreement dated December 11th 2017, the parties agreed to memorialize the sharing of funds received for fiscal years beginning July 1st, 2011, 2012, 2013, 2014, 2015, 2016, 2017, and 2018 under the terms and conditions of the July 1, 2007, Agreement; and,

WHEREAS, by agreement dated December 11th 2017, the parties agreed to a sharing of funds for the fiscal years beginning July 1st, 2019, 2020, 2021, and 2022; and,

WHEREAS, by this Agreement, the parties agree to a sharing of the funds for the fiscal year beginning July 1st, 2023, on the terms described herein, and,

WHEREAS, in contemplation of the continuation of the Public Safety Bus and Ambulance Levy, which is to be submitted to the voters at the May 2022 Primary Election, or if necessary a subsequent election, the parties agree to the sharing of levy funds received for fiscal years beginning July 1st, 2024, 2025, 2026, 2027, and 2028; and

WHEREAS, the parties have the authority pursuant to West Virginia Code Section 8-12-1; West Virginia Code Section 8-12-5; and West Virginia Code Section 7-15-10 to enter into this agreement; and

WHEREAS, the purpose of this agreement is to provide the City with **THIRTY-EIGHT PERCENT (38%)** of the levy proceeds received by the Authority for the fiscal years beginning July 1st, 2023, 2024, 2025, 2026, 2027, and 2028 in exchange for the delivery of ambulance services within the City of Charleston by the City. It is expressly understood by the parties that in the event there are no levy proceeds, then this agreement is null and void; and,

WHEREAS, any property, personal or real, purchased by the City with the proceeds from the levy will be owned completely by the City of Charleston. It is understood that the Authority will have no legal interest, right or ownership in such property; and,

WHEREAS, the parties hereto desire to agree to the allocation of Authority's share of the levy for the fiscal year beginning July 1, 2023, as previously authorized by the levy question submitted to the voters at the Primary Election held in Kanawha County on Tuesday, the 8th day of May, 2018; and further to agree to the allocation of the Authority's share of the levy for the fiscal years beginning July 1st, 2024, 2025, 2026, 2027, and 2028, to correspond with the levy term to be submitted to the voters at the May 10th 2022 Primary Election; and,

WHEREAS, the parties agree to fully support and encourage the passage the Public Safety Levy.

NOW, THEREFORE, in consideration of the mutual covenants, recitals, and conditions contained herein, the parties agree as follows:

I. **Payment to City**. In return for emergency ambulance service to be provided by the City, the Authority agrees to pay to the City **THIRTY-EIGHT PERCENT (38%) per year** of the levy proceeds which are authorized for the Authority for fiscal years beginning July 1st, 2023, 2024, 2025, 2026, 2027, and 2028. Beginning in July 2023 and continuing through June 2029, the Sheriff of Kanawha County shall remit directly to the City on a monthly basis the City's agreed to share of the Authority's levy proceeds. Payments are to be directed to the Treasurer of the City of Charleston, Charleston City Hall, Charleston, West Virginia.

2. **Shared Levy Election Costs**. In the event the Public Safety Levy fails to pass at a regularly scheduled Primary or General election and it becomes necessary or appropriate to hold a special

election for the purpose of seeking passage of the Levy, the City and Authority agree to meet in good faith and discuss the scheduling of a special election and the sharing of costs and expense related to said special election.

3. **Authority's Billing & Collection Services.** The parties hereto agree, consistent with the terms herein, that the Authority will act as the billing and collections agent for the City with regards to the fees due the City for the City's provision of emergency ambulance services. The Authority shall remit to the City on a monthly basis the ambulance fees collected for the benefit of the City. The remittance to the City will be one month in arrears and made on or before the 15th day of each month (e.g., ambulance fees collected by the authority for the month of July 2023 would be due to the City on or before August 15th 2023).

In consideration for the billing and collection services provided by the Authority, the City will reimburse the Authority the sum of One Hundred Twenty Two Thousand Eight Hundred Eighty Two Dollars (\$122,882.00) per year, for fiscal years beginning July 1st 2023, 2024, 2025, 2026, 2027, and 2028. The Authority shall evidence the billing and collection services provided by the Authority on its monthly remittance summaries to the City and deduct the administrative fee on a monthly basis in installments of Ten Thousand Two Hundred Forty Dollars and Seventeen Cents (\$10,240.17) from the remittance amount, noting it on the remittance as a Billing Expense.

