

OFFICIAL MINUTES OF THE REGULAR MEETING OF THE MANASSAS PARK GOVERNING BODY HELD ON TUESDAY, FEBRUARY 2, 2010 AT 7:00 PM AT MANASSAS PARK CITY HALL, ONE PARK CENTER COURT, MANASSAS PARK, VIRGINIA

1. Roll Call: Frank Jones, Mayor
Bryan E. Polk, Vice Mayor
Michael Bunner
Keith Miller
Suhas Naddoni

AGENDA ITEM 7a

Absent: Fran D. Kassinger
William J. Treuting, Jr.

Staff Present: Lana A. Conner, City Clerk
Mercury T. Payton, City Manager
Dean Crowhurst, City Attorney

1. Approval of Agenda

MOTION: Councilmember Naddoni moved to approve Agenda with following changes:
Add two items one item SCADA Contract Approval as Item 13 and New Business Item 14d Purchase of Salt.

SECOND: Councilmember Bunner

The City Attorney stated at the last meeting the Governing Body approved or accepted the low bid for the SCADA facilities which is a communications system for water & sewer system. The low bid was presented and accepted. Governing Body authorized staff to enter into an agreement with the low bidder, Teledyne. Governing Body did not have the agreement so you could not approve the contractor. The agreement has been finalized and ready for Governing Body review. The contract was sent out to Governing Body by e-mail.

VOTE: Unanimously passed

2. Moment of Silence/Pledge of Allegiance: Councilmember Miller

3. Citizen Time: No citizens wishing to address Governing Body.

4. Businesses in Manassas Park: Vanessa Watson:

She gave a presentation on businesses located in shopping center at Andrew Drive in Manassas Park. She will make this a monthly presentation.

5. Update on Schools: Dr. Thomas DeBolt:

Presentation made part of record. He stated as far as the FY2011 proposed budget, they cannot complete until they have firm figures from Richmond.

6. Monthly Departmental Updates – Copy of report made part of record

7. HDR Update on Community Center: Catherine Morretta, Director:

The community center is open for business. They are completing the punch list at this time. Some issues have come to the service. The natatorium has been offline for two days and will come back on line Wednesday. They drained the pool and completed some work they were going to push off until June. The pool is ready to go although not swimmable at this time because of the water temperature being 60 degrees.

Site working is proceeding and the rear parking area is about ready for paving weather paving. They have been very busy on evenings and weekends. Anyone interested on getting information or signing up for programs should call community center at 703-335-8872 or go on website at www.cityofmanassaspark.us.

Ms. Morretta they have leased out the community rooms through March. Their target for membership within the first six months was 100 memberships and they are at 89 memberships today. They have been open about a week and half.

Leagues are doing well and their aquatics are near capacity.

They have received some complaints from city residents about the pricing structure being too high and have received some valuable added comments that they are making changes based on the comments. They try to make it more citizen user friendly. They offer more opportunities than the surrounding gyms especially with equipment, wellness center, and a pool.

They will start eleven 8 hour days for training with the on-line registration and that should go on line no later than April 1, 2010. The web-site should come online within next couple of weeks which will tie into the programming.

8. Resolution _____ of Commendation: Jim Rankin Retirement:

MOTION: Councilmember Naddoni moved the following Resolution:

Whereas, James Rankin, Jr became an employee of Thirty First Judicial District, Juvenile and Domestic Relations Court, when he was hired as a Juvenile Probation officer in June 1971,

Whereas, Mr. Rankin was promoted to Assistant Director in 1982;

Whereas, Mr. Rankin was promoted to Director of the Thirty First Judicial District, Juvenile and Domestic Relations Court in 1992;

Whereas, Mr. Rankin has demonstrated superior management skills as the Director of the Thirty First Judicial District, Juvenile and Domestic Relations Court, that serves the Cities of Manassas Park, Manassas, and Prince William County, and

Whereas, Mr. Rankin has provided exceptional guidance over the Juvenile Intake Unit where the City of Manassas Park Police file for and obtain Family Protective Orders and petitions and the City of Manassas Park Department of Social Services file and obtain Child Protective Orders and Child Removal Orders;

Whereas, Mr. Rankin has provided outstanding leadership to the supervisors and staff that manage juvenile programs to protect the citizens of the City of Manassas Park. Such programs are supervision of juveniles, intensive probation, electronic monitoring, outreach to detention and gang intervention.

