

AGENDA

MONDAY, MAY 24, 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 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. 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)
2. **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.
3. **Ord. No. 2010-102** (Patron: Mayor Jones) - To authorize the Chief Administrative Officer to accept *** \$92,802 from the Virginia Department of Criminal Justice Services; to transfer \$4,884 from the *** Department of Justice Services account and to appropriate the total amount *** to the Department of Justice Services *** for the purpose of funding the Day Reporting Center for youth on probation *** and the Youth Offender program for youth between the ages of 11 and 15.
4. **Ord. No. 2010-103** (Patron: Mayor Jones, By Request) - To close, to public use and travel, a portion of an alley in the block bounded by Cedar Street, Mosby Street and Princess Anne Avenue ***. **(WITHDRAWN)**
5. **Ord. No. 2010-104** (Patron: Mayor Jones, By Request) - To approve an amendment to the Master Plan *** for the purpose of changing the Land Use Plan for certain properties located in the Church Hill neighborhood ***.
6. **Ord. No. 2010-105** (Patron: Mayor Jones, By Request) - To amend the official zoning map to designate certain properties on North 25th Street *** as the North 25th Street and East Broad Street Parking Exempt Overlay District (PE-2), *** the North 25th Street and Venable Street Parking Exempt Overlay District (PE-3), *** the Jefferson Avenue Parking Exempt Overlay District (PE-4), *** the North 27th Street and East Marshall Street Parking Exempt Overlay District (PE-5) and *** as the East Marshall Street and Chimborazo Boulevard Parking Exempt Overlay District (PE-6), as provided for by *** the Code of the City of Richmond ***.

7. **Ord. No. 2010-106** (Patron: Mayor Jones, By Request) - To rezone certain properties located in the Church Hill neighborhood *** from the current zoning district classifications of the R-5 Single-Family Residential District, the R-7 Single and Two-Family Urban Residential District, the R-48 Multifamily Residential District, the R-53 Multifamily Residential District, the RMH Mobile Home District, the RO-2 Residential Office District, the B-1 Neighborhood Business District, the B-2 Community Business District, and the M-1 Light Industrial District classifications to the R-8 Urban Residential District, the R-63 Multi-Family Urban Residential District and the UB Urban Business District classifications.
8. **Ord. No. 2010-108** (Patron: Mayor Jones) - To amend *** the General Fund Budget for FY 2009-2010 *** to transfer *** \$1,600,000 from the Debt Service agency to the Non-Departmental agency *** for the purpose of funding the upcoming debt payment of the Broad Street Community Development Authority due June 1, 2010.
9. **Res. No. 2010-R7** (Patron: Mr. Jewell) - To request that the Council's Governmental Operations Standing Committee facilitate negotiations between Richmond Public Schools, the City Administration and the City Auditor of an agreement defining a scope of audit services relating to Richmond Public Schools.
10. **Res. No. 2010-R81** (Patron: Mr. Jewell) - To approve an expenditure in the amount of \$1,200 from the Council Districts Funds for the Fifth District to donate to the Carytown Merchants Association to help defray the cost of a gum cleaning machine.
11. **Res. No. 2010-R82** (Patron: President Graziano) - To approve an expenditure in the amount of \$2,000 from the Council Districts Funds for the Fourth District to donate to the Enrichmond Foundation (formerly known as the Richmond Recreation and Parks Foundation) for development of staff capacity.
12. **Res. No. 2010-R83** (Patron: All Members of Council) - To reappoint Charlie B. Woodson, Sr. as a member of the Advisory Board for the Assessment of Towing Fees and the Storage of Vehicles in the City of Richmond ***.
13. **Res. No. 2010-R84** (Patron: All Members of Council) - To reappoint Gloradine Hembrick Chouquette as a member of the Advisory Board for the Assessment of Towing Fees and the Storage of Vehicles in the City of Richmond ***.
14. **Res. No. 2010-R85** (Patron: All Members of Council) - To reappoint Graham Bryant as a member of the Advisory Board for the Assessment of Towing Fees and the Storage of Vehicles in the City of Richmond ***.