4. **City's Exclusive Use of Levy Proceeds.** Upon receipt of said funds as enumerated hereinabove by the City of Charleston, said funds shall be exclusively obligated and used by the City to provide emergency ambulance services and for no other reasons. Any said funds received by the City from the Authority not exclusively used by the City for the provision of emergency

ambulance services during any fiscal year which is the subject of this Agreement may be subject to return to the Authority.

5. **Quality of Service: Mutual Aid.** The City agrees to continue to equip, maintain and operate emergency ambulance services at a standard of operation which continues to equal or exceed the quality of service provided by the Authority. Further, the City and Authority mutually agree to render all possible aid or assistance in any major disaster within the City or the surrounding areas and to enter into mutual aid agreements when necessary to provide emergency medical services on a reciprocal basis contingent upon the resource capabilities at such time as assistance is requested by either party.

6. **Parties' Relationship.** No agent or employee of the City shall hold themselves out as or claim to be an agent or employee of the Authority nor shall any agent or employee of the Authority hold themselves out or claim to be an agent or employee of the City. None of the benefits provided by the Authority to its employees are available from the Authority to agents or employees of the City nor shall any benefits provided by the City to its employees be available from the City to the agents or employees of the Authority. The City shall be solely and entirely responsible for its acts and the acts of its agents and employees during the performance of this Agreement. The Authority shall be solely and entirely responsible for its acts and the acts of its agents and employees during the performance of this Agreement. The City shall have the sole control over the manner and means of performing the services provided by this Agreement and the City shall perform such services according to its own means and administrative methods. The City shall direct the performance of all its employees and agents.

7. **Labor, Materials & Equipment.** The City shall furnish, at its own expense, all labor,

materials, supplies, storage, areas and other items necessary to carry out the terms of this Agreement. With regard to the billing and collection obligations under this Agreement, the Authority shall furnish, for the amounts to be paid as stated herein, all labor, materials, supplies and other items necessary to carry out the terms of this Agreement.

8. **Scope of City Liability.** The City shall assume all risks incident to and in connection with its provision of emergency ambulance services and shall be solely responsible for any and all acts or omissions of City agents and employees related in any way to the provision of emergency ambulance services by the City. The City agrees to maintain general liability insurance coverage in the minimum amount of one million dollars (\$1,000,000.00), which may include a self-insured retention, and to purchase and maintain all such other kinds of insurance at or above the minimum amounts required by law. The City agrees to provide the Authority with certificates evidencing the required coverage upon written request.

9. **Scope of Authority liability.** The Authority shall assume all risks incident to and in connection with its provision of emergency ambulance services and its provision of billing and collections services and shall be solely responsible for any and all acts or omissions of Authority agents and employees related in any way to the provision of emergency ambulance services and the provision of billing and collection services by the Authority. The Authority agrees to maintain general liability insurance coverage in the minimum amount of one million dollars (\$1,000,000.00) and to purchase and maintain all such other kinds of insurance at or above the minimum amounts required by law. The Authority agrees to provide the City with certificates evidencing the required coverage upon written request.

10. **Assignment.** This contract may not be assigned by either party hereto without the written consent of the other party.

11. **Compliance with Law; Severability.** City and Authority agree to perform all services under this Agreement in accordance with all applicable Federal, State, and local laws, rules and regulations. If any term, clause, or provision of the Agreement is determined or adjudicated to be in violation of any said law, rule, or regulation, only that specific term, clause or provision shall be considered null and void and such invalidation or determination shall not affect the validity or enforceability of the remaining portions of this Agreement and, to this end, all terms, clauses and provisions of this Agreement are hereby agreed to be severable.

12. **Binding Agreement.** All of the covenants, stipulations, and agreements in this Agreement shall extend to and be binding upon the legal representatives, successors and assigns of the respective parties hereto.

13. **Merger of Ambulance Services: Authority's Dissolution.** If, at any time, during the term of this Agreement the said emergency ambulance services mentioned herein, that is, the Kanawha County Emergency Ambulance Authority service and the emergency ambulance service operated by the City of Charleston shall merge and act to operate one emergency service or in the event the Authority shall be dissolved or cease to exist for any reason, then and in those certain events, this Agreement shall become null and void and shall be deemed to terminate as of the date of said merger, dissolution, or other event causing the Authority to cease to exist.

