

AGENDA

MONDAY, JULY 26, 2010

6:00 P.M.

ORDER OF BUSINESS

Invocation

Pledge of Allegiance

Roll Call

Chamber Emergency Evacuation Plan Announcement

Action on Appointments and Reappointments

Awards and Presentations

(Applause permitted during this portion of the meeting only)

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

New Legislation

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. 2010-40** (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.
2. **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 Amend & Continue)**
3. **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 ***.
4. **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.
5. **Ord. No. 2010-141** (Patron: Mr. Tyler) -To amend *** the *** Code *** concerning the publication of certain hiring policies by the Department of Police and the Department of Fire and Emergency Services.

6. **Ord. No. 2010-142** (Patron: Mayor Jones) - To amend the *** Code *** for the purpose of allowing the granting of permits for more than three locations per block face on sidewalks surrounding and adjacent to the VCU Medical Center at 12th and Marshall Streets until December 31, 2012.
7. **Ord. No. 2010-143** (Patron: Mayor Jones) - To authorize the Chief Administrative Officer to accept *** \$232,186 from the Commonwealth of Virginia and to appropriate *** the amount*** to the Office of the Deputy Chief Administrative Officer for Human Services *** for the purpose of providing further funding for citywide health programming.
8. **Ord. No. 2010-144** (Patron: Mayor Jones) - To authorize the Chief Administrative Officer *** to execute the Fourth Amendment to Management Agreement between the City of Richmond and the Richmond Metropolitan Authority for the purpose of extending the Management Agreement for Main Street Station and its adjacent parking facilities for an additional year.
9. **Ord. No. 2010-145** (Patron: Mayor Jones, By Request) - To amend Ord. No. 2009-39-51*** which closes, to public use and travel, a portion of West Bacon Street between Hickory Street and Fendall Avenue, a portion of Fendall Avenue south of West Bacon Street, an alley north of West Bacon Street between Hickory Street and Fendall Avenue, and a portion of an alley north of Mitchell Street between Fendall Avenue and Jasper Street, *** for the purpose of granting the applicant an additional 12 months to meet the terms and conditions for the closing.
10. **Ord. No. 2010-146** (Patron: Mayor Jones) - To appropriate *** \$10,000 *** from Sister Cities International *** to the Richmond Sister Cities Commission *** for the purpose of providing funding for project management as part of the Africa Urban Poverty Alleviation Program.
11. **Ord. No. 2010-147** (Patron: Mayor Jones, By Request) - To authorize 2053 W. Broad Street, LLC to encroach upon the public right-of-way with a proposed outdoor dining area encroachment on the south line of West Broad Street between Allison Street and North Meadow Street in front of 2043 West Broad Street ***.
12. **Ord. No. 2010-148** (Patron: Mayor Jones, By Request) - To authorize 2053 W. Broad Street, LLC to encroach upon the public right-of-way with a proposed outdoor dining area encroachment on the south line of West Broad Street between Allison Street and North Meadow Street in front of 2053 West Broad Street ***.
13. **Ord. No. 2010-149** (Patron: Mayor Jones, By Request) - To authorize 2053 W. Broad Street, LLC to encroach upon the public right-of-way with a proposed outdoor dining area encroachment on the south line of West Broad Street between Allison Street and North Meadow Street in front of 2047 West Broad Street ***.

