

AGENDA

MONDAY, JUNE 28, 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 four 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. 2010-104** (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 ***.
4. **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 ***.
5. **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.

*** 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.

6. **Ord. No. 2010-110** (Patrons: Mr. Samuels, Mr. Jewell, Ms. Newbille and President Graziano) - To amend *** the Code *** concerning definitions and dangerous and vicious dogs, and to amend *** the *** Code by adding *** a new division *** for the purpose of regulating hybrid canines in the city.
7. **Ord. No. 2010-114** (Patrons: President Graziano, Mr. Hilbert, Mr. Samuels, Mr. Tyler and Vice-President Robertson) - To amend *** the Code *** concerning partial exemption from taxation for rehabilitated structures, for the purpose of (i) requiring that applications for partial exemption be filed with the assessor, (ii) establishing a new application expiration date, the timing of the inspection for commercial or industrial real estate, and the date by which a written request for inspection must be submitted ***, (iii) removing the deadline for accepting applications *** and (iv) making minor corrections; and to amend *** Appendix A of the *** Code *** to establish an initial and subsequent application fee of \$250.00 for multifamily residential real estate containing six or more units.
8. **Ord. No. 2010-116** (Patron: Mayor Jones) - To authorize the Chief Administrative Officer to accept *** \$6,800,000 from the Virginia Resources Authority and to appropriate *** the amount *** to the Department of Public Utilities' Wastewater Utility *** for the purpose of providing additional funding for the construction of the Maury Street and Fulton Bottom Combined Sewer Separation Project and the Shockoe Crossover Separation Project.
9. **Ord. No. 2010-117** (Patron: Mayor Jones) - To authorize the Chief Administrative Officer to accept *** \$5,353,620 from the Virginia Resources Authority and to appropriate *** the amount *** to the Department of Public Utilities' Wastewater Utility *** for the purpose of financing the construction of the Orleans Combined Sewer Separation Project, the CSO 012 Solids and Floatables Control Regulator Project, the CSO 031 Oakwood Peripheral In-line Equalization Project and the Area 6-5 and Area 7-9 Sewer Rehabilitation Projects.
10. **Ord. No. 2010-118** (Patron: Mayor Jones) - To authorize the Chief Administrative Officer to accept *** \$188,760.50 from the Virginia Resources Authority and to appropriate *** the amount *** to the Department of Public Utilities' Water Utility *** for the purpose of financing the 31st Street Waterline project ***.
11. **Ord. No. 2010-119** (Patron: Mayor Jones) - To amend *** the Fiscal Year 2009-2010 Special Fund Budget by reducing estimated revenues from the Virginia Department of Public Rail and Transportation and the amount appropriated to the Department of Public Works' Main Street Station Operating account by \$11,090 to reflect a state budget revision to the Six Year Improvement Plan approved by the Commonwealth Transportation Board.

12. **Ord. No. 2010-120** (Patron: Mayor Jones) - To authorize the Chief Administrative Officer *** to execute the Amendment to the Project Agreement for Use of Commonwealth Transportation Funds – Fiscal Year 2010 between the City of Richmond and the Virginia Department of Rail and Public Transportation for the purpose of reflecting a reduction in the amount of the grant *** for the continued operation of Main Street Station by \$11,090.
13. **Ord. No. 2010-121** (Patron: Mayor Jones, By Request) - To authorize the special use of *** 1326 West Broad Street for the purpose of permitting up to three dwelling units and commercial uses consistent with the B-6 Mixed Use Business District in an existing building ***.
14. **Ord. No. 2010-122** (Patron: Mayor Jones, By Request) - To amend the Ordinances *** which authorized the special use of *** 1, 13, 15, 17, and 19 North Belmont Avenue as a restaurant *** with a maximum of 55 seats at 1 North Belmont Avenue ***.
15. **Ord. No. 2010-123** (Patron: Mayor Jones, By Request) - To amend the pay plan *** to exclude the classification of Executive Director, Richmond Retirement System from general pay range 25 in the unclassified executive service and to include such classification in general pay range 27 in the unclassified executive service.
16. **Ord. No. 2010-124** (Patron: Mayor Jones) - To authorize the Chief Administrative Officer to accept \$40,000 from the Southern Virginia Internet Crimes Against Children Task Force and to appropriate *** the amount *** to the Department of Police *** for the purpose of providing equipment, training and overtime related to investigation and prosecution of internet crimes.
17. **Ord. No. 2010-125** (Patron: Mayor Jones) - To authorize the Chief Administrative Officer to accept *** \$400,000 from the Virginia Department of Housing and Community Development and to appropriate the *** amount *** to the Department of Economic and Community Development *** for the purpose of increasing funding to acquire and rehabilitate foreclosed and abandoned properties in the Highland Park Southern Tip, Southern Barton Heights and Church Hill Central neighborhoods.
18. **Ord. No. 2010-126** (Patron: Mayor Jones) - To authorize the Chief Administrative Officer *** to accept golf facility renovations valued at \$200,000 from Virginia Commonwealth University for the purpose of enhancing First Tee facilities and future growth of the City youth golf program.