14. **Entire Agreement.** This Agreement, including all attachments, exhibits, and appendices, embodies the entire agreement of the parties with respect to the subject matter hereof and any modification hereto must be made in writing and signed by both signatories. In

the event of a conflict between the terms of this Agreement and the terms of any attachment, exhibit, or appendix, the terms of this Agreement shall prevail. There are no promises, terms, conditions, or obligations other than those contained herein, and this Agreement supersedes all previous communications, representations, or agreements, either verbal or written, between the parties hereto.

15. **City's Execution**. The execution of this Agreement by **Amy Shuler Goodwin**, Mayor of the City of Charleston, on behalf of the City has been authorized by appropriate action of the Council of the City of Charleston in the form of an Ordinance adopted on the 20th day of December, 2021, a copy of which is marked as "Exhibit A" and attached hereto and made a part hereof.

16. **Authority's Execution**. The execution of this document has been duly authorized by appropriate action of the Kanawha County Emergency Ambulance Authority Board which has instructed its Board President to cause this document to be executed.

17. **Termination of Agreement**. This Agreement shall terminate at midnight on June 30, 2029.

18. **Governing Law**. This Agreement shall be construed under and governed by the laws of the State of West Virginia. Any action brought by either party against the other on the basis of this Agreement shall be brought in the state or federal courts located in Kanawha County or in the state of West Virginia and the parties here by expressly consent to the jurisdiction and venue of said courts for such purposes.

IN WITNESS WHEREOF, this Agreement has been executed by the parties by their duly authorized representatives as of the date first above written.

CITY OF CHARLESTON

BY: _____
AMY SHULER GOODWIN

ITS MAYOR

KANAWHA COUNTY EMERGENCY AMBULANCE AUTHORITY

BY: _____
HARRY MILLER

ITS PRESIDENT

And

THE KANAWHA COUNTY SHERIFF, solely to acknowledge the obligation of remitting the monthly distribution payments contemplated by this agreement.

BY: _____
MIKE RUTHERFORD, Sheriff of Kanawha County

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

The foregoing instrument was acknowledged before me this _____ day of _____, 2021, by **AMY SHULER GOODWIN**, the Mayor of the CITY OF CHARLESTON, a West Virginia municipal corporation, for and on behalf of the municipal corporation.

My commission expires: _____

Notary Public

[NOTARIAL SEAL]

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

The foregoing instrument was acknowledged before me this ____ day of _____, 2021, by **HARRY MILLER**, the President of the KANAWHA COUNTY EMERGENCY AMBULANCE AUTHORITY, for and on behalf of the authority.

My commission expires: _____

Notary Public

[NOTARIAL SEAL]

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

The foregoing instrument was acknowledged before me this ____ day of _____, 2021, by **MIKE RUTHERFORD**, the Sheriff of KANAWHA COUNTY, for and on behalf of the SHERIFF'S TAX OFFICE.

My commission expires: _____

Notary Public

[NOTARIAL SEAL]

Bill No. 7936

Introduced in Council:

December 6, 2021

Adopted by Council:

Introduced by:

Mary Beth Hoover and Joseph Jenkins

Referred to:

Finance

Bill No. 7936 - A BILL to amend and reenact Section 114-622 of the Municipal Code of the City of Charleston, as amended, relating to adding Court Street to the list of areas where web-based parking meters are permitted at rates consistent with other downtown parking.

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

That Section 114-622 of the Code of the City of Charleston, as amended, is hereby amended and reenacted to read as follows:

Chapter 114 – Traffic Ordinance

Article VII. STOPPING, STANDING AND PARKING

Sec. 114-622. - Per-hour parking fees established.

