

**CITY OF CHESAPEAKE  
CITY COUNCIL MEETING**

**AGENDA**

**June 28, 2016**

**6:30 P.M.**

**City Hall Council Chamber**

**306 Cedar Road**

**\*\* ALL PRESENTATION MATERIALS MUST BE REVIEWED BY THE CITY CLERK PRIOR TO 6:30 P.M.\*\***

**NOTE:** COPIES OF BACKUP MATERIALS FOR ALL AGENDA ITEMS, INCLUDING THE APPLICATION AND SUPPORTING MATERIALS FOR THE PLANNING PUBLIC HEARING ITEMS MAY BE VIEWED IN THE CITY CLERK'S OFFICE OR THE PLANNING DEPARTMENT AT ANY TIME DURING NORMAL BUSINESS HOURS OF 8:00 A.M. TO 5:00 P.M., MONDAY THROUGH FRIDAY.

**REMINDER: 4:30 PM Human Resources Training Room – 4<sup>th</sup> Floor**

- Topics:**
1. Position Management/Budget Transfers/Ordinances
  2. Proposed Chesapeake Transportation System (CTS) Toll Rate Adjustments
  3. Proposed Amendment to Public Utilities Rate Ordinance

**5:45 p.m. Council Member Reports**

The City Council Work Sessions and Meetings can be viewed live on WCTV- Chesapeake Television (Cox Cable channel 48 and Verizon Cable channel 43) and at [CityOfChesapeake.net](http://CityOfChesapeake.net). Council meetings, but not Work Sessions, may be heard on WFOS-88.7FM. Meetings are retelecast on WCTV-Chesapeake Television (Cox Cable Channel 48 and Verizon Cable channel 43) as well as [CityOfChesapeake.net](http://CityOfChesapeake.net) at the following times: Tuesday - Work Session at 11:30 p.m. and Meeting at 12:30 a.m.; Wednesday - Work Session at 1:00 p.m. and Meeting at 2:00 p.m. and Saturday - Work Session at 8:00 p.m. and Meeting at 9:00 p.m.

**PLEASE NOTE: Speaker Cards will not be accepted for the Council Meeting once the meeting begins.** Citizens who wish to speak may register on the date of the meeting in the City Council Chamber before 6:30 p.m. Citizens may also pre-register by calling the City Clerk's Office at 382-6151, Monday through Friday, (8:00 a.m. - 5:00 p.m.) prior to, and including the date of the Council meeting.

ALL INTERESTED PARTIES ARE INVITED TO ATTEND AND BE HEARD AT THE PUBLIC HEARING. Council meetings are telecast live on WCTV-Chesapeake Television (Cox Cable channel 48 and Verizon Cable channel 43) as well as [CityofChesapeake.net](http://CityofChesapeake.net), and heard on WFOS-88.7FM. The City of Chesapeake will attempt to make reasonable accommodations and services necessary for sensory impaired and disabled citizens. Citizens who wish to receive such accommodations must contact Mr. Tim Winslow (382-6273), within three working days prior to the meeting.

**NO FOOD OR DRINKS PERMITTED IN THE CITY COUNCIL CHAMBER  
PLEASE TURN OFF CELL PHONES WHILE IN THE CHAMBER**

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**Agenda**

**June 28, 2016**

**6:30 P.M.**

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306 Cedar Road**

1. INVOCATION
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. ROLL CALL BY CITY CLERK
4. APPROVAL OF [MINUTES](#)
5. [PRESENTATIONS](#)
  - A. SPECIAL RECOGNITION - 2016 Chesapeake Waterfront Business of the Year
  - B. SPECIAL RECOGNITION – 2016 Chesapeake Business of the Year
  - C. SPECIAL RECOGNITION – Combat Wounded Coalition
  - D. SPECIAL RECOGNITION - Chesapeake Environmental Improvement Council's Clean and Green Poster Contest Winners