14. **Ord. No. 2010-151** (Patron: Mayor Jones, By Request) - To authorize the special use of *** 415 East Broad Rock Road for the purpose of permitting a convenience store in an existing building ***.
15. **Ord. No. 2010-152** (Patron: Mayor Jones, By Request) - To authorize the special use of *** 1300 Mactavish Avenue for the purpose of a multifamily residential use with up to 13 dwelling units ***.
16. **Ord. No. 2010-153** (Patron: Mayor Jones, By Request) - To amend *** Ord. No. 97-163-142 *** which authorized the special uses of 700-706 North 2nd Street and incorporated a parking area at 110 East Jackson Street to serve these uses, to extend the date required for obtaining building permits for renovation of the building at 704 North 2nd Street and to reestablish expired privileges at 704 North 2nd Street ***.
17. **Ord. No. 2010-155** (Patron: President Graziano, By Request) - To amend the *** Code *** concerning license taxes for fortunetellers, clairvoyants, practitioners of palmistry and phrenology, for the purpose of reducing the license taxes *** from \$3,000 to \$1,000. **(Recommendation from Finance to Continue)**
18. **Ord. No. 2010-156** (Patron: Mayor Jones) - To authorize the Chief Administrative Officer to accept *** \$79,485.41 from the Virginia Department of Emergency Management and to appropriate *** the amount *** to the Department of Fire and Emergency Services *** for the purpose of providing funding to upgrade the City's notification system.
19. **Ord. No. 2010-157** (Patron: Mayor Jones) - To authorize the Chief Administrative Officer to accept *** \$40,000 from Virginia Commonwealth University and to appropriate *** the amount *** to the Department of Public Works *** for the purpose of improving pedestrian safety around Virginia Commonwealth University's campus by rehabilitating and enhancing pavement markings ***.
20. **Ord. No. 2010-158** (Patron: Mayor Jones) - To authorize the Chief Administrative Officer *** to execute a Memorandum of Agreement between the City of Richmond and Wyeth LLC for the purpose of implementing an economic development grant to facilitate the retention of Wyeth's facility located at 1211 Sherwood Avenue.
21. **Ord. No. 2010-159** (Patron: Mayor Jones) - To authorize the Chief Administrative Officer to *** \$184,336 from the Virginia Department of Criminal Justice Services and to appropriate *** the amount *** to the Sheriff and Jail *** for the purpose of implementing the Prisoner Reentry Initiative Grant Program. **(Recommendation from Finance to Amend & Continue)**

22. **Ord. No. 2010-160** (Patron: Mayor Jones) - To authorize the Chief Administrative Officer to accept *** \$386,660 from the United States Department of Justice, Office of Justice Programs, and to appropriate ***, estimated revenue from interest on such revenues by \$3,000 and appropriate the total amount to the Department of Police by \$389,660 for the purpose of providing funding to purchase equipment, crime analysis software and technology upgrades to enhance daily operations.
23. **Ord. No. 2010-161** (Patron: Mayor Jones) - To authorize the Chief Administrative Officer to accept *** \$83,709 from the Federal Emergency Management Agency; to transfer \$20,927 in matching funds from *** Fire and Emergency Services account, Fire Administration program; and to appropriate the total amount of \$104,636 *** to the Department of Fire and Emergency Services *** for the purpose of providing *** computer equipment needed to automate inspection and enforcement processes for Fire Marshal staff in the field.
24. **Ord. No. 2010-164** (Patron: Mr. Conner) - To amend the *** Code *** to relocate the polling place for Precinct 908 from Chesterfield Square Apartments *** to The Beaufont Towers ***.
25. **Ord. No. 2010-166** (Patron: Mayor Jones) - To amend the pay plan *** to exclude certain classifications existing in the Department of Finance and the Department of Public Works from the classified service and to include certain classifications in the unclassified service, for the purpose of converting certain positions *** from classified positions into unclassified positions and creating a new classification within the Office of the Mayor.
26. **Ord. No. 2010-167** (Patron: Mayor Jones) - To authorize the Chief Administrative Officer *** to execute a Cooperation Agreement between the City of Richmond and Richmond Redevelopment and Housing Authority for the purpose of providing for the Richmond Redevelopment and Housing Authority to purchase *** 100 and 101 South Davis Avenue from the Greater Richmond Transit Company. **(Recommendation from Finance to Continue)**
27. **Ord. No. 2010-168** (Patrons: President Graziano and Vice-President Robertson, By Request) - To approve the Work Plan and Budget for *** for the provision of services in the Downtown Richmond Special Service and Assessment Districts.
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-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.
30. **Res. No. 2010-R91** (Patrons: Mr. Jewell, Mr. Tyler and Ms. Newbille) - To amend Res. No. 2007-R162-2008-29 *** which adopted City Council Expenditure and Reimbursement Guidelines governing the use of Council District Funds and Council Operations Funds, for the purpose of making revisions to the Guidelines.
31. **Res. No. 2010-R97** (Patron: All Members of Council) - To appoint C. Scott Shufflebarger as a member of the Career and Technical Education Commission ***.
32. **Res. No. 2010-R98** (Patron: All Members of Council) - To reappoint Stacy Allen Kohn as a member of the Port of Richmond Commission ***.
33. **Res. No. 2010-R111** (Patron: Vice-President Robertson) - To request the Chief Administrative Officer, prior to making any disbursement of the \$1,000,000 appropriation for the Port of Richmond *** to furnish the Council with (i) a report of the factors that have caused the need for an *** appropriation from the City's general fund ***, (ii) the City's plan to ensure recovery of any and all sums disbursed *** and (iii) all terms and conditions for disbursements *** to be prescribed by the Chief Administrative Officer, and to make quarterly status reports to the Council's Finance and Economic Development Standing Committee on the uses and outcomes of the funds *** and the progress in recovering these funds ***.
34. **Res. No. 2010-R112** (Patrons: Mr. Jewell, Mr. Tyler and President Graziano) - To approve a policy governing the release and distribution of audit reports and a communications protocol governing the City Auditor's access to certain information maintained by the City Administration.
35. **Res. No. 2010-R113** (Patron: Vice-President Robertson) - To adopt a policy not to modify the City's current real estate tax rate of \$1.20 *** except as may be required by state law until at least the tax year beginning Jan. 1, 2012 in recognition of the fact that assessments will be conducted on a biennial rather than an annual basis until Jan. 1, 2012.
36. **Res. No. 2010-R114** (Patron: Mr. Jewell) - To request the Chief Administrative Officer to provide a report within two weeks from the date of adoption of this resolution on the 2003 Regional Pursuit Policy and on proposed updates to the policy. **(Recommendation from Public Safety to Continue)**