In the areas bounded by Leon Sullivan Way on the east, Kanawha Boulevard on the south, Elk River on the west, and Piedmont Road on the north, the rental fee for use of any single on-street metered parking meters at the rate of \$0.50 per hour as required by the instructions printed upon each meter. Beginning on February 5, 2018, and continuing thereafter, the rental fee for use of single on-street metered parking in the following areas will be according to the following schedule with no maximum parking time, as required by the instructions printed upon each meter:

Rate of \$1.00 per hour:

400 block of Laidley Street
500 and 600 block of Donnally Street

Rate of \$.25 per hour:

500 block of Summers Street
700 and 800 block of Donnally Street
500 and 600 block of Capitol Street
600 block of Eagan Street
700 and 800 block of Christopher Street
300, 400 and 500 block of Dickenson St.
300, 400 and 500 block of Leon Sullivan Way

36 300, 400, 500, 600 block of Morris Street
37 1200 block of Lewis Street
38 1000, 1100, and 1200 block of Washington Street
39 1100 and 1200 block of Virginia Street East
40

41 Beginning on May 21, 2018, or upon installation of web-based parking meters,
42 whichever occurs later, and continuing thereafter, the rental fee for use of single on-street
43 metered parking, and maximum parking times in the following areas will be according to
44 the following schedule, as required by the instructions printed upon each meter:
45

46 Rate of \$1.00 for first hour, \$1.50 for second hour, and an additional \$1.50 for the third
47 hour with a 3-hour maximum time:

48 100 and 200 block of Hale Street
49 Unit block of Dunbar Street
50 200 block of Leon Sullivan Way
51 Unit block to 400 block of Capital Street
52 Unit block to 300 block of Summers Street
53 Unit block to 300 block of Laidley
54 800 block of Kanawha Blvd.
55 1000 block of Virginia Street East
56 500 to 1000 block of Quarrier Street
57 Unit block to 300 block of Court Street
58

59 Provided, where it is determined by the planning/streets and traffic committee that
60 there is a need for further regulation and control of vehicles parking within this area, the
61 city may designate individual on-street metered parking spaces within this area to allow
62 for less than the maximum of three hours at a rate of not more than \$0.50 per 15-minute
63 increments. Any such parking space shall have the time restrictions and rates printed
64 upon each meter.
65

66 If the city consents to temporarily bagging or removing a meter to accommodate
67 construction or other activity, the rental fee shall be \$15.00 per day or any portion of a
68 day for each such meter.
69

Bill No. 7938

Introduced in Council:
December 6, 2021

Adopted by Council:

Introduced by:

Referred to:

Becky Ceperley

Finance

Bill No. 7938 - A BILL to amend and reenact section 2-713 the Municipal Code of the City of Charleston, as amended, relating to clarifying the process regarding assessments for the City Center Business Improvement District, levying the assessments for FY2021, defining the assessment appeals process, and providing rulemaking authority.

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

That section 2-713 of the Municipal Code of the City of Charleston, as amended, is amended and reenacted to read as follows:

ARTICLE VII. – BOARDS, COMMITTEES AND COMMISSIONS.
DIVISION 11. – CITY CENTER BUSINESS IMPROVEMENT DISTRICT.

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

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

(b) The City Center Business Improvement District FY2021 BID Work Plan and Budget sets the rate of annual fees for the City Center BID on each private for-profit property owner at the equation of (total land lot size square footage x .075) + (total building square footage x .03325). The maximum rate of any annual fees that may be imposed upon a single commercial property in the City Center BID, as calculated by the aforementioned formula, will be \$25,000 annually. It is anticipated that cumulative revenue from the initial annual fee will be \$100,000. The City Center BID Board provided the assessed amounts for FY2021 to the City in December 2021. For each subsequent year, the City Center BID Board shall provide to the City Collector the assessed amounts no later than May 15. Pursuant to West Virginia Code § 8-13A-12, City Council may levy the assessments by ordinance upon receipt of the proposal from the City Center BID Board. City Council levies the assessments for FY2021 as shown in the attached Exhibit A. City Council shall levy the rates for future fiscal years after the City Center BID Board provides the assessments.

(c) Any person who desires to challenge the City Center BID Board assessment

37 shall file a petition for reassessment with the City Collector within 30 days of receiving
38 notice of the assessment. The petition shall state the reasons the person is seeking the
39 reassessment. After the filing of a petition, the City Collector shall set the petition for an
40 administrative hearing and give the Board an opportunity to respond in writing in
41 advance of the hearing. The petitioner and the Board may represent themselves or be
42 represented by counsel at the administrative hearing. The City Collector, or a hearing
43 examiner designated by the City Collector, shall conduct an informal and impartial
44 administrative hearing and make a prompt decision on the petition for reassessment
45 after hearing all of the evidence and argument. An appeal of the City Collector's
46 decision may be taken by the petitioner or the Board to the Circuit Court of Kanawha
47 County within 30 days of the City Collector's decision.

