



City of Radford Council Agenda
Meeting Number 18 of F.Y. 2019-2020

April 20, 2020 at 5:00 p.m.
10 Robertson St., Radford, VA

4:00: CLOSED SESSION: Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments, under Virginia Code Section 2.2-3711 (A) (1).

CALL TO ORDER
PLEDGE OF ALLEGIANCE
MOMENT OF REFLECTION

MINUTES APPROVAL: March 9, 2020
 March 19, 2020
 March 30, 2020

PUBLIC HEARING: ORDINANCE 1729: F.Y. 2020-2021 Budget
 ORDINANCE 1730: 2020 Tax Rate

- NEW BUSINESS:**
1. ORDINANCE 1729: F.Y. 2020-2021 Budget
 2. ORDINANCE 1730: 2020 Tax Rate
 3. F.Y. 2021 Fee and Rate Resolution
 4. Audit Engagement Letter
 5. Resolution: EPA Consent Agreement
 6. Virginia Statewide Public Transportation Agency Plan

COUNCIL MEMBER COMMENTS

Adjourn

**10 Robertson St.
Special Meeting of Radford City Council, F.Y. 2019-2020**

**The New River City
March 19, 2020**

Radford, Virginia

The special meeting of the Radford City Council was convened at 4:00 p.m. in Council Chambers, 10 Robertson Street, Radford, VA. The Mayor of the City, Raymond David Horton, was present and presiding. Other members of City Council present VIA ZOOM were Mrs. Jessie Foster, Mr. Robert Gropman, Dr. Richard Harshberger, and Ms. Naomi Huntington.

Others present were as follows:
Mr. David Ridpath, City Manager
Mrs. Jenni Wilder, City Clerk

Following the Pledge of Allegiance, Mayor Horton led citizens in a moment of reflection.

NEW BUSINESS:

SUBJECT: Ordinance 1727: Local Emergency Deceleration

SUMMARY: The Ordinance outlines the details of a local emergency and officially designates Radford as under an Emergency Deceleration due to COVID-19.

ACTION: Dr. Harshberger made a motion to approve Ordinance 1727 on the first reading, Ms. Huntington seconded the motion.

VOTE:

AYES: Mrs. Foster, Mr. Gropman, Dr. Harshberger, Ms. Huntington, Mayor Horton

NAYES: None-0

SUBJECT: Opioid Litigation Resolution

SUMMARY: The resolution authorizes counsel to proceed with Filing a separate compliant against Johnson and Johnson and other subsidiaries in regards to the opioid litigation lawsuit.

ACTION: Ms. Huntington made a motion to approve the resolution as presented, Mr. Gropman seconded the motion.

VOTE:

AYES: Mrs. Foster, Mr. Gropman, Dr. Harshberger, Ms. Huntington, Mayor Horton

NAYES: None-0

SUBJECT: Tax Adjustments Resolution

SUMMARY: The resolution authorizes the Commissioner of the Revenue to defer the application for the Tax Relief for the elderly until July 1, 2020; to defer Personal Business Property return filing until July 1, 2020; and to exempt interest for Lodging and Meals taxes through September 1, 2020.

ACTION: Dr. Harshberger made a motion to approve the resolution as presented, Mr. Gropman seconded the motion.

VOTE:

AYES: Mrs. Foster, Mr. Gropman, Dr. Harshberger, Ms. Huntington, Mayor Horton

NAYES: None-0

CITY COUNCIL COMMENTS:

Ms. Huntington thanked Mr. Ridpath for his leadership through this and to City Staff for coordinating the response. There is incredible leadership from the top and everyone can see that.

Dr. Harshberger requested the website link and asked about reimbursement funding from FEMA.

Mr. Gropman echoed Ms. Huntington's comments and said to make sure we were doing all we could to unlock the state and federal government funding for this pandemic.

Ms. Foster stated Council is being briefed daily and sometimes several times a day in regards to this and that as a City we are all doing the very best we can.

Mayor Horton thanked everyone for going above and beyond and stated that we will get through this together.

Dr. Harshberger made a motion to adjourn the meeting at 4:45 p.m. seconded by Ms. Huntington.

VOTE:

AYES: Ms. Foster Mr. Gropman, Dr. Harshberger, Ms. Huntington, Mayor Horton

NAYES: None-0

ATTEST: _____
Jennifer G. Wilder, Clerk of Council

The New River City
March 30, 2020 **Radford, Virginia**
10 Robertson St.
Regular Meeting Number 17 of Radford City Council, F.Y. 2019-2020

The special meeting of the Radford City Council was convened at 5:00 p.m. in Council Chambers, 10 Robertson Street, Radford, VA. The Mayor of the City, Raymond David Horton, as well as all other members of City Council were present VIA ZOOM were Mrs. Jessie Foster, Mr. Robert Gropman, Dr. Richard Harshberger, and Ms. Naomi Huntington.

Others present were as follows:
Mr. David Ridpath, City Manager
Mrs. Jenni Wilder, City Clerk

Following the Pledge of Allegiance, Mayor Horton led citizens in a moment of reflection.

NEW BUSINESS:

SUBJECT: Ordinance 1728: Continuity of Government

SUMMARY: The Ordinance outlines the details of maintaining continuity of government during the COVID-19 pandemic and the local declaration of emergency.

ACTION: Mayor Horton made a motion to amend the Ordinance to include the Executive Order 55, Ms. Huntington seconded the motion.

VOTE:

AYES: Mrs. Foster, Mr. Gropman, Dr. Harshberger, Ms. Huntington, Mayor Horton

NAYES: None-0

ACTION: Dr. Harshberger made a motion to approve Ordinance 1728 on the first reading, Ms. Huntington seconded the motion.

VOTE:

AYES: Mrs. Foster, Mr. Gropman, Dr. Harshberger, Ms. Huntington, Mayor Horton

NAYES: None-0

SUBJECT: COVID-19 Update

SUMMARY: David Ridpath and staff outlined the current landscape of the COVID-19 pandemic in Radford and the NRV, as well as all the steps the city is taking to maintain levels of service and protect citizens and employees.

CITY COUNCIL COMMENTS:

Ms. Foster stated this is a fluid situation and that we are going to keep lines of communication open through tis learning curve. Ms. Foster relayed some of the concerns from DSS surrounding the CVOID-19 pandemic.

Dr. Harshberger asked for an update on how the transit system is currently operating.

Mr. Gropman thanked City staff for all they are doing and stated he cannot thank staff enough.

Ms. Huntington stated that through all this the budget is going to be hard this year and that is why it is important for citizens to reach out and comment on what they want to see in this year's

budget. Ms. Huntington thanked everyone for working so hard to keep the city running, she cannot express her gratitude enough.

Mayor Horton expressed his appreciation for all the people in official roles and for all those in the Radford community who are going above and beyond to take care of one another. Mayor Horton encouraged the community to keep up the good work and keep strong.

Dr. Harshberger made a motion to adjourn the meeting at 6:00 p.m. seconded by Ms. Foster.

VOTE:

AYES: Ms. Foster Mr. Gropman, Dr. Harshberger, Ms. Huntington, Mayor Horton

NAYES: None-0

ATTEST: _____

Jennifer G. Wilder, Clerk of Council

/The New River City
March 9, 2020 **Radford, Virginia**
10 Robertson St.
Regular Meeting Number 16 of Radford City Council, F.Y. 2019-2020

The regular meeting of the Radford City Council was convened at 7:00 p.m. in Council Chambers, 10 Robertson Street, Radford, VA. The Mayor of the City, Raymond David Horton, was present and presiding. Other members of City Council present were Mrs. Jessie Foster, Mr. Robert Gropman, Dr. Richard Harshberger, and Ms. Naomi Huntington.

Others present were as follows:

Mr. David Ridpath, City Manager
Ms. Melissa Skelton, Deputy Clerk
Mr. Chris Childress, Building Official
Mr. Terry Nicholson, Code Enforcement

Following the Pledge of Allegiance, Mayor Horton led citizens in a moment of reflection.

MINUTES APPROVALS: On a motion by Dr. Harshberger and seconded by Mrs. Foster that the minutes for the February 24, 2020 Regular Meeting are approved with correction. Mrs. Huntington shared there was a misspelling in a name within her comment and will forward the correct spelling via email.

VOTE:

AYES: Mrs. Foster, Mr. Gropman, Dr. Harshberger, Ms. Huntington, Mayor Horton
NAYES: None-0

PROCLAMATION:

SUBJECT: Red Cross Month

SUMMARY: March is American Red Cross Month. The Red Cross requested that the City consider a local proclamation to help recognize those who volunteer, donate blood, take life-saving courses or provide financial donations to help support the Red Cross and its mission. The Proclamation formally recognizes the Month of March as "Red Cross Month".

ACTION: Mayor Horton made a motion to approve the proclamation as presented, Dr. Harshberger seconded the motion.

VOTE:

AYES: Mrs. Foster, Mr. Gropman, Dr. Harshberger, Ms. Huntington, Mayor Horton
NAYES: None-0

PUBLIC HEARING

SUBJECT: Vacation of Right of Way

SUMMARY: Scott Hill requested the vacation of an unopened portion of Sixth Street adjacent to property between 604 and 504 Robertson Street. The right-of-way is topographically challenged and would not be opened as a street and it does not contain any utilities. The applicant has paid the \$800 application fee and City Staff has received the application. The public hearing was scheduled during the February 24 meeting and has been advertised, as required.

Mayor Horton opened the public hearing at 7:11
No Comments were made.

Mayor Horton closed the public hearing at 7:11

REPORTS:

SUBJECT: McHarg Elementary

SUMMARY: Mr. Ridpath shared that the Superintendent will provide a report at the next council meeting. Tonight the school board held a meeting and were unavailable to provide an update.

SUBJECT: Holiday Pop-up Market:

SUMMARY: Laurie Murphy, coordinator of the Holiday Pop-up Market, provided a report on the market success for 2019 and plans for 2020.

She shared that they estimated that 200+ attended and vendors did well financially and the Brick and mortar businesses had a successful day.

Ms. Murphy also provided some feedback she received regarding the market, one was signage promoting the event didn't appear to help with whole district, and she hoped moving forward that they get additional help through the City and Visitors Center to push out awareness to the community.

Mayor Horton, shared it was a great event and hopefully have the Triangle open next year and expand the event.

She shared that all the businesses involved were looking forward to next year.

Ms. Murphy made an official announced that West End Wednesdays are scheduled for the second Wednesday of the month and will have a rain date on the fourth Wednesday of the month.

SUBJECT: Drug Court

SUMMARY: Lori Trail, an Advocate for New River Valley Community Services presented an overview of the Drug Court Program on January 2, 2019. The Circuit Court Judge had been discussing the implementation of the program. The Drug Treatment Court Program is designed as an alternative to incarceration for non-violent offenders with substance abuse related charges. It is a voluntary program requiring substance abuse treatment, judicial supervision and drug testing. Participants pay program cost, perform community service and become employed or pursue educational goals. Naomi Huntington, City Council's representative to the program committee gave program update.

Shared they have first participant in drug court and start small and focus on a successful program. Provide services and treatment for someone who would otherwise go to jail. The structure will have bi-monthly meetings

OLD BUSINESS:

SUBJECT: Radford Chamber of Commerce MOU

SUMMARY: The Radford Chamber of Commerce provided a proposed contract for services to the City of Radford for F.Y. 2020. Generally, services include assistance in economic development, involvement in local government initiatives, fostering of communication, "Festival of Lights" support, promotion of Radford Tourism and business, and increased marketing. A report and presentation by a representative of the Chamber of Commerce was given.