6. PUBLIC HEARING

APPLICANTS', AGENTS', AND CITIZENS' COMMENTS ON NON-PLANNING PUBLIC HEARING ITEMS

COUNCIL'S CONSIDERATION OF NON-PLANNING PUBLIC HEARING ITEMS

**NON-PLANNING PUBLIC HEARING ITEMS**

- A. A [PUBLIC HEARING](#) ON A PROPOSED RESOLUTION AMENDING AND AFFIRMING AUTHORIZATION FOR ACQUISITION OF PROPERTY BY AGREEMENT OR CONDEMNATION FOR THE MULLEN ROAD CONNECTOR TO JONES LANE AS A LOCAL PROJECT INDEPENDENT OF THE DOMINION BOULEVARD IMPROVEMENTS PROJECT – DEPARTMENT OF PUBLIC WORKS
- B. A [PUBLIC HEARING](#) ON A PROPOSED AMENDMENT TO THE FY 2013-2014 CAPITAL IMPROVEMENT BUDGET TO ADD THE MULLEN ROAD CONNECTOR TO JONES LANE PROJECT AS REQUIRED BY STATE CODE – BUDGET OFFICE

- C. [RESOLUTION](#) AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE A SALES AGREEMENT AND DEED OF SPECIAL WARRANTY TO CONVEY TO THE TRUSTEES OF SOLID ROCK WORLDWIDE OUTREACH MINISTRY A CERTAIN PIECE OR PARCEL OF LAND CONTAINING APPROXIMATELY 908 SQUARE FEET, MORE OR LESS, LOCATED AT INDIAN CREEK ROAD IN THE BUTTS ROAD BOROUGH OF THE CITY OF CHESAPEAKE, VIRGINIA, KNOWN AS A PORTION OF TAX PARCEL 0970000000450

7. DOCKET

- A. CITIZENS COMMENTS ON AGENDA ITEMS ONLY
- B. CONSENT AGENDA

**City Clerk Items**

(1) [RESIGNATIONS](#)

- A. Libby Ross – Chesapeake Tourism Board
- B. Wayne Scott – Chesapeake Transportation Safety Commission
- C. Todd Grimes – Chesapeake Parks and Recreation Department

(2) [REFUND](#)

- A. STEWART, 1080 Post Oak Blvd. - \$3,019.61

(3) [ACKNOWLEDGEMENTS](#)

ACKNOWLEDGEMENT FOR REZONING APPLICATIONS: Public necessity, convenience, general welfare and good zoning practice require the following zoning reclassification requests to be heard. These requests are not a public hearing item at this time. These items will be heard by the Planning Commission on July 13, 2016 and will be considered by City Council at a future meeting:

- A. **PLN-REZ-2016-005 Hickory United Methodist Church** **APPLICANT:** Hickory United Methodist Church **AGENCY:** The Jones Firm, PLC **PROPOSAL:** A conditional zoning reclassification of 1.82± acres from R-15s, Residential District, to A-C, Assembly Center District. **PROPOSED COMP LAND USE / DENSITY:** Institution/Assembly **EXISTING COMP LAND USE / DENSITY:** Agriculture/Open Space **LOCATION:** 2708 South Battlefield Boulevard **TAX MAP SECTION/PARCEL:** 0860000000520 **BOROUGH:** Pleasant Grove
- B. **PLN-REZ-2016-006 Marlyn Development Corporation** **APPLICANT:** Marlyn Development Corporation **AGENCY:** Williams Mullen **PROPOSAL:** A conditional zoning reclassification of approximately 5.788 acres from B-2, General Business District to O&I, Office and Institutional District. **PROPOSED COMP LAND USE / DENSITY:** High Density Residential/27.6 du/acre **EXISTING COMP LAND USE / DENSITY:** Regional Mixed Use **LOCATION:** 4300 Portsmouth Boulevard, Unit 300

**TAX MAP SECTION/PARCEL:** 0106009000081 **BOROUGH:** Western Branch

- C. **PLN-REZ-2016-012 Brightleaf Commons** **APPLICANT:** Brightleaf Commons, LLC **PROPOSAL:** A conditional zoning reclassification of 11.92 acres from R-15s, Residential District and A-1, Agricultural District to R-MF-1 Multi-Family Residential District (4.03 acres) and C-1 Conservation District (7.89 acres). **PROPOSED COMP LAND USE / DENSITY:** Low Density Residential with 2.18 dwelling units per acre **EXISTING COMP LAND USE / DENSITY:** Low Density Residential with no more than 4 dwelling units per acre **LOCATION:** 1248 Kempsville Road **TAX MAP SECTION/PARCEL:** 0380000001020 **BOROUGH:** Washington

