

# AGENDA

MONDAY, FEBRUARY 22, 2010

6:00 P.M.

## ORDER OF BUSINESS

Invocation

Pledge of Allegiance

Roll Call

Chamber Emergency Evacuation Plan Announcement

Awards and Presentations

**(Applause permitted during this portion of the meeting only)**

Action on Appointments and Reappointments

Agenda Review and Amendments

Action Items

Regular Agenda and Motions

Citizen Comment

Consent Agenda

Approval of Minutes of Previous Meeting(s)

Reports/Announcements

Members of Council

The President

Introduction of New Ordinances and Resolutions

Adjournment

The Public is invited and encouraged to attend and participate in the City Council meetings which are held on the **second and fourth Monday of each month**. A summary of the guidelines for citizen participation is listed on the reverse side of this page.

# THE COUNCIL OF THE CITY OF RICHMOND

## WELCOMES YOUR INPUT AND PARTICIPATION . . .

The City Council is the City of Richmond's local legislative body and is composed of one Council representative elected from each of nine districts. Council members are elected to serve a two year term of office. The Council elects one of its own to serve as the President and presiding officer for a two year term.

### Time and Place of Meetings

The City Council meets in **informal work session at 3:00 PM** and in **formal session at 6:00 PM**, on the second and fourth Monday of each month, in the City Hall 2nd Floor Council Chamber, located at 900 East Broad Street. **All meetings of the Council are open to the public.**

### Consent Agenda

Items listed on the Consent Agenda are considered routine and non-controversial. The consent agenda provides a method for the expeditious handling of items that do not require discussion and will be approved unanimously by a single roll-call vote of Council. **The public may speak to any item on the Consent Agenda when the public comment period is announced by the President. Any person speaking to one or more items on the Consent Agenda will be allotted a total of three minutes.**

### Citizen Comment Period

The Citizen Comment Period is an opportunity for citizens to address Council concerning the services, policies, and affairs of the City and to discuss issues not on the agenda for the business meeting. However, you must schedule your appearance with the Office of the City Clerk no later than 12:00 noon on the date of the meeting. **Each speaker will be allotted three (3) minutes to make their comments.**

An individual may appear before Council during the Citizen Comment Period no more than four (4) times per year and no more than once within a three-month period.

### Guidelines for Citizen Participation \*

The maximum time allotted to persons speaking to any matter under consideration by the Council **shall not exceed thirty (30) minutes for the proponents and thirty minutes (30) for the opposition.**

Speakers should state their **full legal name**, any organization(s) they represent and any economic or professional relationship(s) that would benefit by the adoption of the paper(s) they are addressing.

Speakers will not be permitted to address or question the Chief Administrative Officer, the City Attorney, the City Clerk, or any staff member directly.

Questions should be directed to the President, who may at his discretion, solicit a response.

Applause is permitted during the Awards and Presentations Period only.

Persons speaking to Agenda items shall be limited to **three (3) minutes**; however, no individual from the public may speak for more than **ten (10) minutes total during the business meeting.**

Citizens may express their views in writing in lieu of an oral presentation.

**Reasonable accommodations will be made to disabled citizens. Citizens are encouraged to contact the City Clerk's Office at 804-646-7955 for a "Request for Reasonable Accommodation" form which must be completed to receive assistance.**

\* The full text of the **Council's Rules of Procedure** is available on the City's website at [www.richmondgov.com](http://www.richmondgov.com) or in the Office of the City Clerk located in City Hall, 900 East Broad Street, Suite 200.

# **THE CONSENT AGENDA**

Items listed on the Consent Agenda are considered routine and non-controversial. The consent agenda provides a method for the expeditious handling of items that do not require discussion and will be approved unanimously by a single roll-call vote of the Council. However, the public may speak to any item, on the Consent Agenda when the public comment period is announced by the President.