ACTION: Mrs. Huntington made a motion to approve the MOU, Dr. Harshberger seconded the motion

VOTE:

AYES: Mrs. Foster, Mr. Gropman, Dr. Harshberger, Ms. Huntington, Mayor Horton

NAYES: None-0

SUBJECT: Property Maintenance Ordinance 1723, 1724, 1725, 1726

SUMMARY: The Building Official, Property Maintenance Inspector and City Attorney have been working diligently over the past several months on Ordinance modifications and enhancements associated with property maintenance. Elements of their work have included researching and reviewing City and State Code sections, practical and successful enforcement procedures, necessary modifications as they apply to property maintenance and site conditions as well as discussion from the Fall work session.

Four Ordinances were proposed that strengthen and restructure the “service” process, clarify terminology and enhance penalties as they relate to weeds, snow removal, litter and debris, as well as inoperative vehicles. The class of fines is restructured with increases from \$250 to a maximum of \$2,500. These proposed Ordinances will greatly enhance the property maintenance program, processes and results to improve neighborhoods and community.

The City Attorney, Mike Bedsaul and the Building Official, Chris Childress presented an overview of the Ordinances as they relate to Trash and Weeds (Ordinance #1723), Inoperable Vehicles (Ordinance #1724), Litter and Debris (Ordinance #1725) and Snow and Ice (Ordinance #1726) at the February 24, 2020 meeting before Council approved the Ordinances on the “first reading: with a modification to the hearing provision of Ordinance 1724.

Chris Childress, Building Official, took a moment to introduced Terry Nicholson to City Council. He has about 90 plus cases that he has handled since he started in December.

ACTION: Dr. Harshberger made a motion to approve Ordinance 1723,1724, 1725, and 1726 as a consent agenda on the second reading, Mrs. Huntington seconded the motion.

VOTE:

AYES: Mrs. Foster, Mr. Gropman, Dr. Harshberger, Ms. Huntington, Mayor Horton

NAYES: None-0

CITIZEN COMMENTS:

No Citizen comments

SUBJECT: Radford Heritage Foundation

SUMMARY: The Radford Heritage Foundation provided a proposed contract for services to the City of Radford for F.Y. 2020. Activities include operation of the Glencoe Museum, conducting historical and cultural related special events, as well as identifying and expanding educational activities and opportunities. The amount of the request is \$10,000. Scott Gardner, Executive Director of the Heritage Foundation, reported the accomplishments over the past year, as well as planned activities for F.Y. 2021. Mrs. Foster asked for an additional \$2,000 to provide Scott Gardner’s a salary raise due to extended hours that he is there, additional events and oversight in volunteers. She also shared that they are preparing a maintenance list of things that need to addressed.

ACTION: Mrs. Foster made a motion to approve the MOU and to increase the budget to \$12,000 Dr. Harshberger seconded the motion.

VOTE:

AYES: Mrs. Foster, Mr. Gropman, Dr. Harshberger, Ms. Huntington, Mayor Horton

NAYES: None-0

SUBJECT: Vacation of Right of Way

SUMMARY: Scott Hill requested the vacation of an unopened portion of Sixth Street adjacent to property between 604 and 504 Robertson Street. The right-of-way is topographically challenged and would not be opened as a street and it does not contain any utilities. The applicant has paid the \$800 application fee and City Staff has received the application.

ACTION: Mrs. Foster made a motion to have staff assist to find people to serve on the Board of Viewers, with a payment of \$50 each, Mrs. Huntington seconded the motion.

VOTE:

AYES: Mrs. Foster, Mr. Gropman, Dr. Harshberger, Ms. Huntington, Mayor Horton

NAYES: None-0

CITY MANAGER COMMENTS:

Mr. Ridpath shared that we are moving fast on Park Road, the incinerator has been torn down and will be moving the drop center there. It will be manned and hold regular hours, and hopefully opened in April.

CITY COUNCIL COMMENTS:

Mr. Gropman asked if it was possible get additional fill material to add behind Sonic?

Dr. Harshberger reminded everyone that May 5th is the election.

Mrs. Foster wanted to follow up to see if we had equipment for Frisbee golf.

Mr. Ridpath responded that we have never had any equipment for Frisbee golf.

Mrs. Foster also shared that the CPMT board had a lot of foster children that were adopted, but recently received more kids that are in need of foster homes.

Mayor Horton provided an update on the Corona virus and that the city manager and response team are working with the commonwealth and CDC to keep on top of it. Currently there are no recommendation from agencies at this time and will pass along information as we get it.

Mayor Horton informed the audience that the Radford Bobcats boys basketball were playing in the state semi-finals against Gate City tomorrow, at the Dedmon Center.

And RU Women's basketball are playing big south starting Thursday, Friday and hopefully on Sunday.

He said that there are lots of positive things happening in our community and to continue moving forward.

Mr. Ridpath added that the City is taking all necessary precautions and will be providing hand sanitizer stations within city buildings.

Dr. Harshberger made a motion to adjourn the meeting at 8:20 seconded by Mrs. Foster.

VOTE:

AYES: Ms. Foster Mr. Gropman, Dr. Harshberger, Ms. Huntington, Mayor Horton

NAYES: None-0

ATTEST: _____
Melissa A. Skelton, Deputy Clerk of Council

NOTICE OF PUBLIC HEARINGS
FOR CITY OF RADFORD, VIRGINIA F.Y. 2020-2021 BUDGET,
TAX RATES FOR CALENDAR YEAR 2020, AND SCHOOL BUDGET

The Radford City Council will hold public hearings on the proposed F.Y. 2020-2021 Budget, Tax Rates for calendar year 2020, and the School Budget on Monday April 20, 2020, beginning at 5:00 p.m.

Declarations of emergency and restrictions on public gatherings have been made at all levels of government. Due to the threats posed by the COVID-19 virus, a disaster exists which requires the City to assure continuity of government for a period not to exceed six (6) months. During a declared disaster, the Code of Virginia authorizes governing bodies to conduct their meetings on matters and with procedures which are consistent with providing continuity of government and promote the health, safety, and welfare of the public.

The COVID-19 virus makes it impractical and unsafe for City Council to physically assemble in one location. The virus also makes it impractical and unsafe, as well as potentially life threatening, for the public and city staff to gather in the same location to participate in the public hearings. As a result, the public hearings will be conducted virtually. The members of City Council will participate in the public hearings by electronic means, and the public will be able to participate and make comments as set out below.

The City has established the following ways for you to share your public comments with City Council. The deadline to share your comment for the public hearings is Noon, Friday, April 17, 2020. Any comments received by that time will be shared with City Council and will be added to the meeting minutes, making them a matter of public record. When providing your public comment, please be sure to provide:

1. First Name;
2. Last Name;
3. Residential Address; and,
4. Your Comment.

Ways to submit your public comment:

- Email: Jenni.Wilder@radfordva.gov
- Mail comments to: City Clerk, 10 Robertson Street, Radford, VA 24141
- Voicemail message: 540-267-3145

The Radford City Council will also be meeting virtually by electronic means on Monday, April 27, 2020, at 5:00 p.m. to consider approval of the proposed F.Y. 2020-2021 Budget, Tax Rates for calendar year 2020, and the School Budget. The City will continue to receive public comments in the ways described above until Noon, Friday, April 24, 2020, which will be shared with City Council and added to the minutes.

Ways to participate in public hearings and meeting:

The public is encouraged to participate in the public hearings scheduled on Monday, April 20, 2020, beginning at 5:00 p.m. through Facebook Live at the following link:<https://www.facebook.com/Radford-City-Government-301072910338> The public hearings meeting agenda can be viewed at: www.radfordva.gov.

The public is encouraged to participate in the meeting scheduled on Monday, April 27, 2020 at 5:00 p.m. through Facebook Live at the following link:<https://www.facebook.com/Radford-City-Government-301072910338> . The meeting agenda can be viewed at: www.radfordva.gov

Copies of agendas may also be obtained by calling the Office of the City Clerk at (540) 731-3603.

Synopsis of Budgets and Tax Rates:

Notice is given of City Council's intention to propose the following tax levies for Calendar Year 2020:

1. Real Property tax levy decreases to \$0.78 per \$100.00 of assessed value to maintain approximate level funding with the 2019 real estate tax levy.
2. Machinery and tools tax levy remains at \$1.76 per \$100.00 of assessed value.
3. Tangible personal property as listed and specified in Subsections 3 through 13 of Section 58.1-3503A,
Code of Virginia, 1950 as amended, remains at \$2.44 per \$100.00 of assessed value.
4. Tangible personal property as listed and specified in Subsections 15 through 19 of Section 58.1-3503A,
Code of Virginia 1950 As Amended, remains at \$1.76 per \$100.00 of assessed value.

The following is a synopsis of the 2020-2021 City of Radford \$59,514,312 total budget.

CITY OF RADFORD	Total for City
GENERAL FUND	26,802,275
STREETS MAINTENANCE FUND	2,505,953
TRANSIT	3,002,981
WATER/WASTEWATER FUND	4,639,264
ELECTRIC FUND	20,293,253
SOLID WASTE FUND	1,524,677
*INTERNAL SERVICES	745,909

*Not included in total above as this fund is allocated through all other funds.

Notice is also given that the City Council of Radford City will hear comments on the **Radford City School Board Budget** in the amount of \$36,460,148.

The Summary is as Follows:

RADFORD CITY SCHOOL BOARD	Total for Schools
OPERATING FUND	17,540,748
CAFETERIA FUND	684,960
GRANTS FUND	1,452,368
TEXTBOOKS FUND	246,524
CAPITAL PROJECTS FUND	414,100

A copy of the document is available for review on the City's website at www.radfordva.gov.

ORDINANCE 1729

**AN ORDINANCE FOR THE CITY OF RADFORD, VIRGINIA ADOPTING A BUDGET FOR
THE FISCAL
YEAR COMMENCING ON JULY 1, 2020 AND ENDING JUNE 30, 2021
AND APPROPRIATE FUNDS THEREFOR**

WHEREAS, pursuant to Article VI, Section 6.3 of the Charter of the City of Radford, the Radford City Council is required to pass an annual appropriation ordinance based on an approved budget, and

WHEREAS, the City Manager has presented, and the Council has approved a budget for the fiscal year beginning July 1, 2020 and ending June 30, 2021;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RADFORD, VIRGINIA, that the budget summary hereinafter set forth before, which is fully particularized in the line item budget documents filed in the office of the City Manager, and which is incorporated herein by reference, is hereby adopted as the budgets of the City of Radford, Virginia and the Radford City School Board for the fiscal year beginning July 1, 2020 and ending June 30, 2021 and that the sums of money represented thereby or as much thereof as authorized by law and required to defray the expenses and liabilities of the City, be, and the same hereby are, appropriated for the incorporated purposes and object of the liabilities of the City, be, and the same hereby are, appropriated for the incorporated purposes and object of the City of Radford as specified in the said fully particularized budget hereinbefore referenced and maintained on file in the office of the City Manager and identified as having been incorporated in this ordinance, to wit:

The following is a synopsis of the 2020-2021 City of Radford \$59,514,312 total budget.