48
49 (e) ~~(d)~~ The fees assessed by the City Center BID upon the property owners shall
50 be collected through the City of Charleston's City Collector in conjunction with the
51 assessment, notice, billing, and collection process for the City's fire service fee on a
52 monthly ~~quarterly~~ basis. If this collection is impractical, the City Collector may send out
53 a separate bill, under separate cover, that The collection efforts from the City Collector
54 shall clearly states state it is assessing fees for the City Center BID. All funds collected
55 from the fees shall be placed in the City Center BID Fund created by this section. The
56 City Center BID Fund may also receive other voluntary contributions.

57
58 (e) Notwithstanding any provision of this Code to the contrary, expenditures
59 authorized by the City Center BID Board from the City Center BID Fund up to \$100,000
60 are exempt from the purchasing rules of the City of Charleston. Any individual
61 expenditure in excess of \$100,000 by the City Center BID Board shall require City
62 Council approval prior to authorization. The City Center BID Board shall generally
63 submit requests for Purchase Orders to the City Manager's Office in advance of any
64 purchase being made, which the City Manager will approve as long as the vendor is in
65 good standing with the City Collector's Office and there are no other legal issues with
66 payment.

67
68 (f) The City Collector shall have plenary power and authority to promulgate any
69 rules necessary to carry out the assessment, hearing, and collection provisions of this
70 Article. The City Collector shall work in conjunction with the City Center BID Board to
71 develop such rules.

Bill No. 7938 Committee Substitute

Introduced in Council:
December 6, 2021

Adopted by Council:

Introduced by:

Referred to:

Becky Ceperley

Finance

Bill No. 7938 Committee Substitute - A BILL to amend and reenact section 2-713 the Municipal Code of the City of Charleston, as amended, relating to clarifying the process regarding assessments for the City Center Business Improvement District, levying the assessments for FY2021, defining the assessment appeals process, and providing rulemaking authority.

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

That section 2-713 of the Municipal Code of the City of Charleston, as amended, is amended and reenacted to read as follows:

ARTICLE VII. – BOARDS, COMMITTEES AND COMMISSIONS.
DIVISION 11. – CITY CENTER BUSINESS IMPROVEMENT DISTRICT.

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

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

(b) The City Center Business Improvement District FY2021 BID Work Plan and Budget sets the rate of annual fees for the City Center BID on each private for-profit property owner at the equation of (total land lot size square footage x .075) + (total building square footage x .03325). The maximum rate of any annual fees that may be imposed upon a single commercial property in the City Center BID, as calculated by the aforementioned formula, will be \$25,000 annually. It is anticipated that cumulative revenue from the initial annual fee will be \$100,000. The City Center BID Board provided the assessed amounts for FY2021 to the City in December 2021. For each subsequent year, the City Center BID Board shall provide to the City Collector the assessed amounts no later than May 15. Pursuant to West Virginia Code § 8-13A-12, City Council may levy the assessments by ordinance upon receipt of the proposal from the City Center BID Board. City Council levies the assessments for FY2021 as shown in the attached Exhibit A. City Council shall levy the rates for future fiscal years after the City Center BID Board provides the assessments.

(c) Any person who desires to challenge the City Center BID Board assessment

37 shall file a petition for reassessment with the City Collector within 30 days of receiving
38 notice of the assessment. The petition shall state the reasons the person is seeking the
39 reassessment. After the filing of a petition, the City Collector shall set the petition for an
40 administrative hearing and give the Board an opportunity to respond in writing in
41 advance of the hearing. The petitioner and the Board may represent themselves or be
42 represented by counsel at the administrative hearing. The City Collector, or a hearing
43 examiner designated by the City Collector, shall conduct an informal and impartial
44 administrative hearing and make a prompt decision on the petition for reassessment
45 after hearing all of the evidence and argument. An appeal of the City Collector's
46 decision may be taken by the petitioner or the Board to the Circuit Court of Kanawha
47 County within 30 days of the City Collector's decision.