1. **Ord. No. 2009-219** (Patron: President Graziano) - To amend the Code \*\*\*\* concerning the Affordable Housing Trust Fund, for the purpose of stating that the programs funded by the Fund apply to moderate income households as well as low income households and requiring the Affordable Housing Trust Fund Oversight Board to prioritize grants, loans and assistance to benefit census tracts where the most recent census data shows a density of poverty level below 20 percent.
2. **Ord. No. 2009-240** (Patron: Mayor Jones, By Request) - To amend and reordain Ord. No. 75-275-254 \*\*\* as previously amended by Ord. No. 87-307-88-57 \*\*\* which authorized medical and non-medical office use of the property known as 118 Libbie Avenue, to authorize a free standing sign \*\*\*.
3. **Ord. No. 2010-11** (Patron: Mr. Tyler) - To amend \*\*\* the Code \*\*\* for the purpose of prohibiting the appointment or employment of a person convicted of a felony or any crime involving moral turpitude as a sworn firefighter. **(Recommendation from Public Safety to Continue)**
4. **Ord. No. 2010-17** (Patron: Mayor Jones) - To amend \*\*\* the City Code, concerning Short-Term Rental Taxes, for the purpose of conforming the article to the provisions of Va. Code ch. 35, art. 3.1. **(WITHDRAWN)**
5. **Ord. No. 2010-18** (Patron: Mayor Jones, By Request) - To amend \*\*\* the City Code \*\*\* for the purpose of establishing a new R-8 Urban Residential District zoning classification.
6. **Ord. No. 2010-19** (Patron: Mayor Jones, By Request) - To amend \*\*\* the City Code \*\*\* for the purpose of establishing a new B-7 Mixed-Use Business District zoning classification.

\*\*\* Denotes omission. The full text of all ordinances and resolutions are available on the City's website at [www.richmondgov.com](http://www.richmondgov.com), by clicking on the "City Clerk link", then on Ordinances and Resolutions. Copies are also available for review in the Office of the City Clerk, City Hall, 900 E. Broad Street, Suite 200 and in the City's Main Library, at 101 E. Franklin Street.

7. **Ord. No. 2010-20** (Patron: Mayor Jones, By Request) - To amend the City Code \*\*\* for the purpose of modifying the regulations of the RF-1 Riverfront District and the RF-2 Riverfront District to permit building heights to vary based on maximum permissible floors and establishment of minimum and maximum floor heights.
8. **Ord. No. 2010-21** (Patron: Mayor Jones) - To repeal \*\*\* the City Code, concerning the Department of General Services; to amend \*\*\* the City Code \*\*\* concerning the 311 Call Center, for the purpose of abolishing the Department of General Services and transferring its functions to the Department of Public Works, the Department of Information Technology, the Department of Procurement Services and the Department of Public Utilities.
9. **Ord. No. 2010-22** (Patron: Mayor Jones) - To amend the Ordinance \*\*\* adopting the General Fund Budget for Fiscal Year 2009-2010, by eliminating the Department of General Services account and transferring the amount of \$6,490,539 \*\*\* to the accounts of the Department of Public Works, the Department of Information Technology and Non-Departmental, \*\*\* and transferring its functions to the Department of Public Works, the Department of Information Technology and the Department of Public Utilities.
10. **Ord. No. 2010-23** (Patron: Mayor Jones) - To amend the pay plan \*\*\* to exclude the classification of Director of General Services from the unclassified executive service.
11. **Ord. No. 2010-24** (Patron: Mayor Jones) - To repeal \*\*\* the City Code, \*\*\* concerning the Office of Emergency Management, and to amend \*\*\* the City Code by adding \*\*\* new sections \*\*\* for the purposes of abolishing the Office of Emergency Management, transferring the functions \*\*\* to the Department of Fire and Emergency Services and providing for the appointment of a City officer or employee as Deputy Director of Emergency Management.
12. **Ord. No. 2010-25** (Patron: Mayor Jones) - To amend the Ordinance \*\*\* adopting the General Fund Budget for Fiscal Year 2009-2010, by eliminating the Office of Emergency Management account and transferring the amount of \$395,000 \*\*\* to the account of the Department of Fire and Emergency Services for the purpose of abolishing the Office of Emergency Management and transferring its functions to the Department of Fire and Emergency Services.