- C. REGULAR AGENDA

**City Manager Items**

- (1) A. AN **ORDINANCE** AMENDING AN ORDINANCE ADOPTED ON MAY 14, 2013, AND AS AMENDED, TO AMEND THE FY 2013-14 CAPITAL IMPROVEMENT BUDGET APPROPRIATION FOR THE DEPARTMENT OF PUBLIC WORKS BY ESTABLISHING A CAPITAL IMPROVEMENT BUDGET PROJECT KNOWN AS THE MULLEN ROAD CONNECTOR TO JONES LANE PROJECT, REMOVING SAID PROJECT FROM THE SCOPE OF THE DOMINION BOULEVARD IMPROVEMENTS PROJECT, AND APPROPRIATING \$2,000,000 FOR DESIGN, RIGHT OF WAY ACQUISITIONS, AND CONSTRUCTION OF THE PROJECT – DEPARTMENT OF PUBLIC WORKS
  - B. **RESOLUTION** AMENDING AND AFFIRMING AUTHORIZATION OF ACQUISITION OF PROPERTY IN FEE SIMPLE FOR RIGHTS OF WAY, LEASEHOLD INTERESTS, AND THE ACQUISITION OF TEMPORARY AND PERMANENT EASEMENTS EITHER BY AGREEMENT OR CONDEMNATION FOR THE MULLEN ROAD CONNECTOR TO JONES LANE AS A LOCAL PROJECT INDEPENDENT OF THE DOMINION BOULEVARD IMPROVEMENTS PROJECT – DEPARTMENT OF PUBLIC WORKS
- (2) **REQUEST** TO RECLASSIFY UP TO \$1,000,000 OF EXCESS SALARY FUNDS FOR THE SELF-INSURANCE FUND TO PAY SELF-INSURANCE COSTS - DEPARTMENT OF FINANCE
- (3) **REQUEST** TO AMEND THE CITY’S 2014/2015 (PROGRAM 40) ANNUAL ACTION PLAN TO APPROPRIATE AND REPROGRAM HOME PROGRAM INCOME FOR ELIGIBLE HOMEOWNER REHABILITATION AND THE 2015/2016 (PROGRAM YEAR 41) ANNUAL ACTION PLAN TO REPROGRAM COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR ELIGIBLE INFRASTRUCTURE IMPROVEMENTS—PLANNING DEPARTMENT

- (4) [REQUEST](#) FOR APPROVAL OF THE CITY OF CHESAPEAKE'S FY 2016/17 (PROGRAM YEAR 42) COMMUNITY DEVELOPMENT BLOCK GRANT/HOME INVESTMENT PARTNERSHIP PROGRAM FINAL STATEMENT OF OBJECTIVES/ANNUAL ACTION PLAN AND AUTHORITY TO SUBMIT THE CDBG/HOME FUNDING APPLICATION TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT – DEPARTMENT OF PLANNING
- (5) [RESOLUTION](#) REQUESTING AUTHORIZATION OF A CHARITABLE DONATION OF FIFTY THOUSAND DOLLARS (\$50,000) FROM THE HOUSING TRUST FUND TO BE DISBURSED TO FORKIDS, INC. AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH FORKIDS, INC. TO FACILITATE THE SOUTH NORFOLK TRANSITION ASSISTANCE PROGRAM – OFFICE OF THE CITY MANAGER
- (6) [REQUEST](#) FOR AMENDMENT OF THE FUNDING SOURCE IN THE AMOUNT OF \$17,582,617.71 FOR SEVERAL DEPARTMENT OF PUBLIC UTILITIES PROJECTS FROM REVEUNE BOND FUNDING TO CASH FUNDING – DEPARTMENT OF PUBLIC UTILITIES