Whereas, Mr. Rankin retired from his position as Director of Thirty First Judicial District, Juvenile and Domestic Relations Court after 38 years of service effective February 2010.

NOW, THEREFORE, BE IT RESOLVED that the City of Manassas Park does hereby commend James D. Rankin, Jr for his 38 years of service to the citizens of the City of Manassas Park and conveys best wishes to him in the future.

SECOND: Councilmember Bunner

The Mayor stated that Mr. Rankin has the city's deepest appreciation for all of his years of service and taking care of our citizens. The Mayor presented Mr. Rankin with a plaque for his years of service.

Addie Whitaker, Social Services Director, stated because Mr. Rankin had served the department for so long, she wanted to share the kind of work that he does for the City citizens.

Mr. Rankin stated it is a pleasure to be here tonight. For 38 years, he served the citizens of the 31st Judicial District which includes Manassas Park. When he started Manassas Park was a town. He remembers when the decision was made to file for city status. There were naysayers and doubter at that time. One comment in the paper which said where I came from one grocery store, one drug store and one gas station does not make a small town much less a small city. He watched Manassas Park transform. He had questions but he watched the city going forward almost daily at a very deliberate pace. When they first started, they did not need a full probation officer working for Manassas Park and school system. It has grown to where there are probation officers dedicated to serve Manassas Park citizens for all the work that needs to be done. It has been his pleasure to watch it grow. It was a deliberate pace but now it is at a brisk pace. He has heard good things about the school system, social services network and now about the new community center. A tour of the city is eye opening. He stated there did not use to be across the tracks here in Manassas Park but that is the kind of growth that the city has come to know. During his time of service, he has met some fine people who he had to work with to get the job. He stated when he started the city's Chief of Police John Evans was a rookie and had been assigned to juvenile court citizen advisory council. He was a very dedicated committed member of that council. He has had the opportunity to work with Chief Evans a long time ago. He has worked with City's Director of Social Services over the years and with Dr. DeBolt, City Schools. He has many opportunities to serve with them on a number of boards. Dr. DeBolt has rendered specialized services to a student and it has been that kind of attitude. He has worked with Cindy Watson, high school who served on committee building the junior drug court. She traveled with them on their implementation development. It has been a tremendous experience for him. It has been more about the journey than the destination of retirement. He thanked them for allowing him to serve the city and it has been a pleasant task not always good but pleasant.

He knows the city like many communities are facing struggles but the same drive, motivation and attitude that drove Manassas Park those earlier years will be the thing that drives Manassas Park through this current storm. He wished the citizen well and stated he was relocating back to the valley of Virginia.

The Mayor stated when Mr. Rankin took this job; he was in the 11th grade. He has known and worked with Mr. Rankin during his tenure with School Board. Every time they have ever had to deal with Mr. Rankin it has been positive, upbeat and what can we do to make things right for the individual he was dealing with at that time.

VOTE: Unanimously passed

9. Resolution _____ Recognition: Department of Social Services: Eligibility Month:

MOTION: Councilmember Naddoni moved to approve Resolution declaring March as Eligibility Month for Social Services Department.

WHEREAS, Virginia's landmark welfare reform legislation has significantly impacted the services provided by local eligibility workers, calling upon them to creatively promote individual self-sufficiency and personal responsibility; and

WHEREAS, Virginia continues to experience unprecedented implementation of complex policies and procedures in all major benefits programs; and

WHEREAS, Virginia's 2,442 eligibility workers have been at the forefront of public efforts to meet that need, steadily maintaining a high rate of application processing to ensure that those qualified for social services receive them; and

WHEREAS, 94,592 TANF recipients and \$3.8 million in diversionary payments to prevent long term dependence on public assistance, 534,626 Food Stamp recipients, 746,219 Medicaid recipients, refugees, 3,136 General Relief recipients, and 169,537 energy assistance households, are served monthly through the Virginia Benefits Program Division, and depending on the dedication and commitment of eligibility workers who handle their cases in an accurate and timely manner; and

WHEREAS, in the City of Manassas Park there are 506 Food Stamp recipients, 814 Medicaid recipients, 61 Temporary Assistance for Need Families; and

WHEREAS, eligibility workers are continually faced with reconciling an environment of rapidly changing policies, procedures, and technological advances with quality control requirements.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of February, 2010, the City of Manassas Park Governing Body does hereby commend the eligibility workers for a job well done and recognizes the month of February 2010 as Eligibility Worker Appreciation Month, calling upon all City residents of the City of Manassas Park to join in acknowledging their public service and contributions.