13. **Ord. No. 2010-26** (Patron: Mayor Jones) - To authorize the Chief Administrative Officer to accept \$382,234 from the Virginia Department of Transportation and to appropriate the \*\*\* amount \*\*\* to the Department of Public Works' TEA-21 Safety Improvements project in the Infrastructure Construction and Maintenance category \*\*\* for the purpose of installing street lights and enhancing pedestrian pavement markings on Forest Hill Avenue between Kenmore and Cherokee Roads.
14. **Ord. No. 2010-27** (Patron: Mayor Jones) - To authorize the Chief Administrative Officer to accept \$3,264,110 from the Federal Emergency Management Agency and to appropriate the \*\*\* amount \*\*\* to the Replacement of Fire Station 17 project in the City Facility Construction and Maintenance category \*\*\* for the purpose of providing funding to replace Fire Station 17.
15. **Ord. No. 2010-28** (Patron: Mayor Jones, By Request) - To authorize the special use of \*\*\* 5724 Patterson Avenue for the purpose of waiving certain yard requirements \*\*\*.
16. **Ord. No. 2010-29** (Patron: Mayor Jones, By Request) - To authorize the special use of \*\*\* 608 Maple Avenue for the purpose of constructing an accessory building for use as a lodging unit for guests\*\*\*.
17. **Ord. No. 2010-30** (Patron: Mayor Jones, By Request) - To amend the \*\*\* Ordinance\*\*\* which authorized \*\*\* 5611 Grove Avenue for use as an interior design studio, to authorize personal service and office uses \*\*\*.
18. **Ord. No. 2010-31** (Patron: Mayor Jones, By Request) - To close, to public use and travel, an alley in the block bounded by N. Harrison St., Grove Ave., N. Linden St., and Floyd Ave. \*\*\*.
19. **Ord. No. 2010-33** (Patron: Mayor Jones) - To amend \*\*\* the City Code by adding \*\*\* a new div. 2 \*\*\* and to repeal Ord. No. 92-231-227 \*\*\* concerning the Municipal Tree Policy, for the purpose of establishing revised procedures and guidelines for the maintenance and removal of trees on City-owned property.

20. **Ord. No. 2010-34** (Patrons: Vice-President Robertson and Mr. Samuels) - To amend \*\*\* the City Code \*\*\* concerning the deadline for the submission of the budget to the City Council, to fix March 22 of each year at 3:00 p.m. as the date and time by which the Mayor shall submit the budget to the City Council \*\*\*.
21. **Ord. No. 2010-35** (Patron: Mayor Jones) - To amend \*\*\* the fees set forth in Appendix A of the City Code \*\*\* (concerning fees for the disposal of inert solid waste at the East Richmond Road Landfill) to reduce the handling fee from \$50.00 to \$15.00 per ton or portion of ton.
22. **Ord. No. 2010-36** (Patron: Mayor Jones) - To amend \*\*\* the City Code, concerning Short-Term Rental Taxes, for the purpose of conforming the article to the provisions of Va. Code ch. 35, art. 3.1.
23. **Ord. No. 2010-38** (Patron: Mayor Jones) - To authorize the Chief Administrative Officer to accept \$49,100 from the Virginia Department of Transportation and to appropriate the \*\*\* amount \*\*\* to the Department of Public Works' TEA-21 Safety Improvements project in the Infrastructure Construction and Maintenance category \*\*\* for the purpose of providing reimbursement funding for the Bells Road Interconnection of Warning Devices Project.
24. **Ord. No. 2010-39** (Patron: Mayor Jones) - To authorize the Chief Administrative Officer \*\*\* to execute a Standard Project Administration Agreement between the City of Richmond and the Virginia Department of Transportation for the development and administration of certain Revenue Sharing Program projects.
25. **Ord. No. 2010-40** (Patron: Mr. Samuels) - To authorize the Chief Administrative Officer \*\*\* to execute a Memorandum of Understanding between the City of Richmond and the Richmond Society for the Prevention of Cruelty to Animals for the purpose of continuing a working partnership to end the euthanization of healthy, homeless dogs and cats. (**Recommendation from Public Safety to Continue**)
26. **Ord. No. 2010-41** (Patron: Mayor Jones, By Request) - To change the use of a portion of Canoe Run Park, consisting of parcels located at 2211 Semmes Avenue, \*\*\* 510 West 22<sup>nd</sup> Street and \*\*\* 600A West 22<sup>nd</sup> Street, so that such City-owned real estate will be used for the construction, maintenance and operation of a new Fire Station No. 17.