CITY OF RADFORD	Total for City
GENERAL FUND	26,802,275
STREETS MAINTENANCE FUND	2,505,953
TRANSIT	3,002,981
WATER/WASTEWATER FUND	4,639,264
ELECTRIC FUND	20,293,253
SOLID WASTE FUND	1,524,677
*INTERNAL SERVICES	745,909

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Notice is also given that the City Council of Radford City will hear comments on the **Radford City School Board Budget** in the amount of \$36,460,148.

The Summary is as Follows:

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OPERATING FUND	17,540,748
CAFETERIA FUND	684,960
GRANTS FUND	1,452,368
TEXTBOOKS FUND	246,524
CAPITAL PROJECTS FUND	414,100

ORDINANCE 1730
AN ORDINANCE TO LEVY AND ESTABLISH TAX RATES FOR REAL ESTATE, PERSONAL PROPERTY, AND OTHER PROPERTY IN THE CITY OF RADFORD.

BE IT ORDAINED by the Council of the City of Radford, Virginia that effective **January 1, 2020**, taxes are hereby levied and imposed on various property specified hereinafter for the purpose of defraying expenses and liabilities of the City of Radford as follows:

PROPERTY TO WHICH APPLIED

RATE OF TAX

1. Real Property tax levy decreases to \$0.78 per one \$100.00 of assessed value.
2. Machinery and tools tax levy remains at \$1.76 per \$100.00 of assessed value.
3. Tangible personal property as listed and specified in Subsections 3 through 13 of Section 58.1-3503A, *Code of Virginia, 1950 as amended*, remains at \$2.44 per \$100.00 of assessed value.
4. Tangible personal property as listed and specified in Subsections 15 through 19 of Section 58.1-3503A, *Code of Virginia 1950 As Amended*, remains at \$1.76 per \$100.00 of assessed value.

First Reading: April 20, 2020

Motion:

Second:

Recorded Vote: Ms. Foster:
Mr. Gropman:
Dr. Harshberger:
Ms. Huntington:
Mayor Horton:

Second Reading:

Motion:

Second:

Recorded Vote: Ms. Foster:
Mr. Gropman:
Dr. Harshberger:
Ms. Huntington:
Mayor Horton:

The foregoing is certified to be a true and correct copy of action taken by Radford City Council on April 27, 2020.

ATTEST: _____
Jennifer G. Wilder, City Clerk

**RESOLUTION
AMENDMENT F.Y. 2021 CITY RATES/FEES**

WHEREAS, the Code of Ordinances of the City of Radford, Virginia provides the basis for determination of various fees and rates, and

WHEREAS, Radford City Council periodically sets fees and rates for all services.

THEREFORE BE IT RESOLVED, by the Council of the City of Radford, Virginia, fees and rates are set as outlined in

Attachment I - Utility Rates
Attachment II - Miscellaneous Building Fees
Attachment III - Building Permit Fees
Attachment IV - Miscellaneous Fees
Attachment V - Recreation Fees
Attachment VI - Library Fees
Attachment VII-Stormwater Fees

.BE IT FURTHER RESOLVED, that the rates and fees hereby established shall be effective on or after July 1, 2020.

The foregoing resolution was adopted on the 20nd day of April, 2020 by the following vote:

Motion:

Second:

Mr. Gropman
Dr. Harshberger
Ms. Foster

Ms. Huntington
Mayor Horton

The foregoing resolution is certified to be a true copy of a Resolution of the City Council of the City of Radford, Virginia, approved on the 22nd Day of April, 2019.

David Horton, Mayor

ATTEST: _____
Jennifer G. Wilder, City Clerk

ROADFORD UTILITY TAX:

Residential: \$.01505 x KWH not to exceed \$3.00 monthly
 Commercial: \$.01705 x KWH + not to exceed \$40.00 monthly

WATER RATES PER 1,000 GALLONS:

Minimum monthly charge (covers 4,000 gallons) \$16.32
 4,001-100,000 gallons consumed \$4.06
 100,001-4,000,000 gallons consumed \$3.66
 4,000,001 gallons and up \$2.86
 Wholesale rate \$2.24

Water Transfer Fee

\$ 15.00

Water Meter Charge:

2" meter \$ 20.00
 3" meter \$ 30.00
 4" meter \$ 40.00
 6" meter \$ 60.00
 8" meter \$ 80.00
 10" meter \$ 100.00

Water Installation Fee (single family residential)

\$ 1,300.00

Sewer Installation Fee (single family residential)

\$ 1,500.00

Water Installation Fee (single family residential)

\$ 280.00

Water Availability Fee (single family residential)

\$ 1,000.00

Sewer Availability Fee (single family residential)

\$ 1,500.00

Irrigation Meter Fee

\$ 100.00

Street Repair Fee

\$300.00 minimum

SEWER RATES PER 1,000 GALLONS:

Minimum monthly charge (covers 2,000 gallons) \$14.16
 Over 2,000 gallons \$6.12
 No sewer rate: \$3.06

Roadford University BOB Charges

\$2,062.00

REFUSE COLLECTION:

Standard collection:
 Minimum of three containers with one pickup per week \$ 22.00 PER MONTH
 Each additional pickup \$ 22.00 PER MONTH
 Each additional container \$ 8.00 PER CONTAINER

Bulk containers:

Container size	Collections per week					
	1	2	3	4	5	6
4 cubic yards	\$60.00	\$130.00	\$184.00	\$200.00	\$325.00	\$390.00
6 cubic yards	\$98.00	\$182.00	\$288.00	\$394.00	\$480.00	\$678.00
8 cubic yards	\$127.00	\$254.00	\$381.00	\$508.00	\$635.00	\$782.00

Special collection rates:

Yard waste 1-5 bags \$7.00
 Yard waste 6-11 bags \$14.00
 Yard waste 12-20 bags \$26.00
 Yard waste over 20 bags \$53.00
 Small load of brush \$45.00
 Large load of brush \$80.00
 Appliances each \$32.00
 Furniture 1-3 pieces \$38.00
 Furniture 4-6 pieces \$58.00
 Furniture 6+ pieces \$84.00

Utility Deposits

	Water/Sewer	Electric
Residential Services	\$ 50.00	\$ 200.00
Small GS services	\$ 75.00	\$ 500.00
Medium GS Services	\$ 200.00	\$ 2,000.00
Large GS Services	\$ 1,000.00	\$ 5,000.00

Penalty for Late Payment

\$ 5.00%

Restore Fee if Disconnected

\$ 25.00

Overtime Fee if cut on after hours

\$ 50.00

Electric Meter Testing

\$ 25.00

Attachment I - continued

ELECTRIC RATES

Summary of rates only. Please see original schedules for terms and conditions.

Residential:

Basic customer charge: (per month)	\$7.02
First 900 KWH: (per kWh)	\$0.09911
All KWH over 900: (per kWh)	\$0.08432

Sanctuary Worship Service

Basic customer charge: (per month)	\$7.02
Energy Charge (all metered kWh)	\$0.09460

Small General Service:

Basic customer charge: (per month)	\$9.25
Energy Charge (all metered kWh)	\$0.09769

Medium General Service:

Basic customer charge: (per month)	\$15.00
Demand Charge: (All kW of billing demand)	\$4.45
Energy Charge (All metered kWh)	\$0.08006

Large General Service:

Basic customer charge: (per month)	\$50.00
Demand charge: (All kW of billing demand)	\$13.13
Reactive Demand Charge (all kVar of lagging reactive demand)	\$0.4500
Energy Charge (All metered kWh)	\$0.05004

Large Power Service:

Basic customer charge: (per month)	\$275.00
Demand charge: (All kW of billing demand)	\$13.98
Reactive Demand Charge (all kVar of lagging reactive demand)	\$0.9900
Energy Charge (All metered kWh)	\$0.0454500

School & City Services

Basic Customer Charge: (per month)	\$5.79
Energy Charge (all metered kWh)	\$0.08974

Outdoor Lighting (per month)

48 Watt LED	\$9.65
100 Watt sodium vapor - 9,500 lumens	\$9.65
150 Watt sodium vapor - 15,000 lumens	\$12.20
400 Watt sodium vapor - 44,000 lumens	\$21.75

Installation charge for metal pole for underground sodium lighting \$275.00

Wholesale Power Cost Adjustment (per kWh) \$0.0176500
Fuel Adjustment Charge (per kWh) \$0.0033770

Electric Transfer Fee \$ 15.00
Temporary Electric Fee \$ 35.00
Meter testing \$ 25.00

Miscellaneous Building Permit Fees - Attachment II

Miscellaneous Building Permit Fees - A 2% State Level Tax will be added to all permit fees

Building Code Bd. of Appeals Case (non-refundable)	\$175.00
Demolition permits: Residential	\$75.00
Commercial	\$150.00
Underground Storage Tanks	See Bldg. Permit Fees
Electrical permits	See Bldg. Permit Fees
Electrical service upgrade	See Bldg. Permit Fees
Fire Alarm and Suppression re-inspection	\$75.00
Maximum Occupancy, Use Group change	\$100.00
Mechanical permit	See Bldg. Permit Fees
Mobile home permits	\$75.00
Move building	\$150.00
	plus any additional fees
Permanent Sign permit	\$75.00
Temporary Sign permit	\$50.00
Re-inspection fee (if applicable) for all trades	\$75.00
	pd. prior to inspection
Residential Plan Review (if no permit issued)	\$100.00
	per story above grade
Commercial Plan Review (if no permit issued)	\$200.00
	per story above grade
Water line/Sewer line renewal	See Bldg. Permit Fees
Re-Issue building Certificate of Occupancy	\$100.00
Amusement Device Fees: Per VAC 5-31-75 (Third party inspection provided by applicant)	
Swimming Pools:	See Building Permit Fees

Attachment III

Building Permit Fees - A 2% state levy tax will be added to permit fees

Valuation	Fee
Minimum Fee:	\$50.00
\$1,000.00	\$50.00
2,000.00	\$50.00
3,000.00	\$50.00
4,000.00	\$50.00
5,000.00	59.00
6,000.00	63.00
7,000.00	67.00
8,000.00	71.00
9,000.00	75.00
10,000.00	79.00
11,000.00	83.00
12,000.00	87.00
13,000.00	91.00
14,000.00	95.00
15,000.00	99.00
16,000.00	103.00
17,000.00	107.00
18,000.00	111.00
19,000.00	115.00
20,000.00	119.00

Over \$20,000 equals \$119.00 plus \$4.00 for each additional \$1,000 or fraction thereof

Over \$100,000 equals \$439.00 plus \$3.50 per thousand or fraction thereof

200,000.00	789.00
300,000.00	1,139.00
400,000.00	1,489.00
500,000.00	1,839.00

Over \$500,000 equals \$1,839 plus \$2.50 per thousand or fraction thereof

600,000.00	2,089.00
700,000.00	2,339.00
800,000.00	2,589.00
900,000.00	2,839.00
1,000,000.00	3,089.00

Over \$1,000,000.00 equals \$3,089.00 plus \$2.00 per thousand thereof

MISCELLANEOUS FEES Attachment IV

TREASURERS OFFICE

Dog Tags	Male/Female	10.00
	Unsexed	3.00
	Duplicates	1.00
Returned Checks		25.00

CODE ENFORCEMENT

Administrative Fee \$125

ENGINEER'S OFFICE

Land Disturbing Fees	\$25.00 first five acres \$5.00 each additional 5 acres disturbed
Plan Review Fee	\$50 maximum
Right-of-way Vacation	\$800 deposit, plus all costs upon completion
Roadside Memorial	\$50