SECOND: Councilmember Bunner

If you look at the department monthly report you will see that their numbers are steadily increasing and while we are not meeting all of their performance measures for the most part the department is doing fairly well. These dedicated employees are still trying to do what the state has asked the department to do.

VOTE: Unanimously passed

10. Recognitions:

10a Police Department Promotions: Colonel John Evans:

In December 2009, the Manassas Park Police Department began accepting applications from eligible police officers to participate in the promotional process for the positions of Police Sergeant. A promotional process was established and completed in January 2010. This agency received applications from several eligible police officers. The testing was extremely demanding and all of the participants worked exceptionally hard in preparation.

Detective Howard Perry has been selected for promotion to the position of Police Sergeant. He will be assuming a new assignment as a patrol supervisor on the night shift. Sergeant Perry is a 18 year law enforcement veteran.

Sergeant William Quesenberry has been selected for promotion to the position of Police Lieutenant. He is currently being assigned as a patrol supervisor on the day shift. Since, 1988, Lt. Quesenberry has been in law enforcement and is a 17 year law enforcement veteran.

The Mayor congratulated these two police officers for their promotion and for their continued dedication to the citizens of Manassas Park.

10b Police Dept assistance with duties for Sheriffs Office:

Sheriff Glendell Hill thanked the department for assisting with coverage of courthouse duties during the untimely death of Deputy Kevin Rock, Sr.

10c Police Dept: Santa Cops 2009 – West:

Roselee Bielec, President, Battlefield Lodge #43 Fraternal Order of Police, thanked the department for a job well done on helping underprivileged children have a special Christmas.

11. Recognition: Public Works: New Waterworks Operation Permit: Kathy Gammell, Director of Public Works:

With the installation and start-up of the new Joshua Court Pump Station, the City has now met VDH, Office of Drinking Water requirements for max daily consumption of 2.4 MGD based on the increased effective storage in the Joshua Court Tank at 100% of the tank volume. The City's previous permit was for 1.62 MGD. Mr. Robert Edelman with the Office of Drinking Water thoroughly inspected our system on December 1, 2009 following startup of the new pump station, and yesterday Kathy received the City's new Waterworks Operation Permit from the State for 2.4 MGD.

Jay Johnson advised Kathy of two key concerns when she first started with the City: 1) low pressure on the east side; and 2) inadequate capacity for the rate of growth (although it's slowed considerably for now). The agreement with PWCSA and the construction of the Joshua Court Pump Station addressed both concerns. This hits a big milestone! With this new permit, the City has met all EPA and State requirements for storage going forward to build out.

12. Consent Agenda: There were no issues

13. Unfinished Business:

13a. SCADA Contract Approval:

The City Attorney stated at the last meeting the Governing Body approved or accepted the low bid for the SCADA facilities which is a communications system for water & sewer system. The low bid was presented and accepted. Governing Body authorized staff to enter into an agreement with the low bidder, Teledyne. Governing Body did not have the agreement so you could not approve the contractor. The agreement has been finalized and ready for Governing Body review. The contract was sent out to Governing Body by e-mail.

MOTION: Councilmember Miller moved that the SCADA Contract be approved and authorize the Mayor or the Vice Mayor in his absence to sign the contract pending final review by City Attorney.

SECOND: Councilmember Bunner

VOTE ROLL CALL: Yes: Miller, Bunner, Naddoni, Polk, Jones

14. New Business:

14a. Resolution _____: Appointment to Economic Development Authority: Jeffrey McKay (2014), Brian Leeper (2014), and Theresa Sorenson (2012):

MOTION: Councilmember Bunner moved to approve Resolution as presented.