27. **Ord. No. 2010-42** (Patron: Mr. Tyler) - To amend the \*\*\* City Code \*\*\* concerning the City banner display program, to allow the display of banners in Carytown and in the Museum District.
28. **Ord. No. 2010-43** (Patron: President Graziano) - To name the restored pedestrian bridge across Reedy Creek located in Forest Hill Park as “Harvey Family Bridge” in honor of the Harvey family.
29. **Res. No. 2009-R158** (Patrons: Mr. Jewell and Mr. Tyler) - To \*\*\* contract with a qualified third party auditor to conduct an audit of the health care benefits provided by the City to its employees for the purpose of identifying persons ineligible to receive health care benefits paid for by the City but nonetheless receiving benefits under the City’s health insurance policies and thereby presenting options for reduction in the cost of the health care benefits for which the City pays.
30. **Res. No. 2009-R164** (Patron: President Graziano) - To establish a policy that 25% of the increase in real estate tax revenues resulting from the expiration of partial exemptions under the City’s program for the partial exemption of rehabilitated real estate from taxation will be appropriated to the Affordable Housing Trust Fund.
31. **Res. No. 2010-R4** (Patron: Mr. Samuels) - To approve an expenditure in the amount of \$1,629.64 from the Council Districts Funds for the Second District to pay the Department of General Services for printing the Second District Newsletter.
32. **Res. No. 2010-R8** (Patron: Mr. Tyler) - To amend the Resolution \*\*\* which established a Task Force to Review the Processes and Guidelines of the Commission of Architectural Review for the purpose of extending the duration of the Task Force until July 1, 2010.
33. **Res. No. 2010-R9** (Patron: All Members of Council) - To reappoint Thomas E. Flynn, Sr. as a member of the Port of Richmond Commission \*\*\*.
34. **Res. No. 2010-R10** (Patron: All Members of Council) - To reappoint George Ray Adams as a member of the Port of Richmond Commission \*\*\*.

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35. **Res. No. 2010-R11** (Patron: All Members of Council) - To appoint Jack O. Lanier as a member of the Community Criminal Justice Board \*\*\*.
36. **Res. No. 2010-R12** (Patron: All Members of Council) - To appoint Richard Barton Campbell as a member of the Community Criminal Justice Board \*\*\*.
37. **Res. No. 2010-R13** (Patron: All Members of Council) - To appoint Robyn Lynn Diehl as a member of the Community Criminal Justice Board\*\*\*.
38. **Res. No. 2010-R14** (Patron: All Members of Council) - To appoint James A. Johnson as a member of the Advisory Board of Recreation and Parks \*\*\*.
39. **Res. No. 2010-R15** (Patron: All Members of Council) - To reappoint William M. Hutchins as a member of the City Planning Commission \*\*\*.
40. **Res. No. 2010-R16** (Patron: President Graziano, By Request) - To approve the issuance by the Economic Development Authority of the City of Richmond, Virginia of up to \$1,550,000 of its qualified non-profit revenue bonds for the renovation of The Virginia League of Planned Parenthood, Incorporated's office building \*\*\* at 201 North Hamilton Street \*\*\*.
41. **Res. No. 2010-R17** (Patrons: Ms. Newbille and President Graziano) - To reappoint Marilyn B. Olds as a member of the Board of Commissioners of the Richmond Redevelopment and Housing Authority \*\*\*.

## **THE REGULAR AGENDA**

42. **Ord. No. 2009-188** (Patron: Mr. Tyler) - To amend the Code \*\*\* concerning criteria for consideration of application for exemption by designation from taxation, to include a criterion regarding whether the organization primarily assists residents of the city, and to repeal the Code \*\*\* concerning a moratorium on the acceptance of applications for exemption by designation from taxation

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43. **Ord. No. 2009-236** (Patrons: Mr. Samuels, Mr. Tyler, Ms. Trammell, Ms. Newbille, Mr. Conner and Mr. Hilbert) - To repeal the Code \*\*\* pertaining to the regulation of loud and disturbing noise and unnecessary noise in the operation of motor vehicles, and to amend the Code \*\*\* concerning the prohibition of excessive noise, and \*\*\* exceptions to the prohibition on excessive noise. \*\*\*.

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