Planning Department

Rezoning	\$1,000.00
Special Use Permit	\$1,000.00
Variance	\$1,000
Site Plan Review	\$200

EMS Services

ALS 1 Emergency Treatment	\$700
ALS 2 Emergency Treatment	\$800
BLS Emergency Transport	\$550
Ground Miles	\$16
Non Covered Miles	\$16
Non-Transport Fee (No Treatment)	\$100
BLS Treat and Non-Transport	\$110
ALS Treat and Non-Transport	\$210

Animal Control

Adoption Fee	\$10.00
MicroChip Fee	\$10.00
Vaccination Fee	\$5.00
TOTAL	\$25.00

RECREATION DEPARTMENT Fees - Attachment V

Picnic Shelter Fees:

Radford Resident Fees:

Weekdays: 1/2 Day (Monday through Friday)	\$20.00
One Full Day (Monday through Friday)	\$30.00
Weekends: 1/2 Day (Saturday and Sunday)	\$30.00
One Full Day (Saturday and Sunday)	\$40.00

Non-Resident Fees:

Weekdays: 1/2 Day (Monday through Friday)	\$30.00
One Full Day (Monday through Friday)	\$50.00
Weekends: 1/2 Day (Saturday and Sunday)	\$40.00
One Full Day (Monday through Friday)	\$60.00

Quotes given for groups of 200 or more

Softball Field Reservations: - made in person at Rec. Center
 \$200.00 per weekend

RECREATION CENTER FEES:

Non- Resident Recreation Center Membership Fees:

Daily:	\$5.00	
	<u>Yearly</u>	<u>Six Months</u>
Single Adult:	\$300.00	\$150.00
Family*	\$450.00	\$225.00
Senior Citizens **	\$150.00	\$75.00
Senior Couple ***	\$225.00	\$112.50

*Including dependents under 21
 ** age 50 and older
 *** married

Rental Fees:

Room Rentals	\$15.00 hr.
Kitchen + Adjacent Room	\$20.00 hr.
Gymnasium	\$25.00 per hr. (\$5.00 additional for score clock)
Lockers	\$50.00 annually, \$5.00/month

Monthly Fitness Fees: \$30.00 Resident, \$40.00 Non-resident (maximum)

Adult sports entry fees are based on the number of teams in the league and the number of games played.

Youth Sports Registration Fees:

Radford Resident:	\$20.00	Late Fee:	\$30.00
Non-Resident	\$30.00	Late Fee:	\$50.00

Community Garden Fee	20 by 20 plot	\$20
	10 by 10 plot	\$10

Radford Public Library Fees Attachment VI

Fines	Copies	Prints from Computer	Faxes
\$.10 per day	\$.10 per page	\$.25 per page	\$1.00 per page

Interlibrary Loan
patron pays the postage
\$4.00 flat rate

Passport Execution Fee
\$35

Storm Water Fees Attachment VII

Storm Water Fees Attachment VII

Fee Type	Fee Amount CITY FEE	DEQ FEE	TOTAL
General/ Stormwater Management - Small (less than 1 acre)	\$209	\$81	\$290
General/ Stormwater Management - Small (equal to or greater than 1 acre and less than 5 acres)	\$1,944	\$756	\$2,700
General/ Stormwater Management - Large (equal to or greater than 5 acres and less than 10 acres)	\$2,448	\$952	\$3,400
General/ Stormwater Management - Large (equal to or greater than 10 acres and less than 50 acres)	\$3,240	\$1,260	\$4,500
General/ Stormwater Management - Large (equal to or greater than 50 acres and less than 100 acres)	\$4,392	\$1,708	\$6,100
General/ Stormwater Management - Large (equal to or greater than 100 acres)	\$6,912	\$2,688	\$9,600
Permit Modification and/or Transfer Fee	\$0	\$0	\$0
Annual Permit Maintenance Fee	\$0	\$0	\$0

CITY OF RADFORD, VIRGINIA

CONTRACT MODIFICATION AGREEMENT

DATE: March 20, 2020
ORIGINAL CONTRACT: Contract for Audit Services for the years ending June 30, 2016-2018.
ISSUED BY: City of Radford, Virginia
CONTRACTOR: Robinson, Farmer, Cox Associates

This Supplemental Agreement is entered into pursuant to the provisions of the original contract.

DESCRIPTION OF MODIFICATION:

Pursuant to paragraph 9 of the original audit agreement dated May 11, 2016, the contract may be extended for up to two additional years at fees to be provided by the Contractor. The City and Contractor hereby agree to extend the original contract to cover the fiscal year ending June 30, 2020 with changes noted below.

The fees for 2020 are as follows:

Radford City Audit	\$	42,950
Radford City Cost Allocation Plan		4,400
Radford City EDA Audit		2,250
School Board Audit (including School Activity Funds)		19,950

Except as provided herein, all terms and conditions of the original contract for audit services remain unchanged and in full force and effect.

CONTRACTOR:

CITY:

By: 

By: _____

Name: Corbin Stone

Name: _____

Title: Managing Director

Title: _____

EDA: _____

SCHOOL BOARD:

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

RESOLUTION TO APPROVE CONSENT AGREEMENT
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION III
WATER TREAMEMENT PLANT INCIDENT

WHEREAS, on October 19, 2017 there was a release of chlorine gas at the Water Treatment Plant (the "Treatment Plan") in the City of Radford, Virginia (the "City"), due to a rupture of tubing connected to a chlorine tank in the chlorine room (the "Incident"); and,

WHEREAS, Section 103(a) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) required that the City immediately notify the National Response Center (the "NRC") of the Incident; and,

WHEREAS, the Incident was safely addressed within approximately two and a half hours; and,

WHEREAS, the City reported the Incident to the NRC on October 20, 2017; and

WHEREAS, the Environmental Protection Agency (the "EPA") has alleged that the City violated Section 103(a) of CERCLA by failing to immediately notify the NRC; and,

WHEREAS, the City and the EPA have negotiated a resolution of this matter as stated in the attached Consent Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Radford, that the Consent Agreement is hereby approved; and,

BE IT FURTHER RESOLVED by the Council of the City of Radford, that the City Manager is authorized to execute the Consent Agreement on behalf of the City and to take any necessary action to effectuate the purposes of the Consent Agreement and this Resolution.

ADOPTED this ____ day of April, 2020.

Recorded Vote:

Mr. Gropman: _____
Dr. Harshberger: _____
Mrs. Huntington: _____
Mrs. Foster: _____
Mayor Horton: _____

ATTEST:

David Horton, Mayor

Jennifer G. Wilder, City Clerk

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103**

In the Matter of:	:
	:
City of Radford	: U.S. EPA Docket No. CERCLA-03-2020-0096
10 Robertson Street	:
Radford, Virginia 24141,	: Proceeding under Sections 103 and 109
	: of the Comprehensive Environmental
Respondent.	: Response, Compensation and Liability Act,
	: 42 U.S.C. §§ 9603 and 9609
City of Radford Water Treatment Plant	:
20 Forest Avenue	:
Radford, Virginia 24141,	:
	:
Facility.	:
	:

CONSENT AGREEMENT

PRELIMINARY STATEMENT

1. This Consent Agreement is entered into by the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region III (“Complainant”) and the City of Radford (“Respondent”) (collectively the “Parties”), pursuant to Section 109 of the Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”), 42 U.S.C. § 9609, and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation, Termination or Suspension of Permits (“Consolidated Rules of Practice”), 40 C.F.R. Part 22. Section 109 of CERCLA authorizes the Administrator of the U.S. Environmental Protection Agency to assess penalties and undertake other actions required by this Consent Agreement. The Administrator has delegated this authority to the Regional Administrator who, in turn, has delegated it to the Complainant. This Consent Agreement and the attached Final Order (hereinafter jointly referred to as the “Consent Agreement and Final Order”) resolve Complainant’s civil penalty claims against Respondent under CERCLA for the violation alleged herein.
2. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice, Complainant hereby simultaneously commences and resolves this administrative proceeding.

JURISDICTION

3. The U.S. Environmental Protection Agency has jurisdiction over the above-captioned matter, as described in Paragraph 1, above.
4. The Consolidated Rules of Practice govern this administrative adjudicatory proceeding pursuant to 40 C.F.R. § 22.1(a)(7).

GENERAL PROVISIONS

5. For purposes of this proceeding only, Respondent admits the jurisdictional allegations set forth in this Consent Agreement and Final Order.
6. Except as provided in Paragraph 5, above, Respondent neither admits nor denies the specific factual allegations or the findings of law set forth in this Consent Agreement and Final Order.
7. Respondent agrees not to contest the jurisdiction of EPA with respect to the execution of this Consent Agreement, the issuance of the attached Final Order, or the enforcement of this Consent Agreement and Final Order.
8. For purposes of this proceeding only, Respondent hereby expressly waives its right to contest the allegations set forth in this Consent Agreement and Final Order and waives its right to appeal the accompanying Final Order.
9. Respondent consents to the assessment of the civil penalty stated herein, to the issuance of any specified compliance order herein, and to any conditions specified herein.
10. EPA and Respondent shall each bear its own costs and attorney's fees in connection with this proceeding.

FINDINGS OF FACT AND EPA'S CONCLUSIONS OF LAW

11. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice, Complainant alleges and adopts the Findings of Fact and Conclusions of Law set forth immediately below.
12. Respondent is a municipality in the Commonwealth of Virginia, with its principal place of business located at 10 Robertson Street in Radford, Virginia.
13. As a municipality, Respondent is a "person" as defined by Section 101(21) of CERCLA, 42 U.S.C. § 9601(21), and is subject to the assessment of civil penalties for the violation alleged herein.

14. At all times relevant to this Consent Agreement and Final Order, Respondent has been the owner and operator of a water treatment plant located at 20 Forest Avenue, Radford, Virginia ("Facility"), within the meaning of Section 103(a) of CERCLA, 42 U.S.C. § 9603(a).
15. The Facility is a "facility" as defined by Section 101(9) of CERCLA, 42 U.S.C. § 9601(9) and 40 C.F.R. § 302.3.
16. Respondent is an "owner or operator" of the Facility as defined by Section 101(20) of CERCLA, 42 U.S.C. § 9601(20).
17. Section 102(a) of CERCLA, 42 U.S.C. § 9602(a), requires the Administrator of EPA to publish a list of substances designated as hazardous substances, which, when released into the environment may present substantial danger to public health or welfare or to the environment, and to promulgate regulations establishing that quantity of any hazardous substance, the release of which shall be required to be reported under Section 103(a) of CERCLA, 42 U.S.C. § 9603(a) ("Reportable Quantity" or "RQ"). The list of hazardous substances is codified at 40 C.F.R. § 302.4.
18. According to information provided by Radford to EPA, a release of chlorine gas, Chemical Abstracts Service ("CAS") Registry No. 7782-50-5, occurred at the Facility on October 19, 2017 at approximately 11:40 am (the "Release") due to a rupture of tubing connected to a chlorine tank in the chlorine room.
19. On December 12, 2018, EPA representatives conducted an inspection of the Facility following the Release to determine Respondent's compliance with Section 103 of CERCLA, 42 U.S.C. § 9603, and Sections 302, 303, 304, 311, and 312 of EPCRA, 42 U.S.C. §§ 11002, 11003, 11004, 11021, and 11022 ("the Inspection").
20. On December 31, 2019, EPA issued to Respondent a Request to Show Cause and Opportunity to Confer with EPA regarding alleged violation of CERCLA Section 103 at the Facility (the "Show Cause Letter").
21. On January 22, 2020, EPA received Respondent's reply to EPA's Show Cause Letter via email.