SECOND: Councilmember Polk

VOTE ROLL CALL: Yes: Bunner, Polk, Miller, Naddoni, Jones

14b. (1) Debt Refinancing: Gary Fields, Finance Director: Lisa Williams, McQuire Woods and Joe Mason*, Davenport were present to answer any questions:

The Finance Department is recommending that the City & Schools refinance certain debt to help with its cash flow problems, as well as take out the School's \$7.5 million Literary Fund Bond Anticipation Note (BAN), due approximately one year from now. Bond Counsel from Maguire Woods and our Financial Advisors from Davenport have recommended that Lease Revenue Bonds ("LRBs") are the only viable financing source due to the City's debt capacity limits due to the major decline in our assessed values the past two years. LRBs are a commonly used and wide-accepted financing vehicle, which require a conduit issuer, in our case, the Economic Development Authority (EDA). Essentially, the City/School Board will lease a school facility to the EDA, which then leases the asset back to the City/School Board in exchange for payments equal to the debt service on the bonds. The payments are subject to annual appropriation, i.e. not debt, and require essential collateral (ie, the school facility) as security for bond holders.

At its January 25, 2010 meeting, the EDA was briefed on LRBs and the proposed resolution. Representatives from Maguire Woods and Davenport shared information regarding LRB financing and answered questions from the EDA. In a separate meeting, the School Board was also informed of the refinancing plan. The School Board will be required to adopt a resolution at their February Board meeting if the Governing Body approves of the refinancing plan. The City financed a \$7,500,000 BAN in 2006 in order to get started on Cougar Upper Elementary School. While meant only to be a short-term financing option available to the City, the BAN comes due on March 15, 2011. The City is precluded from refinancing the BAN through the Virginia Public School Authority due to our debt limit being exceeded as noted above.

In addition to securing long term financing of the 2006 BAN, the LRBs will also refinance a portion of certain current outstanding bonds of the City to enhance the City's cash flow. After a review of the City's entire debt profile (including City, Schools, and Water/Sewer), the City has the opportunity to restructure four debt issues that will create nearly \$5.5 million in cash flow relief between Fiscal Years 2010 – 2015. The cash flow savings will be offset by the debt service associated with the long-term financing of the 2006 BAN, creating a net effect cash flow savings of approximately \$2.8 million.

Recommendation: In order to move forward with this financing, the Governing Body needs to adopt a resolution requesting the EDA to issue LRBs. The City is in a position where it has few, if any, alternatives but to secure long term financing through the issuance of Lease Revenue Bonds. Every effort has been made to structure the long term financing so as to reduce the cash flow impact in the near term – next five years. This issuance will not extend the current maturity dates on the City's existing debt.

There was a Literary Fund loan, Bond Anticipation Note, taken out in 2006 in the amount of \$7.5 million dollars which is due in full one year from now. The city needs to refinance that note. They are looking at restructuring four existing debt issues and portions of those debts approximately \$7.5 million dollars. Those are a portion of the 1995 GO Refunding bonds which were for water & sewer purposes, 2007B which are GO Refunding bonds which were for schools, 2008 GO and refunding bonds which were for city general government needs. They are only restructuring those maturities that provide us with meaningful cash flow relief over the period which we are restructuring. The final piece is the 2009 GO bond which took out the water & sewer BAN. There is a total debt of roughly \$15 million dollars.

This is not new debt but a take out of old debt. We are not looking at extending the maturity dates but taking advantage of restructuring for cash flows. Joe Mason arrived at this time.

In order to take advantage of cash flow savings in FY 2010, the LRBs issuance needs to close by April 1, 2010, therefore, we recommend that the Resolution authorizing the LRBs be approved at the February 2, 2010 Governing Body meeting. The LRB would be issued through the Economic Development Authority.

Councilmember Naddoni stated he understands about the \$7.5 million Literary Bond and stated he has a spreadsheet from last year for 2011 which shows total school and city debt of approximately \$13 million dollars. Where is the additional \$2 million dollars coming from? Mr. Fields stated there have been payments made on that existing debt.

Mr. Fields stated that last May city took out the water & sewer BAN in October 2008. Debt service payment on that jumped significantly to fund that on a long term basis.

Councilmember Naddoni would like to have an updated spread sheet for the \$15 million dollars. If we have made payments, why haven't these amounts gone down?

Both city and schools would recognize a saving but the lion share of the savings would be recognized by the schools. Without this measure there would be a tremendous call on this bond in March 2011.

The schools will take action on this issue at their February 8th meeting and Economic Development Authority will take action at their February 22, 2010 meeting. Councilmember Naddoni has requested that this item be continued until our next meeting February 16, 2010.

22

14b. (2) Resolution: Lease Revenue Bonds

The Mayor stated deferring this for two weeks would create an issue of getting this through the market and getting the debt issued.