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50 be collected through the City of Charleston's City Collector ~~in conjunction with the~~
51 ~~assessment, notice, billing, and collection process for the City's fire service fee on a~~
52 ~~monthly~~ quarterly basis. If this collection is impractical, the City Collector may send out
53 ~~a separate bill, under separate cover, that~~ The collection efforts from the City Collector
54 ~~shall~~ clearly states state it is assessing fees for the City Center BID. All funds collected
55 from the fees shall be placed in the City Center BID Fund created by this section. The
56 City Center BID Fund may also receive other voluntary contributions.

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59 authorized by the City Center BID Board from the City Center BID Fund up to \$100,000
60 are ~~is~~ exempt from the purchasing rules of the City of Charleston. Any individual
61 expenditure in excess of \$100,000 by the City Center BID Board shall require City
62 Council approval prior to authorization. The City Center BID Board shall generally
63 submit requests for Purchase Orders to the City Manager's Office in advance of any
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65 good standing with the City Collector's Office and there are no other legal issues with
66 payment.

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69 rules necessary to carry out the assessment, hearing, and collection provisions of this
70 Article. The City Collector shall work in conjunction with the City Center BID Board to
71 develop such rules.
72

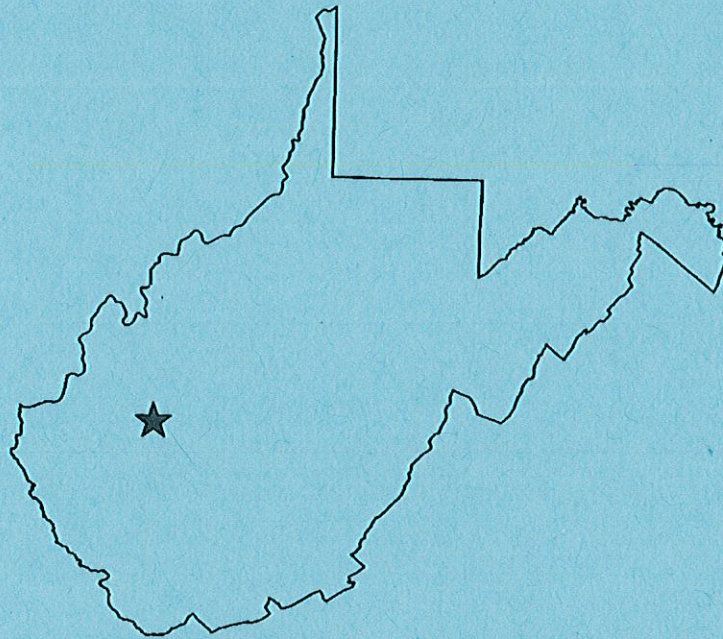


City of Charleston West Virginia

City Treasurer's Report to City Council

Month Ended

November 2021



Respectfully submitted,

Victor Grigoraci, CPA – City Treasurer

<u>Fund / Description</u>	<u>Balance November 2020</u>	<u>Balance October 2021</u>	<u>Collections November 2021</u>	<u>Withdrawals November 2021</u>	<u>Balance November 30, 2021</u>
001 General Fund	26,810,260.94	17,461,442.44	7,010,791.42	7,609,701.47	16,862,532.39
002 Coal Severance Tax	35.05	941.71	0.00	0.00	941.71
003 Municipal Stabilization	4,732,944.54	20,568,304.92	1,690.53	0.00	20,569,995.45
009 Community Development	2,631.10	2,298.58	300,358.09	297,299.88	5,356.79
014 IT Infrastructure	541,183.86	1,041,876.56	85.64	0.00	1,041,962.20
015 Charleston Land Reuse	243,831.26	241,287.64	1,798.94	1,633.41	241,453.17
017 Project West Invest	563.77	564.30	0.05	0.00	564.35
019 Tourism & Promotions	500,215.88	444,664.46	36.55	0.00	444,701.01
020 Business Development	751,636.38	1,286,788.50	102.57	53,417.28	1,233,473.79
021 Community Participation	114,055.52	64,131.69	5.13	2,000.00	62,136.82
024 LGBTQ Working Group	483.83	484.27	0.04	0.00	484.31
026 Uniform Pension Reserve Fund	22,495,735.32	27,918,823.77	203.13	446,779.00	27,472,247.90
035 Municipal Beautification	32,764.78	32,794.83	2.70	0.00	32,797.53
036 Special Demolition	38,547.66	33,297.46	0.39	33,000.00	297.85