Count I
Failure to Immediately Notify the NRC of a Release

22. The allegations of Paragraphs 1 through 21 of this Consent Agreement are incorporated herein by reference.

23. Section 103(a) of CERCLA, 42 U.S.C. § 9603(a), as implemented by 40 C.F.R. Part 302, requires, in relevant part, a person in charge of a facility to immediately notify the National Response Center (“NRC”) established under Section 311(d)(2)(E) of the Clean Water Act, as amended, 33 U.S.C. § 1321(d)(2)(E), as soon as they have knowledge of a release (other than a federally permitted release) of a hazardous substance from such facility in a quantity equal to or greater than the RQ.
24. The chemical chlorine is a hazardous substance, as defined under Section 101(14) of CERCLA, 42 U.S.C. § 9601(14), and 40 C.F.R. § 302.3, with an RQ of 10 pounds, as listed in 40 C.F.R. § 302.4.
25. According to information provided by Respondent, Respondent first became aware that the Release was occurring at approximately 11:40 a.m. on October 19, 2017 when an alarm inside the Facility’s chlorine room sounded. Facility employees responding to the alarm noticed a strong chlorine odor outside the chlorine room.
26. According to information provided by Respondent, a Facility employee called 911 to report the Release at approximately 11:55 am on October 19, 2017.
27. According to information provided by Respondent, firefighters responding to the Facility’s 911 call arrived at the Facility at approximately 12:08 pm on October 19, 2017. Sometime after their arrival, firefighters turned off the flow of chlorine to stop the Release. At approximately 2:10 pm, firefighters determined that Facility employees could safely re-enter the chlorine room.
28. According to information provided by Respondent, at the conclusion of the Release, the weight of the chlorine tank from which the Release occurred was approximately 152 pounds lighter than the weight of the tank prior to the Release, which indicates that 152 pounds of chlorine were released during the Release. Respondent knew or should have known that the Release from the Facility was in a quantity equal to or exceeding its RQ.
29. The Release from the Facility on October 19, 2017 constituted a release of a hazardous substance in a quantity equal to or exceeding the RQ for that hazardous substance, requiring immediate notification of the NRC pursuant to Section 103(a) of CERCLA, 42 U.S.C. § 9603(a).
30. The Release was not a “federally permitted release” as that term is used in Section 103(a) of CERCLA, 42 U.S.C. § 9603(a), and 40 C.F.R. § 302.6, and defined in Section 101(10) of CERCLA, 42 U.S.C. § 9601(10).
31. Respondent notified the NRC of the Release at approximately 11:46 a.m. on October 20, 2017, approximately 24 hours after the Release began. .
32. Respondent violated Section 103(a) of CERCLA, 42 U.S.C. § 9603(a), and the relevant regulations at 40 C.F.R. Part 302 by failing to immediately notify the NRC as soon as it knew or should have known of the release of a hazardous substance from the Facility in a quantity equal to or greater than the RQ.

33. In failing to comply with Section 103(a) of CERCLA, 42 U.S.C. § 9603(a), and 40 C.F.R. Part 302, Respondent is subject to the assessment of penalties under Section 109(a) of CERCLA, 42 U.S.C. § 9609(a).

CIVIL PENALTY

34. In settlement of EPA's claims for civil penalties for the violation alleged in this Consent Agreement, Respondent consents to the assessment of a civil penalty in the amount of **TWENTY-ONE THOUSAND FOUR HUNDRED AND SIXTY-SIX DOLLARS (\$21,466)** for the alleged violation of Section 103 of CERCLA, 42 U.S.C. § 9603, which Respondent shall be liable to pay in accordance with the terms set forth below.
35. The civil penalty is based upon EPA's consideration of a number of factors, including the penalty criteria ("statutory factors") set forth in Section 109(a)(3) of CERCLA, 42 U.S.C. § 9609(a)(3), including, the following: the nature, circumstances, extent and gravity of the violation or violations, and, with respect to the violator, ability to pay, any prior history of such violations, the degree of culpability, economic benefit or savings (if any) resulting from the violation, and such matters as justice may require. These factors were applied to the particular facts and circumstances of this case with specific reference to EPA's *Enforcement Response Policy for Sections 304, 311 and 312 of the Emergency Planning and Community Right-to-Know Act and Section 103 of the Comprehensive Environmental Response, Compensation and Liability Act (September 30, 1999)*, which reflects the statutory penalty criteria and factors set forth in Section 109(a)(3) of CERCLA, the appropriate *Adjustment of Civil Monetary Penalties for Inflation*, pursuant to 40 C.F.R. Part 19, and the applicable EPA memoranda addressing EPA's civil penalty policies to account for inflation.
36. Payment of the civil penalty amount, and any associated interest, administrative fees, and late payment penalties owed, shall be made by either cashier's check, certified check or electronic wire transfer, in the following manner:
- a. All payments by Respondent shall include reference to Respondent's name and address, and the Docket Number of this action, *i.e.*, CERCLA-03-2020-0096;
 - b. All checks in payment of the civil penalty shall be made payable to the "EPA-Hazardous Substances Superfund";
 - c. All payments made by check in payment of the civil penalty and sent by regular mail shall be addressed and mailed to:

U.S. Environmental Protection Agency
Cincinnati Finance Center
P.O. Box 979076
St. Louis, MO 63197-9000
 - d. For additional information concerning other acceptable methods of payment of the civil penalty amounts see:

<https://www.epa.gov/financial/makepayment>

- e. A copy of Respondent's checks or other documentation of payment of the penalties using the method selected by Respondent for payment shall be sent simultaneously to:

Mark Bolender
Senior Assistant Regional Counsel
U.S. EPA, Region III (3RC20)
1650 Arch Street
Philadelphia, PA 19103
bolender.mark@epa.gov

37. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, EPA is entitled to assess interest and late payment penalties on outstanding debts owed to the United States and a charge to cover the costs of processing and handling a delinquent claim, as more fully described below. Accordingly, Respondent's failure to make timely payment of the penalty as specified herein shall result in the assessment of late payment charges including interest, penalties and/or administrative costs of handling delinquent debts.
38. Payment of the civil penalty is due and payable immediately upon receipt by Respondent of a true and correct copy of the fully executed and filed Consent Agreement and Final Order. Receipt by Respondent or Respondent's legal counsel of such copy of the fully executed Consent Agreement and Final Order, with a date stamp indicating the date on which the Consent Agreement and Final Order was filed with the Regional Hearing Clerk, shall constitute receipt of written initial notice that a debt is owed EPA by Respondent in accordance with 40 C.F.R. § 13.9(a).
39. INTEREST: In accordance with 40 C.F.R § 13.11(a)(1), interest on the civil penalty assessed in this Consent Agreement and Final Order will begin to accrue on the date that a copy of the fully executed and filed Consent Agreement and Final Order is mailed or hand-delivered to Respondent. However, EPA will not seek to recover interest on any amount of the civil penalties that is paid within thirty (30) calendar days after the date on which such interest begins to accrue. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R § 13.11(a).
40. LATE PAYMENT PENALTY: A late payment penalty of six percent per year will be assessed monthly on any portion of the civil penalty that remains delinquent more than ninety (90) calendar days. 40 C.F.R. § 13.11(c). Should assessment of the penalty charge on the debt be required, it shall accrue from the first day payment is delinquent. 31 C.F.R. § 901.9(d).

41. Failure by the Respondent to pay the civil penalty assessed by the Final Order in accordance with the terms of this Consent Agreement and Final Order may subject Respondent to a civil action to collect the assessed penalties, plus interest, pursuant to Section 109 of CERCLA, 42 U.S.C. § 9609. In any such collection action, the validity, amount and appropriateness of the penalty shall not be subject to review.
42. Respondent agrees not to deduct for federal tax purposes the civil penalty assessed in this Consent Agreement and Final Order.

GENERAL SETTLEMENT CONDITIONS

43. By signing this Consent Agreement, Respondent acknowledges that this Consent Agreement and Final Order will be available to the public and represents that, to the best of Respondent's knowledge and belief, this Consent Agreement and Final Order does not contain any confidential business information or personally identifiable information from Respondent.
44. Respondent certifies that any information or representation it has supplied or made to EPA concerning this matter was, at the time of submission true, accurate, and complete and that there has been no material change regarding the truthfulness, accuracy or completeness of such information or representation. EPA shall have the right to institute further actions to recover appropriate relief if EPA obtains evidence that any information provided and/or representations made by Respondent to the EPA regarding matters relevant to this Consent Agreement and Final Order, including information about respondent's ability to pay a penalty, are false or, in any material respect, inaccurate. This right shall be in addition to all other rights and causes of action that EPA may have, civil or criminal, under law or equity in such event. Respondent and its officers, directors and agents are aware that the submission of false or misleading information to the United States government may subject a person to separate civil and/or criminal liability.

CERTIFICATION OF COMPLIANCE

45. Respondent certifies to EPA, upon personal investigation and to the best of its knowledge and belief, that it currently is in compliance with regard to the violation alleged in this Consent Agreement.

OTHER APPLICABLE LAWS

46. Nothing in this Consent Agreement and Final Order shall relieve Respondent of its obligation to comply with all applicable federal, state, and local laws and regulations, nor shall it restrict EPA's authority to seek compliance with any applicable laws or regulations, nor shall it be construed to be a ruling on the validity of any federal, state or local permit. This Consent Agreement and Final Order does not constitute a waiver, suspension or modification of the requirements of CERCLA, or any regulations promulgated thereunder.

RESERVATION OF RIGHTS

47. This Consent Agreement and Final Order resolves only EPA's claims for civil penalties for the specific violation alleged against Respondent in this Consent Agreement and Final Order. EPA reserves the right to commence action against any person, including Respondent, in response to any condition which EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. This settlement is subject to all limitations on the scope of resolution and to the reservation of rights set forth in Section 22.18(c) of the Consolidated Rules of Practice, 40 C.F.R. § 22.18(c). EPA reserves any rights and remedies available to it under CERCLA, the regulations promulgated thereunder and any other federal law or regulation to enforce the terms of this Consent Agreement and Final Order after its effective date.

EXECUTION /PARTIES BOUND

48. This Consent Agreement and Final Order shall apply to and be binding upon the EPA, the Respondent and the officers, directors, employees, contractors, successors, agents and assigns of Respondent. By his or her signature below, the person who signs this Consent Agreement on behalf of Respondent is acknowledging that they are fully authorized by the Respondent to execute this Consent Agreement and to legally bind Respondent to the terms and conditions of this Consent Agreement and Final Order.

EFFECTIVE DATE

49. The effective date of this Consent Agreement and Final Order is the date on which the Final Order, signed by the Regional Administrator of EPA, Region III, or his/her designee, the Regional Judicial Officer, is filed along with the Consent Agreement with the Regional Hearing Clerk pursuant to the Consolidated Rules of Practice.