19. **Ord. No. 2010-127** (Patron: Mayor Jones) - To authorize the Chief Administrative Officer *** to execute Contract Amendment #1 for the Neighborhood Stabilization Program Grant 08-NSP-12 between the City of Richmond and the Virginia Department of Housing and Community Development for the purpose of increasing funding to acquire and rehabilitate foreclosed and abandoned properties in the Highland Park Southern Tip, Southern Barton Heights and Church Hill Central neighborhoods.
20. **Ord. No. 2010-131** (Patron: Mayor Jones, By Request) - To amend the ordinance *** which authorizes the issuance of building permits and certificates of occupancy for the construction of dwelling houses on the tract of land lying substantially on the east side of Jefferson Davis Highway and extending back to the Seaboard Air Line Railway Company's property between the property of the Virginia Electric & Power Company and the subdivision known as Southampton, for the purpose of removing certain properties located generally at the southeastern corner of the intersection of Bellemeade Road with Jefferson Davis Highway from the area regulated by a community unit plan.
21. **Ord. No. 2010-132** (Patron: Mayor Jones, By Request) - To declare that a public necessity exists and to authorize the Chief Administrative Officer *** to acquire, at a tax delinquent judicial sale, *** 1403 Oakwood Avenue and to authorize the conveyance of such property *** for the purposes of eliminating blight ***.
22. **Ord. No. 2010-133** (Patron: Mayor Jones, By Request) - To declare that a public necessity exists and to authorize the Chief Administrative Officer *** to acquire, at a tax delinquent judicial sale, *** 609 North 22nd Street and to authorize the conveyance of such property *** for the purposes of eliminating blight ***.
23. **Ord. No. 2010-134** (Patron: Mayor Jones, By Request) - To declare that a public necessity exists and to authorize the Chief Administrative Officer *** to acquire, at a tax delinquent judicial sale, *** 1407 Mechanicsville Turnpike and to authorize the conveyance of such property *** for the purposes of eliminating blight ***.
24. **Ord. No. 2010-135** (Patron: Mayor Jones, By Request) - To declare that a public necessity exists and to authorize the Chief Administrative Officer *** to acquire, at a tax delinquent judicial sale, *** 2617 and 2619 Q Street and to authorize the conveyance of such property *** for the purposes of eliminating blight ***.
25. **Ord. No. 2010-138** (Patron: Vice-President Robertson) - To amend *** the *** Code *** concerning partial exemption from taxation for rehabilitated residential and multifamily residential structures, for the purpose of extending the deadline for accepting applications *** to Sep. 30, 2010. **(Recommendation from Finance to Strike)**