THE REGULAR AGENDA

15. **Ord. No. 2010-59** (Patron: Mr. Samuels) - To require the Chief Administrative Officer to cause the Director of Public Works to remove an American elm tree located on City-owned right-of-way in the 100 block of North Plum Street *** and to plant a suitable replacement tree in place of the removed *** tree within 45 days after the date on which this ordinance is adopted. **(Recommendation from Land Use to Continue)**
16. **Ord. No. 2010-70** (Patron: Mr. Jewell) - To make the flow of traffic one-way going west on Parkwood Avenue between its intersections with Rowland Street and Stafford Avenue.
17. **Ord. No. 2010-71** (Patron: Mayor Jones) - To adopt the General Fund Budget for the fiscal year commencing July 1, 2010 and ending June 30, 2011; to appropriate the estimated revenues for such fiscal year for the objects and purposes stated in the said budget.
18. **Ord. No. 2010-72** (Patron: Mayor Jones) - To appropriate and to provide funds for financing the school budget for the fiscal year commencing July 1, 2010 and ending June 30, 2011.
19. **Ord. No. 2010-73** (Patron: Mayor Jones) - To adopt the Special Fund Budgets for the fiscal year commencing July 1, 2010 and ending June 30, 2011; and to appropriate the estimated receipts of the Special Revenue funds for the said fiscal year.
20. **Ord. No. 2010-75** (Patron: Mayor Jones) - To accept a program of proposed Capital Improvement Projects for the fiscal year beginning July 1, 2010, and for the four fiscal years thereafter; to adopt a Capital Budget for the fiscal year beginning July 1, 2010; and to determine the means of financing the same.
21. **Ord. No. 2010-78** (Patron: Mayor Jones) - To adopt the Debt Service Fund Budget for the fiscal year commencing July 1, 2010 and ending June 30, 2011; and to appropriate the estimated expenditures from the Debt Service Fund for the said fiscal year.

*** Denotes omission. The full text of all ordinances and resolutions are available on the City's website at 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.

BUDGET PAPERS

The Public Hearing on the following Ordinances was held on Monday, April 5, 2010.
Therefore, no public comment will be permitted.

22. **Ord. No. 2010-74** (Patron: Mayor Jones) - To adopt the Internal Service Fund Budgets for the fiscal year commencing July 1, 2010 and ending June 30, 2011; and to appropriate the estimated receipts of the Internal Service Funds for the said fiscal year.
23. **Ord. No. 2010-76** (Patron: Mayor Jones) - To adopt the Department of Parks, Recreation and Community Facilities' Richmond Cemeteries Budget for the fiscal year commencing July 1, 2010 and ending June 30, 2011 and to appropriate the estimated receipts of the Richmond Cemeteries for the said fiscal year for the operation and management of the facilities.
24. **Ord. No. 2010-77** (Patron: Mayor Jones) - To amend section 12B of Article III of Ord. No. 93-117-159, adopted May 24, 1993, concerning salary supplements for the Sheriff's Office to provide the Sheriff with a salary supplement of \$14,815 and the Sheriff's Office with \$3,488,659 for salary supplements for members of the office for Fiscal Year 2010-2011.
25. **Ord. No. 2010-79** (Patron: Mayor Jones) - To cancel all authorized but unissued bonds authorized by the City of Richmond in Fiscal Year 2008-2009; to authorize the issuance of public utility revenue bonds of the City of Richmond in the maximum principal amount of \$54,162,000 to finance the cost of capital improvement projects of the gas, water and wastewater utilities and public utilities buildings and facilities, including but not limited to the stores division; to authorize the Director of Finance, with the approval of the Chief Administrative Officer, for and on behalf of the City, to sell such bonds for such capital improvement projects; to provide for the form, details and payment of such bonds; to approve the form of supplemental indenture of trust; to authorize the issuance of notes of the City in anticipation of the issuance of such bonds; and to authorize the issuance of taxable bonds, including Build America Bonds and Recovery Zone Economic Development Bonds, for the same purpose, in the same maximum principal amount and payable over the same period as such public utility revenue bonds.

26. **Ord. No. 2010-80** (Patron: Mayor Jones) - To cancel all authorized but unissued notes authorized by the City of Richmond in Fiscal Year 2007-2008, to authorize the issuance of general obligation equipment notes of the City of Richmond in the maximum principal amount of \$7,000,000 and to authorize the Director of Finance, with the approval of the Chief Administrative Officer, for and on behalf of the City, to sell equipment notes to finance the acquisition of equipment.
27. **Ord. No. 2010-81** (Patron: Mayor Jones) - To adopt the Gas Utility Budget for the fiscal year commencing July 1, 2010 and ending June 30, 2011; to appropriate the estimated receipts of the Gas Utility for the said fiscal year; and to make appropriations from the Gas Utility Renewal Fund or Operating Fund for renewing, rebuilding or extending the plant and distribution system of the Gas Utility and for the purchase of vehicles.
28. **Ord. No. 2010-82** (Patron: Mayor Jones) - To amend and reordain the fees set forth in Appendix A of the City Code for sections 106-200(2) and 106-200(3) (concerning fees for residential gas service), 106-200.1(2) (concerning fees for residential gas peaking service), 106-201(2) and 106-201(3) (concerning fees for general gas service), 106-202(2) (concerning fees for large volume general gas service), 106-203(f) and 106-204(f) (concerning fees for transportation service), 106-206(2) (concerning fees for municipal gas service), 106-208(2) (concerning fees for un-metered gas light service), 106-210(c) (concerning fees for large volume gas sales service), 106-211(c) (concerning fees for large volume, high load factor, gas sales service) and 106-212(b) (concerning fees for natural gas vehicle gas service) of the City Code, effective as of the date of rendering bills for Cycle I in July 2010, to establish revised charges for such services.
29. **Ord. No. 2010-83** (Patron: Mayor Jones) - To adopt the Water Utility Budget for the fiscal year commencing July 1, 2010 and ending June 30, 2011; to appropriate the estimated receipts of the Water Utility for the said fiscal year; and to make appropriations from the Water Utility Renewal Fund or Operating Fund for renewing, rebuilding or extending the plant and distribution system of the Water Utility and for the purchase of vehicles.
30. **Ord. No. 2010-84** (Patron: Mayor Jones) - To amend and reordain the fees set forth in Appendix A of the City Code for sections 106-282 (concerning fees for residential water service), 106-283 (concerning fees for commercial water service), 106-284.1 (concerning fees for industrial water service), 106-285 (concerning fees for municipal water service), 106-286 (concerning fees for state and federal water service), 106-415 (concerning fees for water for fire protection) and 106-503 (concerning fees for water use during conservation periods) of the City Code, effective as of the date of rendering bills for Cycle I in July 2010, to establish revised charges for such services.