ENTIRE AGREEMENT

50. This Consent Agreement and Final Order constitutes the entire agreement and understanding between the Parties regarding settlement of all claims for civil penalties pertaining to the specific violations alleged herein and there are no representations, warranties, covenants, terms, or conditions agreed upon between the Parties other than those expressed in this Consent Agreement and Final Order.

In Re: City of Radford
EPA Docket No. CERCLA-03-2020-0096

For Respondent:

City of Radford

Date: _____

By: _____
David C. Ridpath, City Manager
City of Radford, Virginia

For the Complainant:

After reviewing the Consent Agreement and other pertinent matters, I, the undersigned Director of the Enforcement and Compliance Assurance Division of the United States Environmental Protection Agency, Region III, agree to the terms and conditions of this Consent Agreement and recommend that the Regional Administrator, or his/her designee, the Regional Judicial Officer, issue the attached Final Order.

Date: _____

By: _____

Karen Melvin
Director, Enforcement and Compliance
Assurance Division
U.S. EPA – Region III
Complainant

Attorney for Complainant:

Date: _____

By: _____

Mark Bolender
Sr. Assistant Regional Counsel
U.S. EPA – Region III

**BEFORE THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION III**

In the Matter of:	:
	:
City of Radford	: U.S. EPA Docket No. CERCLA-03-2020-0096
10 Robertson Street	:
Radford, VA 24141,	:
	: Proceeding under Sections 103 and 109
Respondent,	: of the Comprehensive Environmental
	: Response, Compensation and Liability Act,
	: 42 U.S.C. §§ 9603 and 9609
City of Radford Water Treatment Plant	:
20 Forest Avenue, Radford,	:
Virginia 24141,	:
	:
Facility.	:
	:

FINAL ORDER

Complainant, the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region III, and Respondent, Rapidan Service Authority, have executed a document entitled "Consent Agreement," which I hereby ratify as a Consent Agreement in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules of Practice"), 40 C.F.R. Part 22 (with specific reference to Sections 22.13(b) and 22.18(b)(2) and (3)). The terms of the foregoing Consent Agreement are accepted by the undersigned and incorporated into this Final Order as if fully set forth at length herein.

Based upon the representations of the parties in the attached Consent Agreement, the penalty agreed to therein is based upon consideration of, *inter alia*, EPA's *Enforcement Response Policy for Sections 304, 311, and 312 of the Emergency Planning and Community Right-to-Know Act and Section 103 of the Comprehensive Environmental Response, Compensation and Liability Act* (September 30, 1999), and the statutory factors set forth in Section 109(a)(3) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. § 9609(a)(3).

NOW, THEREFORE, PURSUANT TO Section 109 of CERCLA, 42 U.S.C. § 9609, and Section 22.18(b)(3) of the Consolidated Rules of Practice, **IT IS HEREBY ORDERED** that Respondent pay a civil penalty in the amount of **TWENTY ONE THOUSAND FOUR HUNDRED AND SIXTY-SIX DOLLARS (\$21,466)**, in accordance with the payment provisions set forth in the Consent Agreement, and comply with the terms and conditions of the Consent Agreement.

This Final Order constitutes the final Agency action in this proceeding. This Final Order shall not in any case affect the right of the Agency or the United States to pursue appropriate

injunctive or other equitable relief, or criminal sanctions for any violations of the law. This Final Order resolves only those causes of action alleged in the Consent Agreement and does not waive, extinguish or otherwise affect Respondent's obligation to comply with all applicable provisions of CERCLA and the regulations promulgated thereunder.

The effective date of the attached Consent Agreement and this Final Order is the date on which this Final Order is filed with the Regional Hearing Clerk.

Date

Joseph J. Lisa
Regional Judicial and Presiding Officer
U.S. EPA Region III

Memorandum



To: Mayor Horton, Vice-Mayor Harshberger, Members of City Council

From: Melissa Skelton, Community Development Director/Transit Coordinator

Date: April 15, 2020

Subject: Virginia Statewide Public Transportation Agency Plan (PTASP)

The Virginia Statewide Public Transportation Agency Plan (PTASP) for Small Public Transportation Providers is a comprehensive plan outlining the Safety Management Systems (SMS) programs at 15 small transit agencies in the Commonwealth.

On July 19, 2018, the Federal Transit Administration (FTA) published 49 CFR Part 673, which requires agencies receiving federal funding to develop a PTASP. Per 49 CFR Part 673.11(d), States must develop a PTASP for small transit agencies. The Virginia Department of Rail and Public Transportation (DRPT) is the state agency responsible for developing the state-sponsored PTASP for small transit agencies. DRPT was primarily responsible for gathering input from each participating small transit agencies during the development, review, and update of the PTASP.

Moving forward, Radford Transit is responsible for continuing the implementation of its SMS program and other activities described within our respective PTASP section.

The PTASP is laid out to provide general information on each agency, including its overall structure and services; the agency Safety Management Policy; Safety Risk Management program; Safety Assurance program; and Safety Promotion program. Each section of the plan accurately portrays our current services and programs in place at Radford Transit.

Please advise if you have any questions

Thank you

cc: Mr. David Ridpath, City Manager

APPENDIX L: RADFORD TRANSIT

L3 SAFETY MANAGEMENT POLICY

L3.1 SAFETY POLICY STATEMENT

Safety is a core value of Radford Transit. Radford Transit is committed to providing safe, reliable transit service to the City of Radford. Radford Transit is also committed to developing and implementing the structures, roles and responsibilities, and providing the resources needed to effectively manage safety risk using the principles of Safety Management Systems (SMS).

This PTASP is written in accordance with the requirements set forth by 49 CFR Part 673, the National Public Transportation Safety Plan, and the Commonwealth of Virginia. This PTASP defines the authorities and accountabilities and responsibilities, as well as the safety management roles and responsibilities for key Radford Transit staff. All Radford Transit employees are held accountable for the overall safety performance of Radford Transit, and for carrying out their individual safety roles and responsibilities. With the execution of this PTASP, Radford Transit managers and employees are accountable for the delivery of the highest achievable levels of safety performance.

Radford Transit will establish a culture of safety among its managers and employees, such that safety is at the core of all operational and administrative decisions and actions. Radford Transit passengers can count on our organization to provide the safe and reliable service. Managers and executives must meet or exceed the minimum thresholds and requirements set forth in all Radford Transit plans, policies, and procedures. Radford Transit will also meet or exceed all local, state, and federal regulations and requirements related to the safety of the transit system. To achieve these safety goals, Radford Transit has established measurable safety performance targets, outlined in this PTASP, in accordance with the National Public Transportation Safety Plan. Using the SMS processes described in this PTASP, Radford Transit will continually measure and assess the achievement of its safety performance targets through its Safety Management Policies, Safety Risk Management processes, Safety Assurance activities, and Safety Promotion, including, but not limited to:

- Ensuring constant communication and awareness of Radford Transit's safety policies throughout the organization
- Clearly defining the safety roles, responsibilities, and accountabilities of Radford Transit personnel
- Communicating safety policies and safety information throughout the organization
- Identifying, analyzing, and mitigating safety risks
- Measuring and monitoring safety performance
- Providing employees with key safety competencies and training
- Providing all employees with the ability to identify and report safety concerns

As the City Manager of the City of Radford, I am the Accountable Executive and have ultimate authority and responsibility for the safety of Radford Transit. With this plan, all Radford Transit staff are hereby accountable and responsible for the implementation of all of the SMS activities described herein.

City of Radford City Manager/Accountable Executive

Date

City of Radford City Mayor (as Chair of City Council)

Date

APPENDIX J: RADFORD TRANSIT

1. ABOUT RADFORD TRANSIT

Radford Transit is a service of the City of Radford, which owns the system. The City of Radford contracts operations and maintenance of Radford Transit to New River Valley Community Services (NRVCS), a public provider of behavioral health services. Radford Transit provides deviated fixed-route bus service within the City of Radford, as well as connector routes to Pulaski County, Christiansburg, and Blacksburg. Radford Transit does not provide paratransit service.

All operations and maintenance of Radford Transit fixed route service are performed by NRVCS employees, by contractual agreement between the City of Radford and NRVCS. Radford Transit's administrative offices, operations base, and maintenance facility are located at a facility leased by NRVCS, located at 2-B Corporate Drive in Radford.

Radford Transit operates seven deviated fixed routes, with deviations permitted within a ¾-mile radius of any of the Radford Transit fixed routes.



The City Manager of the City of Radford will be the Radford Transit Accountable Executive and will have the ultimate authority to allocate human and financial resources to address safety issues.

2. REVISION HISTORY – RADFORD TRANSIT

Each year, Radford Transit will be required to work with DRPT to review and revise its portion of the Statewide PTASP. DRPT will work with each agency to initiate this process prior to release of a new revision of the Plan. The following table shows the history of revisions solely for Radford Transit's PTASP sections.

Table 0-1: Revision Table

Version	Notes
Rev. 0	Initial PTASP developed for all required bus agencies

3. SAFETY MANAGEMENT POLICY

3.1 Safety Policy Statement

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Radford Transit will establish a culture of safety among its managers and employees, such that safety is at the core of all operational and administrative decisions and actions. Radford Transit passengers can count on our organization to provide the safe and reliable service. Managers and executives must meet or exceed the minimum thresholds and requirements set forth in all Radford Transit plans, policies, and procedures. Radford Transit will also meet or exceed all local, state, and federal regulations and requirements related to the safety of the transit system. To achieve these safety goals, Radford Transit has established measurable safety performance targets, outlined in this PTASP, in accordance with the National Public Transportation Safety Plan. Using the SMS processes described in this PTASP, Radford Transit will continually measure and assess the achievement of its safety performance targets through its Safety Management Policies, Safety Risk Management processes, Safety Assurance activities, and Safety Promotion, including, but not limited to:

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- Providing all employees with the ability to identify and report safety concerns

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City of Radford City Manager/Accountable Executive

Date

City of Radford City Mayor (as Chair of City Council)

Date

3.2 Safety Goals, Objectives, and Targets

Radford Transit has established the following measurable Safety Performance Targets as a benchmark for the overall safety performance of the agency. The activities used to measure the achievement of these targets generally include information collected and provided to the National Transit Database (NTD).