037 Sister Cities	27,591.31	27,616.63	2.27	0.00	27,618.90
038 Solid Waste	662,103.53	353,085.56	380,067.24	87,214.71	645,938.09
040 Landfill Closure	3,478,777.52	3,580,991.40	12,991.92	0.00	3,593,983.32
041 Police Contributions	23,949.76	15,043.07	1.24	0.00	15,044.31
042 Police Evidence	1,010,590.53	788,647.31	64.81	570.00	788,142.12
043 Forfeited Funds	377,463.88	414,792.15	15,793.71	355.48	430,230.38
044 Municipal Court	220,614.72	255,513.66	45,227.01	39,674.00	261,066.67
045 Homeland Security	20,580.04	27,054.43	7,532.75	7,532.75	27,054.43
047 Health Insurance Reserves	6,241,757.63	6,247,487.29	513.49	0.00	6,248,000.78
048 Wayfinding Commission	21,234.33	21,253.82	1.74	0.00	21,255.56
049 Live On The Levee	13,105.20	27,596.85	4,272.81	21,318.13	10,551.53
073 American Rescue Plan	0.00	18,402,341.12	197.45	0.00	18,402,538.57
080 Human Rights	176,793.29	176,793.29	0.00	0.00	176,793.29
081 Home Program	102,227.11	16,246.31	28,932.10	28,485.44	16,692.97
085 Firefighters Assistance Grant	77.08	77.08	0.00	0.00	77.08
088 SBA Riverfront Project Donation Account	9.18	9.18	0.00	0.00	9.18
088 SBA Riverfront Project Grant Account	10,167.71	10,167.71	0.00	0.00	10,167.71
095 Police Grants	117,648.01	151,244.82	25,240.95	1,058.21	175,427.56
096 Historic Preservation	15,020.00	6,113.47	0.00	1,400.00	4,713.47
099 Public Arts Grant	178,914.34	192,369.42	0.00	0.00	192,369.42
100 Sinking Fund	4,025,367.13	4,025,764.26	188.42	2,000,000.00	2,025,952.68
200 Infrastructure	153,469.62	153,610.51	12.63	0.00	153,623.14
214 Civic Center Capital Improvement	409,084.07	384,707.37	30.29	18,682.50	366,055.16
215 Municipal Auditorium Capital Improvement	168,319.00	168,873.70	13.88	0.00	168,887.58
220 General Maintenance	4,220,717.90	3,223,671.28	2,001,465.46	78,469.22	5,146,667.52
221 City Service Fee Capital Project	1,854,950.51	2,131,673.19	166.47	265,597.90	1,866,241.76
222 Facilities Maintenance	1,572,982.40	1,604,484.11	6,777.88	15,594.75	1,595,667.24
255 Ballpark Maintenance	78,231.54	92,358.65	7.59	0.00	92,366.24
402 Civic Center Revenue	61,459.14	75,852.53	426,802.89	451,074.17	51,581.25
406 Parking System Revenue	4,909,192.50	4,983,087.99	172,858.75	86,782.24	5,069,164.50
426 Parking Operation and Maintenance	2,315,668.99	2,816,886.91	231.53	0.00	2,817,118.44
427 Civic Center TIF Project	392,106.96	489,925.89	156.13	0.00	490,082.02
900 M - DENT	657,483.49	622,481.08	44,615.07	25,754.77	641,341.38
901 Pending Forfeiture	1,086,815.64	1,165,854.56	91.65	58,640.50	1,107,305.71
Working Cash Advance Fund	32,925.00	32,925.00	0.00	0.00	32,925.00
Total All Funds	90,902,288.95	121,784,302.73	10,489,333.31	11,632,035.81	120,641,600.23



CITY OF CHARLESTON
OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: City Council Members

FROM: Jonathan T. Storage, City Manager 

DATE: December 6, 2021

SUBJECT: Report on the Purchase of Gasoline and Diesel Fuel

Pursuant to Resolution No. 558-21, please accept this writing as my report on the Administration's recent contract award for the purchase of E-10 gasoline and diesel fuel.