MOTION: Councilmember Naddoni moved to defer action on this Resolution until February 16, 2010.

SECOND: Councilmember Bunner

Joe Mason stated in order to have cash flow savings for this fiscal year; you need to be closed before April 1, 2010. They would like to have as many latitude days as possible to make sure they get all of their documentation in line and give them time to market the bonds and get them sold and closed upon.

VOTE ROLL CALL: Yes: Naddoni, Bunner, Miller, and Polk. The Mayor voted no

The Mayor stated he voted no because he was disappointed because he expects the Governing Body to do their homework and if there are issues Governing Body get packets in advance so they can ask those kinds of questions.

14c. Ordinance _____: Amend and Update Chapter 24 of City Code related to Position of Parked Vehicles:

A citizen complained about parking in the wrong direction on streets. The City Attorney is recommending a slight modification regarding six inches from the side of the road. The City Attorney recommends the change to read: 19: on the side of a street unless parked parallel to and no further than 6 inches from the curb or (remove edge of pavement and replace with shoulder) and facing in the same general direction as the flow of traffic. There could be an issue on edge of pavement. Chief Evans stated that edge of pavement should be removed. What if you don't have a curb? Change to curb or shoulder.

MOTION: Councilmember Bunner moved to approve Ordinance as recommended by the City Attorney with addition as stated above and couple of minor changes as recommended by Chief of Police.

SECOND: Councilmember Naddoni

VOTE ROLL CALL: Yes: Bunner, Naddoni, Miller, Polk, Jones

14d. Purchase of Salt:

The City Manager stated the city has 150 tons of salt at present time which he believes will take care of the expected snow storm this Friday. The Public Works Director stated that the last snow depleted the city's salt supply. She is asking for authorization to purchase 300 tons of salt not to exceed \$30,000.

MOTION: Councilmember Miller moved to approve the emergency purchase of 300 tons of salt not to exceed \$30,000 with actual cost to be in the neighborhood of \$27,000 and cost to come out of street budget.

SECOND: Councilmember Polk

The snow emergency routes were invoked this afternoon for 9pm tonight-3pm Wednesday. Citizens are not allowed to park on designated snow emergency routes. The Mayor is asking the residents to clean their sidewalks in front of their homes so the children going to school will have a place to walk to go to the bus stop. There is a city code that requires the cleaning of the sidewalks by residents.

VOTE ROLL CALL: Yes: Miller, Polk, Bunner, Naddoni, Jones

15. Worksession: Mid-Year Budget Amendment:

This Worksession was carried over until after closed meeting.

16. Closed Meeting State Code of Virginia Freedom of Information Act: Section 2.2-3711a of the Code of Virginia Personnel (1) and (7) Consultation with City Attorney: 8:15 pm:

MOTION: Councilmember Bunner that the Governing Body go into closed to discuss the assignment, performance and salaries of specific public officers and employees of the City and to consult with the City Attorney regarding specific legal matter requiring the provision of legal advice by the City Attorney, pursuant to paragraphs 1 and 7, respectively, of Subsection 2.2-3711A of the Code of Virginia.

SECOND: Councilmember Naddoni

VOTE ROLL CALL: Yes: Bunner, Naddoni, Miller, Polk, Jones

17. Return to Open Session at 9:25 pm:

MOTION: Councilmember Bunner

SECOND: Councilmember Polk

VOTE: Unanimously passed

18. Certification & Action out of Closed Meeting if Necessary

MOTION: Councilmember Miller moved the following Resolution:

WHEREAS, the Governing Body of the City of Manassas Park has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712(d) of the Code of Virginia requires a certification by this public body that such closed meeting was conducted in conformity with Virginia law

NOW THEREFORE BE IT RESOLVED that the Governing Body of the City of Manassas Park hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed session was convened were heard, discussed or considered in the meeting by the public body.

SECOND: Councilmember, Naddoni

VOTE ROLL CALL: Yes: Miller, Naddoni, Bunner, Polk, Jones

19. Adjournment at 9:21 PM:

The Mayor adjourned the regular meeting at 9:21 pm and Governing Body went into a Worksession on mid-year budget. The Mayor adjourned the Worksession 9:45pm.

Approved March 16, 2010

Frank Jones, Mayor

Lana A. Conner, City Clerk