Safety Performance Measure	Annual Target
Fatalities (total number of reportable fatalities per year)	0
Fatalities (rate per total vehicle revenue miles by mode)	0 per 100,000 vehicle revenue miles
Injuries (total number of reportable injuries per year)	1
Injuries (rate per total vehicle revenue miles by mode)	Less than .5 Injuries per 100,000 vehicle revenue miles
Safety events (total number of safety events per year)	3
Safety events (rate per total vehicle revenue miles by mode)	Less than 1 reportable events per 100,000 vehicle revenue miles
System reliability (measured as revenue miles operated divided by the number of major mechanical failures)	Distance between Major Failures: Greater than 80,000 miles Distance between Minor Failures: Greater than 3,200 miles

NTD defines the above categories as follows:

Reportable Event (Major)

A safety or security event occurring on a transit right-of-way or infrastructure, at a transit revenue facility, or at a transit maintenance facility during a transit-related maintenance activity or involving a transit revenue vehicle that results in one of more of the following conditions:

- A fatality confirmed within 30 days of the event
- An injury requiring immediate medical attention away from the scene for one or more person
- Property damage equal to or exceeding \$25,000
- Collisions involving transit revenue vehicles that require towing away from the scene for a transit roadway vehicle or other non-transit roadway vehicle
- An evacuation for life safety reasons

Non-Major Summary Incident/Event (Minor)

Less severe incidents or events that do not meet the requirements of Reportable Events listed above, such as:

- Other injuries or safety occurrences not otherwise classified
- Fires

Major Mechanical System Failures

NTD defines these as failures that limit actual vehicle movement or create safety issues, including but not limited to:

- Brakes
- Doors
- Engine cooling systems
- Steering, axles, and suspension

Minor Mechanical System Failures

Minor failures could include some other mechanical element of a revenue vehicle not caused by a collision, natural disaster, or vandalism, but, because of Radford Transit policy, prevents the revenue vehicle from completing a scheduled revenue trip or from starting the next scheduled revenue trip even though the vehicle is physically able to continue in revenue service, such as, but not limited to:

- Fareboxes
- Wheelchair lifts
- Heating, ventilation, and air conditioning (HVAC) systems

Radford Transit may elect to add additional measurable safety performance targets in the future, depending on data trends collected through its Safety Assurance and Safety Risk Management activities. The City of Radford City Manager is responsible for ensuring that Radford Transit managers are performing the SMS activities needed to collect and analyze the safety data needed to measure safety performance, and for periodically reporting on the agency's safety performance to the City Manager and City of Radford. The City Manager and key Radford Transit managers are responsible for periodically evaluating the safety performance targets and determining whether they require revision, alongside all of the other SMS processes as part of the annual PTASP review and revision process, alongside DRPT.

Working with DRPT, the City of Radford is responsible for annually providing its Safety Performance Targets to the New River Valley Metropolitan Planning Organization (MPO) to help aid in the transportation planning process. DRPT will coordinate with the City of Radford in the selection of Radford Transit's safety performance targets.

3.3 Employee Safety Reporting

Radford Transit employees can report safety issues to their immediate supervisors, the Operations Supervisor, NRVCS Transit Manager, and the City of Radford Transit Coordinator. Employees may also report safety issues by completing a walk-around card (for issues with vehicles), or placing an anonymous note in the suggestion box. Radford Transit is currently evaluating additional methods for facilitating a formal program for employee safety reporting.

3.4 Safety Policy Communication

It is the policy of Radford Transit to communicate the safety policies in this PTASP with all affected employees throughout the agency. The City of Radford Transit Coordinator is responsible for ensuring that Radford Transit safety policies are disseminated through training, formal and informal meetings, and verbal and written communication with employees.

Radford Transit safety policies will be provided to every new employee alongside printed training materials. Radford Transit managers and executive staff will have access to the complete Radford Transit PTASP both in hard copy and electronically.

Radford Transit can also communicate safety messages to employees using WhenToWork employee scheduling and payroll software, as well as through in-person interactions between the

Operations Supervisor, Maintenance Supervisor, Dispatchers, and Transit Manager with front-line employees. Radford Transit also communicates safety messages to employees via bimonthly training/safety meetings.

The City of Radford Transit Coordinator works regularly with the NRVCS Transit Manager to provide data for analysis and reporting, particularly on accident and injury trends.

3.5 Safety Accountabilities and Responsibilities

Following are detailed safety accountabilities and responsibilities for relevant Radford Transit positions. Complete position descriptions are maintained for all Radford Transit positions by the City of Radford for their Radford Transit staff and NRVCS for their staff.

City of Radford City Manager. The City of Radford City Manager leads Radford Transit and is the agency's Accountable Executive. The City Manager is responsible for overseeing the safety program and for maintaining safe working conditions and practices for all Radford Transit personnel. The City Manager is responsible for ensuring that the SMS is effectively implemented throughout the department, and for holding managers and employees accountable for fulfilling their respective safety roles and responsibilities. In accordance with 49 CFR Part 673.23(d), the City Manager has the authority and responsibility to allocate human and capital resources to address safety risks.

Overall, the City of Radford City Manager is responsible for the following specific activities:

- Ensuring Radford Transit meets the safety requirements set forth by the City of Radford
- Ensuring the development of plans, policies, and procedures throughout the organization that clearly define management and employee safety roles and responsibilities
- Ensuring Radford Transit meets or exceeds minimum local, state, and federal regulatory requirements
- Holding managers and employees accountable for safety performance
- Ensuring compliance with the safety activities described in this PTASP
- Instilling a culture of safety throughout the organization

City of Radford Transit Coordinator. The City of Radford Transit Coordinator reports to the City of Radford City Manager, and manages Radford Transit's administrative functions, including grants and funding and regulatory compliance. This individual oversees and coordinates with NRVCS for Radford Transit service delivery and maintenance.

The City of Radford Transit Coordinator will be designated by the City of Radford City Manager as the Radford Transit Chief Safety Officer. This individual is responsible for overseeing the following activities:

- Radford Transit operations and maintenance
- All safety-related Radford Transit employee training
- Accident investigation and reporting
- Reporting safety information to the National Transit Database
- Coordinating with NRVCS to provide safety data for analysis
- Coordinating with the City of Radford's claims and risk management staff
- Regular review and update of Radford Transit plans, policies, and procedures related to safety
- Periodic inspection of Radford Transit facilities and vehicles
- Liaison with local first responder agencies
- Liaison with Radford University

The City of Radford Transit Coordinator reports data for Radford Transit to the National Transit Database (NTD), including safety data. The City of Radford Community Planner also interfaces with NRVCs for the above-listed activities for the City of Radford Transit Coordinator.

The NRVCs Transit Manager oversees Radford Transit employees, including, but not limited to, the Operations Supervisor, the Dispatchers, and the Maintenance Supervisor. These individuals, in turn, oversee the Bus Drivers and the Mechanics. The NRVCs Transit Manager manages day-to-day bus operations. All Radford Transit employees are responsible for understanding their SMS responsibilities, including Safety Risk Management and Safety Assurance activities.

The NRVCs Transit Manager is also responsible for conducting training for NRVCs employees, including training pertinent to SMS and hazard awareness. This individual is also in charge of monitoring the performance of preventive and corrective maintenance of the Radford Transit fleet and ensures work is performed safely by NRVCs employees.

The Operations Supervisor is responsible for leading on-scene accident investigation activities and for completing associated investigation reports. The Operations Supervisor routinely observes Drivers to manage and enforce operating rule compliance. The Dispatchers are in direct contact with local police, fire, and emergency medical services (EMS), and the Dispatcher on duty is responsible for clear and compliant radio communications. The Operations Supervisor and Dispatcher are trained in "reasonable suspicion" in accordance with 49 CFR Part 655 and are responsible for assessing the fitness-for-duty of Drivers as they report for their shifts.

Drivers are responsible for exercising maximum care and good judgment at all times while driving Radford Transit vehicles, and for following all Radford Transit rules and procedures in the execution of their duties. Drivers must maintain and have in their possession a valid Virginia operator's license or Commercial Driver's License (CDL) as required by law at all times while operating Radford Transit vehicles. Other duties include, but are not limited to, reporting safety hazards and accidents to dispatch, and completing pre-trip inspections.

The Maintenance Supervisor is responsible for the maintenance and reliability of Radford Transit's fleet, including overseeing the Mechanics and Maintainer. Maintenance personnel are responsible for completing required safety training and for fulfilling their delegated safety and SMS responsibilities. The Maintenance Supervisor is responsible for adhering to all maintenance plans and procedures, and for completing inspections and repairs in accordance with established maintenance intervals.

All Radford Transit personnel are responsible for performing key SMS activities, including, but not limited to, immediately reporting safety hazards to the NRVCs Transit Manager or to their immediate supervisor, completing all training required for the safety performance of their duties, and for performing their duties in a safe manner.

3.6 Safety Meetings

NRVCs holds safety/training meetings on bi-monthly basis, as well as weekly maintenance meetings. The City of Radford Transit Coordinator, the City of Radford Community Developer, and the NRVCs Transit Manager meet monthly to discuss Radford Transit issues, including safety. Training/safety meetings are a forum in which front-line employees can report safety concerns.

In addition to the safety meetings described above, Radford Transit personnel interface with the Operations Supervisor, Dispatchers, and Maintenance Supervisor in the course of executing their duties, during which safety issues are also discussed as appropriate.

The City of Radford Transit Coordinator, NRVCS, and Radford University meet monthly, and safety issues are discussed in this meeting as appropriate.

3.7 Documentation and Recordkeeping

Radford Transit safety is governed by this PTASP as well as referenced standalone documents. This includes **The NRVCS Transportation Employee Handbook**. This document includes a series of detailed policies, procedures and requirements for NRVCS Transit Drivers, including those operating for Radford Transit. Some of these are referenced in this PTASP, while others may be repeated in the PTASP. The Transit Manager is responsible for representing Radford Transit specifics when working with NRVCS to update the NRVCS Transportation Employee Handbook.

Radford Transit records developed and maintained by the agency to document the SMS and to measure its effectiveness are described in the Safety Risk Management and Safety Assurance sections below, and generally include accident reports, pre-trip inspections, drug and alcohol testing program records, training records, and maintenance work orders. Radford Transit must comply with the **City of Radford Records Management Policy**. The City of Radford Transit Coordinator is responsible for the maintenance of all documents and records developed in the implementation of the SMS. At a minimum, Radford Transit retains all records related to the implementation of the SMS for a minimum of three years. All such documentation will be made available upon request to the FTA, DRPT, or any other entities having jurisdiction.

4. SAFETY RISK MANAGEMENT

This section of the PTASP establishes formal processes for the identification, analysis, and mitigation of safety hazards. Safety hazards are any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, vehicles, or infrastructure of a public transportation system; or damage to the environment.

4.1 Hazard Identification

Radford Transit managers and front-line employees identify safety hazards using a variety of methods, including but not necessarily limited to:

- Transit Driver reports to Operations Supervisor or Dispatcher, and/or the Transit Manager
- Near miss reporting by Transit Drivers
- Formal and informal safety meetings
- Informal discussions with Operations Supervisor, Dispatcher, Maintenance Supervisor, or Transit Manager
- Operator pre-trip inspections, reported via walk-around cards
- Mechanic reports to the Maintenance Supervisor
- Reports via facility tickets
- Customer service complaints

The City of Radford Transit Coordinator, City of Radford Community Developer, NRVCS Transit Manager, Operations Supervisor, and Maintenance Supervisor are responsible for regularly monitoring these sources of hazard data to determine whether safety hazards require further action or analysis. The NRVCS Transit Manager will be responsible for working with the department managers and regularly monitoring each of the above sources of safety data and for systematically tracking them in a database.

As appropriate, Radford Transit will incorporate any relevant safety data provided by local, state, and federal oversight and regulatory bodies into the safety risk management process.

4.2 Hazard Analysis and Evaluation

Radford Transit analyzes and evaluates potential safety hazards identified through the above-listed information sources using a variety of methods:

- During NRVCS staff/safety meetings, managers and employees have the opportunity to discuss and review safety hazards.
- The City of Radford Transit Coordinator will be responsible for continually monitoring the sources of safety data under his/her authority and responsibility, and for using the principles of Safety Risk Management to help evaluate and prioritize the mitigation of those safety hazards.
- The City of Radford Transit Coordinator will be responsible for compiling reports on safety performance, including accidents and incidents, and for disseminating information on safety hazards to the City of Radford City Council.
- The City of Radford Transit Coordinator is responsible for working closely with NRVCS managers to review and evaluate potential safety hazards in accordance with Safety Risk Management principles.