Per past practice, Kanawha Valley Regional Transport Authority (KRT) invited the City of Charleston to participate in its fuel procurement to create a more efficient process for both KRT and the City and to facilitate receipt of the best competitive pricing available for both organizations. On November 17, 2021, KRT held the bid opening, and both KRT and the City made an award decision on November 18, 2021.

One fuel supplier bid on the City's fuel contract offering firm-fixed pricing. Petroleum Traders provided pricing for E-10 gasoline at a firm 1-year price of \$2.3756 per gallon and pricing for diesel at a firm 1-year price of \$ 2.5285 per gallon.

The Administration found the pricing to be in the expected market range for the industry, and the contract was awarded for one year. The Administration expects to bid out its fuel contract next year. The Administration estimates that the City will use approximately 240,000 gallons of gasoline and 162,000 gallons of diesel per year.

Prior Contract Comparison

2019		2021	
Gasoline:	\$1.6821 / gallon	Gasoline:	\$ 2.3756 / gallon (41.23% Increase)
Diesel:	\$1.9696 / gallon	Diesel:	\$ 2.5285 / gallon (28.38% Increase)

1 **Bill No. 7940**

2 Passed by Council:

3 Introduced in Council

4 **December 20, 2021**

5 Introduced by:

Referred to

6 **Larry Moore**

Planning, Streets and Traffic

7
8
9 **Bill No. 7940** - A Bill to establish a handicapped parking zone on northerly side of 1st
10 Avenue from a point 136 feet west of Florida Street to a point 180 feet west of Florida
11 Street and amending the Traffic Control Map and Traffic Control File, established by the
12 code of the City of Charleston, West Virginia, two thousand and three, as amended,
13 Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

14 **Be it Ordained by the Council of the City of Charleston, West Virginia:**

15 Section 1. Handicapped parking zone on northerly side of 1st Avenue from a point 136
16 feet west of Florida Street to a point 180 feet west of Florida Street

17 Section 2. The Traffic Control Map and Traffic Control File, established by the code
18 of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic
19 Laws, Section 263, Division 2, Article 4, Chapter 114, shall be and

20 hereby are amended, to conform to this Ordinance.

21
22 Section 3. All prior Ordinances, inconsistent with this Ordinance are hereby
23 repealed to the extent of said inconsistency.



Resolution No. 582-21

Introduced in Council:

December 6, 2021

Adopted by Council:

Introduced by:

Becky Ceperley

Referred to:

Ordinance and Rules

Resolution No. 582-21 - Amending the Rules of Council by adding thereto a new rule, designated Rule No. 23, clarifying the process related to absences from Council meetings.

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

That the Rules of Council be amended by adding thereto a new rule, designated Rule No. 23, to read as follows:

Rule No. 23. - Order of business at regular meetings; special order of business.

(a) The City Council hereby recognizes that the provision of Section 86 of the City of Charleston Charter that purports to automatically declare a member's office vacant if they have three consecutive unexcused absences have been superseded by state law. Namely, the West Virginia Legislature created a process for the removal of public officers, including members of City Council, that provides due process and is contained in West Virginia Code § 6-6-7.

(b) Notwithstanding section (a) of this rule, the City Council finds that attendance at City Council meetings is an important part of each member's duties and encourages all members to attend each meeting. In recognition of this, the City Council desires to formalize a process for alerting the City Clerk with respect to absences in advance of scheduled meetings, as contained in section (c) of this rule.

(c) Before 5:00 p.m. on the day of a scheduled meeting of City Council or on a day further in advance, a member that is unable to attend a scheduled meeting of City Council may contact the City Clerk by email to notify the Clerk of the impending absence and whether the absence is due to a business, family, medical, or personal reason. If timely notice of the absence is received by email, the absence will be declared excused and entered in the journal as such. If a member does not provide timely notice of the absence, they may provide notice as soon as possible thereafter to the City Clerk and the City Council may move to declare the absence excused at the next regularly scheduled meeting. If no notice is provided, the absence will remain classified as unexcused. The City Council further acknowledges that whether an absence is excused or unexcused, by itself, has no bearing on the potential removal from office of any member pursuant to the requirements contained in West Virginia

1 Code § 6-6-7.