37. **Res. No. 2010-R115** (Patron: All Members of Council) - To reappoint Terrie Elizabeth Griffin as a member of the Personnel Board of the City of Richmond ***.
38. **Res. No. 2010-R116** (Patron: President Graziano) - To approve the issuance of bonds by the Ashland Economic Development Authority for the Young Men's Christian Association of Greater Richmond in an amount not to exceed \$26,000,000 for purposes that include the refunding in whole or in part of the outstanding principal amount of the Authority's Health and Community Services Facilities Revenue Bonds *** to finance various capital improvements to various facilities, including its facilities located within the City of Richmond.
39. **Res. No. 2010-R117** (Patron: Vice-President Robertson) - To endorse the construction of a bicycle and pedestrian commuter trail of the Cannon Creek Greenway and to express the Council's desire that the *** bicycle and pedestrian trail be incorporated into the East Coast Greenway.
40. **Res. No. 2010-R118** (Patron: Mr. Hilbert) - To approve the Richmond Behavioral Health Authority's performance contract.
41. **Res. No. 2010-R119** (Patron: Mayor Jones) - To accept and approve the *** "City of Richmond Community Criminal Justice Board Biennial Plan FY2011-2012" and to request the Chief Administrative Officer *** to submit such plan to the Virginia Department of Criminal Justice Services ***.
42. **Res. No. 2010-R120** (Patron: Mayor Jones) - To consent to the Mayor's appointment of Anthony D. McLean to the position of Coordinator of Emergency Management ***.
43. **Res. No. 2010-R121** (Patron: All Members of Council) - To dispense with the regular meetings of Council during the month of August 2010.

THE REGULAR AGENDA

44. **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)
45. **Ord. No. 2010-150** (Patron: Mayor Jones, By Request) - To authorize the special use of *** 1001, 1101 and 1300 East Byrd Street for the purpose of imposing a special commercial frontage requirement on these properties ***.

46. **Ord. No. 2010-154** (Patrons: President Graziano and Mr. Conner) - To amend the *** Code *** concerning bus fares, for the purpose of providing an effective date of Aug. 1, 2010, instead of Sep. 19, 2010, for such ordinance.

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