31. **Ord. No. 2010-85** (Patron: Mayor Jones) - To adopt the Wastewater Utility Budget for the fiscal year commencing July 1, 2010 and ending June 30, 2011; to appropriate the estimated receipts of the Wastewater Utility for the said fiscal year; and to make appropriations from the Wastewater Utility Renewal Fund or Operating Fund for renewing, rebuilding or extending the plant and distribution system of the Wastewater Utility and for the purchase of vehicles.
32. **Ord. No. 2010-86** (Patron: Mayor Jones) - To amend and reordain the fees set forth in Appendix A of the City Code for sections 106-586 (concerning fees for residential wastewater service), 106-587 (concerning fees for commercial wastewater service), 106-588 (concerning fees for industrial wastewater service), 106-589 (concerning fees for state and federal wastewater service), 106-590 (concerning fees for municipal wastewater service and 106-721 (concerning fees for discharge of hauled materials into designated septage receiving stations by contractors) of the City Code, effective as of the date of rendering bills for Cycle I in July 2010, to establish revised charges for such services.
33. **Ord. No. 2010-87** (Patron: Mayor Jones) - To adopt the Electric Utility Budget for the fiscal year commencing July 1, 2010 and ending June 30, 2011; to appropriate the estimated receipts of the Electric Utility for the said fiscal year; and to make appropriations from the Electric Utility Renewal Fund or Operating Fund for renewing, rebuilding or extending the plant and distribution system of the Electric Utility and for the purchase of vehicles.
34. **Ord. No. 2010-88** (Patron: Mayor Jones) - To adopt the Stormwater Utility Budget for the fiscal year commencing July 1, 2010 and ending June 30, 2011; to appropriate the estimated receipts of the Stormwater Utility for the said fiscal year; and to make appropriations from the Stormwater Utility Renewal Fund or Operating Fund for renewing, rebuilding or extending the plant and distribution system of the Stormwater Utility and for the purchase of vehicles.
35. **Ord. No. 2010-89** (Patron: Mayor Jones) - To adopt the Department of Public Utilities' Stores Internal Service Fund Budgets for the fiscal year commencing July 1, 2010 and ending June 30, 2011 and to appropriate the estimated receipts of the Department of Public Utilities' Stores Internal Service Funds for the said fiscal year.
36. **Ord. No. 2010-90** (Patron: Mayor Jones) - To amend section 12A of Article III of Ord. No. 93-117-159, adopted May 24, 1993, concerning salary supplements for the Commonwealth Attorney's Office, to provide the Commonwealth Attorney with a salary supplement of \$35,710 and the Commonwealth Attorney's Office with \$640,088 for salary supplements for members of the office for Fiscal Year 2010-2011.

37. **Ord. No. 2010-91** (Patron: Mayor Jones) - To amend section 43 (Step-Based Pay System for Sworn Fire Fighters and Police Officers) of Article III of the pay plan adopted by Ordinance No. 93-117-159 on May 24, 1993, for the purpose of revising the Implementation Schedule for Sworn Fire Fighters and Police Officers and providing that salary increases and step advancements.
38. **Ord. No. 2010-92** (Patron: Mayor Jones) - To amend and reordain City Code §§ 98-36, 98-39 and 98-43, concerning the creation of the assessor of real estate, the duties of the assessor and the time of making and entering assessments, for the purpose of requiring the assessor to complete real estate assessments on a biennial basis effective until January 1, 2012; and to amend and reordain City Code §§ 98-40, 98-48, 98-49, 98-50, 98-58, 98-127, 98-128, 98-130, 98-131, 98-133, 98-134, 98-136, 98-137 and 98-266, concerning the assessment, levy, collection and partial exemption of real estate taxes, for the purpose of establishing due dates of January 14 and June 14 of each tax year for the payment of real estate taxes.

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