**City Attorney Items**

- (1) AN [ORDINANCE](#) AMENDING CHAPTER 82 OF THE CHESAPEAKE CITY CODE, ENTITLED “VEHICLES FOR HIRE,” ARTICLES I AND II THEREOF, TO ELIMINATE THE REQUIREMENT FOR A SPECIAL PERMIT FOR MOTOR VEHICLES USED FOR THE TRANSPORTATION FOR HIRE OF PASSENGERS OTHER THAN TAXICABS OR FOR-HIRE AUTOMOBILES; TO ELIMINATE THE REQUIREMENT FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR TAXICABS AND FOR-HIRE AUTOMOBILES; TO ELIMINATE THE REQUIREMENT FOR A LOCAL PUBLIC VEHICLE DRIVER'S LICENSE; TO ELIMINATE CERTAIN PUBLIC VEHICLE CONDITION REQUIREMENTS; TO ELIMINATE THE REQUIREMENT THAT PUBLIC VEHICLE RECORDS BE OPEN FOR INSPECTION UPON REQUEST OF THE POLICE; AND TO PROVIDE AN EXCEPTION FROM CITY PUBLIC VEHICLE REQUIREMENTS FOR TRANSPORTATION NETWORK COMPANIES AND TNC PARTNERS, WHICH ARE REGULATED BY THE COMMONWEALTH OF VIRGINIA
- (2) AN [ORDINANCE](#) AMENDING CHAPTER 46 OF THE CHESAPEAKE CITY CODE ENTITLED “OFFENSES AND MISCELLANEOUS PROVISIONS,” SECTION 46-42 THEREOF, TO SET THE NORTHERN BOUNDARY FOR UNLAWFUL DISCHARGE OF FIREARMS, SPRING-PROPELLED RIFLES OR PISTOLS, OR AIR-PROPELLED RIFLES OR PISTOLS
- (3) [RESOLUTION](#) APPOINTING THE LAW FIRM OF SLAVEN, SNYDER & WISE FOR THE PURPOSE OF INSTITUTING PROCEEDINGS FOR THE COLLECTION OF DELINQUENT REAL ESTATE TAXES PURSUANT TO

VIRGINIA CODE SECTION 58.1-3966 AND AUTHORIZING THE CITY ATTORNEY TO EXECUTE A CONTRACT WITH SLAVEN, SNYDER & WISE FOR SAID LEGAL SERVICES

8. CITIZENS' COMMENTS ON THE SERVICES, POLICIES, AND AFFAIRS OF THE CITY (NON AGENDA SPEAKERS)
9. APPOINTMENTS TO BOARDS AND COMMISSIONS
  - A. Chesapeake Redevelopment and Housing Authority – 3 vacancies  
*(Appointment made at the June 14, 2016 City Council meeting)*
  - B. South Norfolk Revitalization Commission – 1 vacancy  
*(Appointment made at the June 14, 2016 City Council meeting)*
  - C. Airport Authority – 1 vacancy
  - D. Chesapeake Cable Television Commission – 1 vacancy
  - E. Chesapeake Commission on Health and Well Being– 1 vacancy
  - F. Chesapeake Integrated Behavioral Healthcare Board– 1 vacancy
  - G. Chesapeake OPEB Finance Board – 1 vacancy
  - H. Chesapeake Tourism Advisory Board – 1 vacancy
  - I. Chesapeake Youth Committee – 1 vacancy
  - J. Eastern Virginia Medical School – 1 vacancy
  - K. Fine Arts Commission – 5 vacancies
  - L. Mosquito Control Commission– 3 vacancies
  - M. Tidewater Community College Board– 2 vacancies
10. UNFINISHED BUSINESS
11. NEW BUSINESS
  - A. AN ORDINANCE AMENDING CHAPTER 78 OF THE CHESAPEAKE CITY CODE, ENTITLED "UTILITIES," SECTIONS 78-88(b)(1) AND (c)(1) THEREOF, TO DELAY THE EFFECTIVE DATES OF INCREASES IN UTILITY SERVICE CHARGES UNTIL JULY 1, 2017
  - B. FY 2016/2017 ANNUAL AUDIT PLAN – AUDIT SERVICES
12. CLOSED SESSION
13. ADJOURNMENT