Radford Transit is committed to the analysis and evaluation of hazards for the purpose of prioritizing the management and mitigation of safety risk. Radford Transit management is responsible for receiving and evaluating hazards based on severity and probability through a formal hazard analysis process. Radford Transit will use a hazard assessment process based off of Military Standard 882E to evaluate identified hazards as described in the DRPT PTASP section 3.1: Safety Risk Management Processes. See more detail on the process for rating hazards for all small transit providers covered by the DRPT PTASP in section 3.1 of the Statewide PTASP introduction.

The City of Radford Transit Coordinator is responsible for ensuring the review of all unacceptable hazards the Transit Coordinator and NRVCS managers, including the Transit Manager. Through both the safety meetings and informal leadership meetings, Radford Transit management is responsible for overseeing the development and implementation of mitigations for such unacceptable hazards. Radford Transit management has the discretion to prioritize hazards of a lower risk level and determine whether mitigation is needed. All such decisions are documented in meeting minutes, tracking logs, or other means deemed appropriate by Radford Transit managers. All such documentation must be preserved for posterity for a minimum of three years in accordance with City of Radford and NRVCS requirements for SMS-related documentation.

4.3 Safety Risk Mitigations

Radford Transit's safety risk mitigation strategies include the development of corrective or preventive actions to help reduce the likelihood that safety hazards will reappear in the future. The City of Radford Transit Coordinator and NRVCS Transit Manager will be responsible for working together to develop and implement such mitigations. Radford Transit management is responsible for obtaining relevant input and feedback from the Operations Supervisor, Dispatchers, Maintenance Supervisors, Transit Drivers, Mechanics and Maintainer, and other outside experts as necessary in the creation of mitigations. The primary forum for the formal discussion and documentation of such mitigations will be monthly meetings between the City of Radford Transit Coordinator and NRVCS Transit Manager.

4.4 Hazard Tracking and Recordkeeping

The City of Radford Transit Coordinator will be ultimately responsible for the documentation, tracking, and monitoring of safety hazards and any associated mitigations or corrective actions. The primary tracking mechanism for hazards and their associated mitigations will be a database that serves as a central repository of information that captures, at a minimum, the following information:

- Date of identification or discovery of the safety hazard
- Source of the information
- Brief description of the hazard
- Potential Consequence
- Description of any associated mitigations or corrective actions to address the hazard
- Person(s) responsible for implementation of the mitigation
- Current status

This database will also capture information related to mitigations developed to address the results of event investigations, inspections, and audits. The City of Radford Transit Coordinator is ultimately responsible for the regular, ongoing maintenance and update of this spreadsheet. A sample Risk Register for tracking hazards has been included in the DRPT PTASP section 3.2: Safety Risk Register.

Radford Transit management, typically through coordination between the NRVCS Transit Manager, is responsible for regularly reviewing and evaluating the safety mitigations to determine their effectiveness, and to consider alternative approaches as needed.

5. SAFETY ASSURANCE

5.1 Safety Performance Monitoring

Radford Transit uses a variety of formal and informal processes to monitor and measure safety performance, both proactively and reactively. The City of Radford Transit Coordinator and NRVCS Transit Manager regularly monitor safety performance through monthly, investigations, and frequent, ongoing conversations with supervisory and front-line employees. The NRVCS Transit Manager, Operations Supervisor, Dispatchers, and Maintenance Supervisor are responsible for regularly reviewing and monitoring safety-related information that is produced by respective groups employees under their purview. As described in the Safety Risk Management section above, the NRVCS Transit Manager, Operations Supervisor, Dispatchers, and Maintenance Supervisor are responsible for reviewing safety-related data for potential safety hazards, and for evaluating those hazards to determine whether mitigation is needed. These individuals are also responsible for communicating information regarding safety performance with the City of Radford Transit Coordinator, who in turn is responsible for communicating this information to the Accountable Executive through meetings and reports.

5.1.1 Operations

The NRVCS Transit Manager, working closely with the Operations Supervisor, is responsible for facilitating the continuous evaluation and observation of Transit Driver safety performance and rule compliance. This includes annual ride-alongs, quarterly reviews, and follow-behind observations. Any such observations are documented. The City of Radford Transit Coordinator will also ride buses to observe operations. The NRVCS Transit Manager is responsible for determining what follow up is needed with individual employees. This includes retraining, as well as observing patterns or trends suggesting more systemic safety issues. In such cases, the

NRVCS Transit Manager or their designee is responsible for evaluating potential alternative mitigations, such as training or re-training, review or update of policies, procedures, or training programs, or addressing physical or operational issues that may be the responsibility of entities outside of Radford Transit, such as the City of Radford City Manager, the City of Radford Public Works Department, the Radford City Police Department, the Town of Christiansburg, the Town of Blacksburg, or Pulaski County.

The NRVCS Transportation Employee Handbook details Transit Drivers' roles and responsibilities, including those safety-related. The Transportation Employee Handbook also details operating rules and procedures.

Operators are responsible for completing walk-around cards to document vehicle defects before beginning their routes, as well as after the vehicle leaves revenue service for the day, and for providing the completed forms to maintenance staff.

5.1.2 Maintenance

The Maintenance Supervisor is responsible for the overall maintenance of Radford Transit vehicles. As stated in Section 2 of the NRVCS Maintenance Plan, Radford Transit vehicles have preventive maintenance (PM) inspections performed in accordance with manufacturer-specified PM schedules and procedures. Facility maintenance issues are tracked on facility tickets that are submitted to the owner of the Radford Transit facility (2-B Corporate Drive in Radford).

5.2 Other Safety Performance Monitoring Activities and Data Collection

Radford Transit administers a United States Department of Transportation (USDOT)-compliant drug and alcohol testing program. The NRVCS Transit Manager or their designee is responsible for the administration of the program, including working with NRVCS's collection vendor to facilitate all types of testing, including pre-employment, random, post-accident, return-to-duty, and follow-up testing. The NRVCS Transit Manager or their designee is responsible for the administration of required drug and alcohol awareness training to covered employees, as well as training in reasonable suspicion to supervisors and affected managers. The Radford Police Department administers a breathalyzer test to Transit Drivers immediately upon all accidents that occur in the City of Radford. Radford Transit's drug and alcohol testing program is described in detail in the NRVCS Drug and Alcohol Testing Policy.

The City of Radford Community Developer is responsible for reporting safety events, as required, to the National Transit Database, in consultation with Radford Transit managers. The City of Radford Transit Coordinator, or their designee, is responsible for the remaining NTD reporting not related to safety, such as ridership and fare collection data. The City of Radford Transit Coordinator oversees NRVCS's issuance of reports on Radford Transit employee injuries and accidents.

5.3 Process Evaluation

The City of Radford Transit Coordinator is responsible for working with the NRVCS Transit Manager or their designees to ensure that they are regularly evaluating safety performance and the effectiveness of the safety mitigations described above in the Safety Risk Management section. The managers are responsible for evaluating alternative mitigations or approaches in the event that they determine a given mitigation to be ineffective.

The City of Radford Transit Coordinator is also responsible for regularly monitoring the effectiveness of Radford Transit employee safety reporting. These activities include regular coordination with NRVCS management. This includes, but is not necessarily limited to, the effective and candid reporting of safety concerns to supervision, management, and discussion during monthly meetings between the City of Radford Transit Coordinator and the NRVCS Transit

Manager. The NRVCS Transit Manager will, as needed, work with management to evaluate any needed changes to the employee safety reporting process.

5.4 Event Investigations

Radford Transit investigates safety events, including accidents, incidents, and occurrences, as Operations Supervisors respond to them. Operations Supervisors typically determine the preventability of accidents at the scene of the event; remedial actions, if any, are determined by the NRVCS Transit Manager and informally monitored. Accident reports are submitted as appropriate to the City of Radford's insurance carrier.

The Operations Supervisor is primarily responsible for responding to and investigating of safety events, and for performing accident investigation activities. The Maintenance Supervisor or their designee is responsible for evaluating the condition of vehicle maintenance and damage during investigations.

The NRVCS Transit Manager will be responsible for logging all safety events into a database and produces accident investigation reports. The NRVCS Transit Manager is responsible for distributing accident investigation reports as appropriate, including to the City of Radford Transit Coordinator.

6. SAFETY PROMOTION

6.1 Safety Communication

As discussed earlier in the *Safety Policy Communication* section, Radford Transit will use a variety of methods to communicate safety information to ensure that all employees are aware of the Safety Management Policy, as well as the processes, activities, and tools that are relevant to their responsibilities. The agency's safety policies and other information related to employee safety and SMS responsibilities will be provided to each Radford Transit employee as part of new employee orientation. This PTASP and referenced plans, policies, and procedures are available to all affected employees with digitally or in hard copy.

Individual managers, or their designees, are responsible for posting safety-related bulletins and other messages in areas visible to frontline operations and maintenance employees, such as on bulletin boards at the Radford Transit facility (2-B Corporate Drive in Radford). If necessary, management will ensure that safety-related materials are directly distributed to individual employees. Management may require employees to acknowledge, in writing, their receipt and understanding of safety-related information.

Radford Transit front-line employees and managers discuss hazards and safety performance information through formal and informal meetings, including the bi-weekly safety/training meeting. Management uses the safety meetings to discuss hazard and safety risk information relevant to employees' responsibilities, and to explain why safety actions have been taken, or why safety procedures may have been introduced or changed, in response to reports received through employee safety reporting.

6.1.1 Competencies and Training

Radford Transit has a formal process in place to ensure that employees receive the appropriate competencies and training to safely perform their duties. Radford Transit, through NRVCS, uses a combination of in-house and vendor-created training materials. The NRVCS Transit Manager is responsible for providing safety-related training to all Radford Transit employees, and for working with outside vendors, as needed, to provide topic-specific training as-needed. For example, NRVCS provides annual refresher training to Radford Transit employees from materials developed by the Transit and Paratransit Company (TAPTCO).

All Operators are trained on vehicle operation using materials developed mostly by TAPTCO. Training consists of classroom time with the NRVCS trainer, CDL training and examination, and on-the-road training with a line instructor, who is a senior Transit Driver. New Radford Transit are trained on:

- Bloodborne pathogens
- Drugs in the workplace
- Fire safety
- Information security
- Suicide prevention
- Driving policy
- Personnel policy
- Health and safety
- OSHA exposure control
- Social media policy
- Sexual harassment

- Workplace violence
- HIPAA
- Corporate compliance
- Active shooter
- Human rights
- Incident reporting
- Infections control & prevention

The Maintenance Supervisor is responsible for ensuring that maintenance employees are sufficiently trained and competent to perform their job duties in a safe manner.

6.1.2 Training Program Evaluation

The City of Radford Transit Coordinator, in coordination with the NRVCS General Manager, will be responsible for periodically analyzing all employee training programs to determine whether changes or updates are necessary. The NRVCS Transit Manager will be responsible for documenting these reviews and reporting to the City of Radford, at least annually, on any proposed changes or updates. These analyses are intended to ensure that the agency has identified and provided all necessary skills and competencies related to the safe performance of Radford Transit job functions. Changes or updates could include, but are not limited to:

- New training techniques or technology
- Changes based on the results of accident investigations
- Changes based on identified safety hazards or deficiencies
- Changes based on local, state, or federal regulations or guidance

Organization Chart

