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**CITY COUNCIL WORK SESSION**

**REVISED AGENDA**  
**Tuesday, January 14, 2020**

***4:30 CITY COUNCIL WORK SESSION – CITY HALL-10<sup>TH</sup> FLOOR CONFERENCE ROOM***

- |            |                                                                                                                                                   |                                                                                               |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>I</b>   | <b>AGENDA OVERVIEW</b>                                                                                                                            | <i>Dr. Larry H. Filer II, City Manager</i>                                                    |
| <b>II</b>  | <b>CDBG OVERVIEW</b>                                                                                                                              | <i>Gregory Patrick, Budget Director</i>                                                       |
| <b>III</b> | <b>OHIO CREEK WATERSHED PROJECT UPDATE</b>                                                                                                        | <i>Douglas Beaver, Chief Resilience Officer</i>                                               |
| <b>IV</b>  | <b>CITY/STATE FACILITY RELOCATIONS</b><br><i>Manager</i>                                                                                          | <i>Catheryn R. Whitesell, Deputy City</i>                                                     |
| <b>V</b>   | <b>PUBLIC WORKS AND UTILITIES – PROJECT COLLABORATION</b>                                                                                         | <i>Kristen Lentz, Director of Utilities</i><br><i>Richard Broad, Director of Public Works</i> |
| <b>VI</b>  | <b>CITY COUNCIL RETREAT OVERVIEW</b><br><i>Manager</i>                                                                                            | <i>Trista Pope, Sr. Assistant to the City</i>                                                 |
| <b>VII</b> | <b>CLOSED SESSION:</b> <ul style="list-style-type: none"><li>• <b>DISPOSITION OF PROPERTY</b></li><li>• <b>PUBLIC SAFETY DISCUSSION</b></li></ul> |                                                                                               |

**Supporting Documents:**

- [1-14-2020 Nonstandard Lot Certificate - 954 Pollard St](#)
- [1-14-2020 Nonstandard Lot Certificate - 7529 Diven St](#)
- [1-14-2020 Pending Land Use Actions](#)
- [1-14-2020 Minutes from City Council Meeting of Dec. 10](#)
- [Announcement of Meeting](#)

NORFOLK, VIRGINIA

DOCKET FOR THE COUNCIL

TUESDAY, JANUARY 14, 2020 – 7:00 P.M.

Prayer to be offered by Councilman Paul R. Riddick, followed by the Pledge of Allegiance.

INVITATION TO BID

IB-1                    **INVITATION TO BID** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk to receive proposals for Non-Exclusive Franchise Agreement to use and occupy the City's Streets and Public Rights-of-Way for the purpose of constructing, installing, and maintaining network facilities for Telecommunications Services within and through the City.

PUBLIC HEARINGS

PH-1                    **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **BRINSHORE DEVELOPMENT**, for a rezoning from C-R (Regional Commercial) to D-SP (Downtown – Saint Pauls) and for a Conditional Use Permit to allow more than 24 dwelling units on property located at **450 Posey Lane**.

**(This matter will be continued to January 28, 2020)**

PH-2                    **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of the **CITY PLANNING COMMISSION**, for a text amendment to the *Norfolk Zoning Ordinance* to revise and remove inconsistent definitions and fix clerical errors in Section 3.9.6.B, "Definitions"; Section 3.9.7.G, "Definitions"; Section 5.7.3, "Definition of Terms", and Section 8.3.2 "Terms Defined".

PH-3                    **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments approving a **Nonexclusive Telecommunications Franchise Agreement with PEG Bandwidth VA, LLC**.

PH-4                    **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments authorizing the vacation of two Utility Easements in the closed portion of **Woodis Avenue**.

PH-5                    **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments approving a Lease Agreement with **SBA 2012 TC Assets, LLC**, for a parcel of land at **1311 Bayville Street**.

PH-6                    **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments approving a Lease Agreement with **Verizon Virginia, LLC** for a parcel of land at **Fairlawn Elementary School/Recreation Center**.

CONSENT AGENDA

ALL MATTERS LISTED UNDER THE CONSENT AGENDA WILL BE ENACTED BY ONE MOTION IN THE FORM LISTED. IF DISCUSSION IS DESIRED ON ANY ITEM, IT WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

C-1                    Letter from the City Manager and an Ordinance entitled, an Ordinance granting **Conditional Use Permits** to authorize the operation of a Commercial Recreation Center operating after midnight with live entertainment named “416 Aphrodite” on property located at **200 East Plume Street**.

C-2                    Letter from the City Manager and an Ordinance entitled, An Ordinance granting **Conditional Use Permits** to authorize the operation of a banquet hall named “Neon House” on property located at **819 Granby Street**.

C-3                    Letter from the City Manager and an Ordinance entitled, An Ordinance granting a **Conditional Use Permit** to authorize the sale of alcoholic beverages for off-premises consumption at an establishment named “Droofin, Inc.” on property located at **2550 Ellsmere Avenue, Suite E**.