26. **Ord. No. 2010-139** (Patron: Mayor Jones) - To authorize the Chief Administrative Officer *** to execute a Memorandum of Understanding and Agreement between the City, Virginia Commonwealth University and The First Tee Richmond and Chesterfield for the purpose of providing area youth and college students with better access to golf and learning facilities and educational programs.
27. **Ord. No. 2010-140** (Patron: Mayor Jones) - To amend *** Appendix A of the *** Code *** concerning fees for general gas service *** effective as of the date of rendering bills for Cycle I in July 2010, to establish revised charges for such services.
28. **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. **(Recommendation from Finance to Continue)**
29. **Res. No. 2010-R88** (Patron: Mr. Tyler) - To approve an expenditure in the amount of \$3,000 from the Council Districts Funds for the First District to provide funding to the Department of Public Works for the installation of a gate on an unimproved portion of Shadwell Road located between Kensington Avenue and Leonard Parkway.
30. **Res. No. 2010-R89** (Patron: Mayor Jones) - To approve the issuance by the Economic Development Authority of the City of Richmond *** of up to \$6,000,000 of its Recovery Zone Facility or Manufacturing Facility Revenue, *** Bonds or Notes for the construction by Cephaz Industries, Inc. of a *** recycling manufacturing facility *** at 3414 Formex Road ***.
31. **Res. No. 2010-R90** (Patron: President Graziano) - To direct the Council Chief of Staff to conduct a compensation study of the offices of the Attorney for the Commonwealth of the City of Richmond and the Sheriff of the City of Richmond, including, among other things, a comparison of the incentives and the retention rates *** in other localities *** for which the City can provide to retain personnel in the offices of those constitutional officers.
32. **Res. No. 2010-R92** (Patron: Mayor Jones) - To approve the City of Richmond Plan of Services under the Virginia Juvenile Community Crime Control Act.
33. **Res. No. 2010-R93** (Patron: All Members of Council) - To reappoint Cynthia V. Bailey as a member of the Personnel Board of the City of Richmond ***.

34. **Res. No. 2010-R94** (Patron: Mayor Jones) - To appoint Dr. Carolyn N. Graham as a member of the Richmond Behavioral Health Authority ***.
35. **Res. No. 2010-R95** (Patron: All Members of Council) - To appoint Marcellus Plummer as a member of the Richmond Behavioral Health Authority ***.
36. **Res. No. 2010-R96** (Patron: All Members of Council) - To reappoint Benjamin J. Lambert, IV as a member of the Library Board ***.
37. **Res. No. 2010-R97** (Patron: All Members of Council) - To appoint C. Scott Shufflebarger as a member of the Career and Technical Education Commission ***.
38. **Res. No. 2010-R98** (Patron: All Members of Council) - To reappoint Stacy Allen Kohn as a member of the Port of Richmond Commission ***.
39. **Res. No. 2010-R99** (Patron: All Members of Council) - To reappoint J. Stephen Lord, Jr. as a member of the Richmond Ambulance Authority ***.
40. **Res. No. 2010-R100** (Patron: All Members of Council) - To appoint Erik K. Laursen as a member of the Career and Technical Education Commission ***.
41. **Res. No. 2010-R101** (Patron: Ms. Trammell) - To approve an expenditure in the amount of \$4,200 from the Council Districts Funds for the Eighth District to donate funds to Enrichmond Foundation for Senior Day.

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.
(Recommendation from Finance to Continue)
43. **Ord. No. 2010-113** (Patrons: Mayor Jones, Mr. Samuels, Vice-President Robertson, Ms. Newbille, President Graziano, Mr. Tyler, Mr. Hilbert and Mr. Conner) - To amend *** the *** Code, concerning dance halls, nightclubs and teenage nightclubs, and to amend *** the Code *** concerning the license tax applicable to public dance halls, for the purpose of modifying the regulations governing the operation of public dance halls in the city. **(Recommendation from Public Safety to Continue)**

44. **Ord. No. 2010-115** (Patrons: Mr. Conner and President Graziano) - To amend *** the Code *** concerning bus fares, for the purpose of adding a fare for Extended Express service and increasing fares for buses operating on routes in the city.
45. **Ord. No. 2010-137** (Patron: Mayor Jones) - To amend Ord. No. 2009-76-99, *** which adopted the Fiscal Year 2009-2010 General Fund Budget, by transferring funds from various agencies and non-departmental programs, increasing revenues from the City's Risk Management Internal Services Fund by \$4,159,831, and appropriating the transferred funds and the increased revenues to various agencies and non-departmental programs; to impose conditions on an appropriation of \$1,000,000 for the Port of Richmond; and to amend Ord. No. 2009-74-89, *** which adopted the Fiscal Year 2009-2010 Internal Service Fund Budgets, by eliminating the budget for the Risk Management Internal Service Fund and by reducing the amount appropriated pursuant to such budget by \$13,446,854.

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