- C-4 Letter from the City Manager and an Ordinance entitled, An Ordinance amending the FY2020 Annual Appropriations Ordinance (No. 47,636) **SO AS TO** accept, appropriate and authorize the expenditure of Grant Funds up to the sum of \$7,730.00 from the **United States Department of Homeland Security Federal Emergency Management Agency**, through the Commonwealth Department of Emergency Management for the purchase of Hazardous Materials Team Equipment.
- C-5 Letter from the City Manager and an Ordinance entitled, An Ordinance amending the FY2020 Annual Appropriations Ordinance (No. 47,636) **SO AS TO** accept, appropriate and authorize the expenditure of Grant Funds up to the sum of \$293,600.00 from the **Department of Conservation and Recreation** for the design and construction of a Trailhead at the east end of the Elizabeth River at Park Avenue and Claiborne Avenue and authorizing the expenditure of previously-appropriated local matching funds from the Elizabeth River Trail Foundation in the amount of \$75,000.00.
- C-6 Letter from the City Manager and an Ordinance entitled, An Ordinance amending the FY2020 Annual Appropriations Ordinance (No. 47,636) **SO AS TO** accept, appropriate and authorize the expenditure of Grant Funds up to the sum of \$77,467.00 from the **Virginia Department of Criminal Justice Services** for the Camp Hope Youth Engagement Program for Victims of Domestic Violence for the Norfolk Sheriff's Office.
- C-7 Letter from the City Manager and an Ordinance entitled, An Ordinance amending the FY2020 Annual Appropriations Ordinance (No. 47,636) **SO AS TO** accept, appropriate and authorize the expenditure of Grant Funds up to the sum of \$152,895.00 from the **Department of Behavioral Health and Developmental Services for the Norfolk Community Services Board** to implement the Outpatient Services component of the Department of Behavioral Health and Developmental Services' Initiative of Mental Health System Transformation, Excellence and Performance in Virginia (MH-STEP-VA).
- C-8 Letter from the City Manager and an Ordinance entitled, An Ordinance amending the FY2020 Annual Appropriations Ordinance (No. 47,636) **SO AS TO** accept, appropriate and authorize the expenditure of Grant Funds up to the sum of \$50,000.00 from the **Virginia Department of Behavioral Health and Developmental Services for the Norfolk Community Services Board** to implement the Effective Research Based Prevention Strategies to Address Opioid Misuse.

- C-9 Letter from the City Manager and an Ordinance entitled, An Ordinance amending the FY2020 Annual Appropriations Ordinance (No. 47,636) **SO AS TO** accept, appropriate and authorize the expenditure of Grant Funds up to the sum of \$1,330,745.45 from the **U.S. Department of Homeland Security Assistance to Firefighters Grant Fund**, and previously-appropriated local matching funds in the amount of \$133,074.55 for the Purchase of Cardiac Monitors for Norfolk Fire-Rescue.
- C-10 Letter from the City Manager and an Ordinance entitled, An Ordinance amending the FY2020 Annual Appropriations Ordinance (No. 47,636) **SO AS TO** accept, appropriate and authorize the expenditure of Grant Funds up to the sum of \$147,800.00 from **the Virginia Department of Criminal Justice Services for the Byrne Justice Assistance Grant (JAG) Program** to purchase Police Forensic Technology Equipment.
- C-11 Letter from the City Manager and an Ordinance entitled, An Ordinance amending the FY2020 Annual Appropriations Ordinance (No. 47,636) **SO AS TO** accept, appropriate and authorize the expenditure of Grant Funds up to the sum of \$1,235,825.00 from the **Virginia Department of Criminal Justice Services for the Norfolk Criminal Justice Services (NCJS) Agency** from the Comprehensive Community Corrections Act Grant.

#### REGULAR AGENDA

- R-1 **MATTER OF A PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk to accept the bid for a **Lease** on the premises known as **204 East Main Street**, which consist of approximately 2,875 square feet, for a term of not less than 5 years with an option to renew for an additional 5 years.  
**(PASSED BY AT THE DECEMBER 10, 2019 MEETING)**

R-2

Letter from the City Manager and an Ordinance entitled, “An Ordinance to amend and reordain the City’s Operating Budget for Fiscal Year 2020 to add \$358,184 to the Budget, and to amend and reordain Section 1 of Ordinance No. 47,636 (Operating Budget Ordinance for Fiscal Year 2020) and Section 1 of Ordinance No. 47,742, **SO AS TO** appropriate and authorize the expenditure of **St. Paul’s Area Transformation Designated Funds** from the General Fund Balance for Administration of St. Paul’s Area Transformation,” will be introduced in writing and read by its title.

R-3

**MATTER OF A PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk to accept bids for a **Long Term Garage Parking Agreement**, with a term of twenty (20) years, for the **Lease** of eighty-one (81) parking spaces in the **Commercial Place Garage** located at **520 E. Main Street**, one hundred eighteen (118) parking spaces in the **Fountain Park Garage** located at **130 Bank Street**, ninety-one (91) parking spaces in the **Waterside Garage** located at **50 Martins Lane**, and eighty-nine (89) parking spaces in the **Bank Street** garage located at **441 Bank Street** in the City of Norfolk, Virginia.

**(PASSED BY AT THE DECEMBER 10, 2019 MEETING)**

## **NEW BUSINESS**

January 14, 2020

The Honorable Ralph Northam  
The Honorable Justin Fairfax  
The Honorable Mark Herring  
Members of the Virginia General Assembly

RE: Second Amendment Sanctuary City

Members of the Norfolk City Council have been presented with a petition requesting the City of Norfolk to adopt a resolution declaring Norfolk a "Second Amendment Sanctuary City." It is enclosed along with correspondence and formal remarks provided by citizens regarding this matter.

Upon taking office in accordance with Section 49.1 of the Code of Virginia, members of City Council swear an oath to:

- support the Constitution of the United States (this includes the 2<sup>nd</sup> Amendment)
- support the Virginia Constitution of 1971
- faithfully and impartially discharge all the duties incumbent upon us

**Neither the US Constitution or Virginia's constitution provides municipalities with the legal means to choose not to uphold the laws of the United States and the Commonwealth of Virginia.**

Norfolk City Council members respect their role and hope that you will find the enclosed documents helpful as you deliberate this issue during the 2020 Session of the General Assembly.

Please do not hesitate to contact us if you have any questions or concerns.

Best,

Richard A. Bull  
City Clerk

Enclosures