



CITY COUNCIL

AGENDA

Tuesday, June 11, 2019

4:30 WORKSESSION - CITY HALL-10TH FLOOR CONFERENCE ROOM

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| I. AGENDA OVERVIEW | <i>Douglas L. Smith, City Manager</i> |
| II. NORFOLK POLICE DEPARTMENT –
2018 OVERVIEW | <i>Larry D. Boone, Chief of Police</i> |
| III. SUMMER YOUTH PROGRAMS | <i>James A. Mickle, Division Head, Recreation, Parks, Open Space</i> |
| IV. HURRICANE PREPAREDNESS | <i>James A. Redick, Director, Emergency Operations Center</i> |
| V. ACQUISITION OF POST OFFICE PROPERTY –
600 CHURCH STREET | <i>Susan Perry, Assistant to the City Manager</i> |

DINNER AND CLOSED SESSION

- VI. CLOSED SESSION:**
- **REAL ESTATE MATTERS**
 - **APPOINTMENTS**

Supporting Documents:

- 6-11-19 Pending Land Use Actions
- 6-11-19 Permanent Cosmetic Tattooing Text Amendment
- Announcement of Meeting

NORFOLK, VIRGINIA

DOCKET FOR THE COUNCIL

TUESDAY, JUNE 11, 2019 – 7:00 P.M.

Prayer to be offered by Rabbi Michael Panitz, Temple Israel, 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 accept bids for a lease with a term of five (5) years and three (3) months, with the option to renew the lease for up to one (1) additional period of five (5) years, for the premises known as Suite 1 in **Selden Arcade** located at **210 E. Main Street** in the City of Norfolk.

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 **City Planning Commission**, for a zoning map amendment to apply the Colonial Place, Crusier Place, Riverview Neighborhood Resilience Overlay (CPRV-NRO) District for the Colonial Place, Riverview, and Crusier Place Communities and for a text amendment to Section 3.9.16, “NRO: Neighborhood Resilience Overlay” of the *Norfolk Zoning Ordinance* to create a new Neighborhood Resilience Overlay (NRO) Zoning District, the Colonial Place, Crusier Place, Riverview Neighborhood Resilience Overlay (CPRV-NRO) District, for the Colonial Place, Riverview, and Crusier Place Communities.

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 **City Planning Commission**, for a text amendment to the *Norfolk Zoning Ordinance* to improve the consistency of Development Certificate requirements, replacement of zoning certificates for new restaurants, minimum first-floor elevations of single-family dwellings, and parking requirements in BC Districts, to correct clerical errors, and to remove unnecessary provisions.

- PH-3 **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 Paul’s) and for a conditional use permit to allow more than 24 dwelling units on property located at **501 Wood Street**.
- PH-4 **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 **Christopher Clark**, for a rezoning from I-L (Industrial- Light) to Conditional C-C (Community – Commercial) at **840 45th Street**.
- 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 authorizing the conveyance to **Nestor Ackerman and Associates, LLC** of a certain parcel of property located at **2619 Middle Avenue** in accordance with the terms and conditions of the **Conveyance Agreement**.
- PH-6 **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 **City Planning Commission**, for a text amendment to Section 4.2.3(F)(6), “Personal Service Business” of the *Norfolk Zoning Ordinance* to allow Permanent Cosmetic Tattooing as an accessory use to full service beauty salons.
- PH-7 **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 **City Planning Commission**, for a text amendment to Section 3.9.21, “Uses for the Overlay Districts,” of the *Norfolk Zoning Ordinance* to allow tattoo parlor as a principal use by **Conditional Use Permit** in the PCO-Colley and PCO-21st Street Districts.
- PH-8 **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 **SC Royster, LLC**, for the Lease of City owned property located within **Selden Arcade**.

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 accepting an additional amount up to \$1,335,740 from the **Commonwealth of Virginia Children's Services Act Program** for inclusion in the **Fiscal Year 2019 Children's Services Act Pool Fund** and appropriating and authorizing the expenditure of an additional amount up to \$407,603 in local matching funds from the **Norfolk Department of Human Services** for the Special Revenue Account for Fiscal Year 2019.
- C-2 Letter from the City Attorney and an Ordinance entitled, An Ordinance directing the City Treasurer to issue a refund in the amount of \$5,405.07, plus interest, to **Alaskan Copper Companies, Inc.** based upon the overpayment of its Business License Tax for the Tax Years 2016, 2017, 2018 and 2019.
- C-3 Letter from the City Manager and an Ordinance entitled, An Ordinance accepting a grant award in the amount of \$400,000 from the **U.S. Department of Justice Office on Violence Against Women**, to provide training in recognizing and addressing instances of elder abuse, conduct cross-training to better serve victims of abuse in later life, establish a multidisciplinary collaborative community response to victims of abuse in later life, and to enhance outreach and services for victims of abuse in later life, and appropriating and authorizing the expenditure of \$400,000 in grant funds for such purposes.
- C-4 Letter from the City Manager and an Ordinance entitled, An Ordinance accepting with appreciation the donation to the **City of K-9 protective vests** valued at approximately \$20,000, including two **K-9 protective vests** having a combined value of \$6,198, from the **Norfolk Police Foundation** for the **Norfolk Police Department K-9 Unit** and authorizing the use of equipment by the **Norfolk Police Department K-9 Unit**.

- C-5 Letter from the City Manager and an Ordinance entitled, An Ordinance accepting with appreciation the donation to the **City** of a 12-passenger van by the **Norfolk Police Foundation**, to be used by the **Police Department** for transportation for youth focused community engagement programs.

REGULAR AGENDA

- R-1 Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Conditional Use Permit** to authorize the operation of a convenience store named ‘**Merrimac Market**’ on property located at **2812 East Virginia Beach Boulevard**,” will be introduced in writing and read by its title.
- R-2 Letter from the City Manager and an Ordinance entitled, “An Ordinance to repeal **Section 7-32** of the **Code of the City of Norfolk, Virginia, 1979** **SO AS TO** eliminate the prohibition against applying permanent makeup,” will be introduced in writing and read by its title.
- R-3 Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Conditional Use Permit** to authorize the operation of a nightclub named ‘**La Yaroa Tropical Restaurant**’ on property located at **3320 North Military Highway**,” will be introduced in writing and read by its title.
- R-4 Letter from the City Manager and An Ordinance entitled, “An Ordinance requesting the **Virginia Department of Transportation** to establish a project for design and construction of the **Little Creek Corridor Pedestrian Safety Action Plan**, in accordance with the **Project Administration Agreement** between the **City** and the **Virginia Department of Transportation**; and appropriating and authorizing the expenditure of the total sum of \$285,000.00 for the project, subject to and in accordance with the terms and conditions of the aforesaid **Agreement**,” will be introduced in writing and read by its title.

- R-5 Letter from the City Manager and a Resolution entitled, “A Resolution of the Council of the **City of Norfolk, Virginia** to establish a **Special Service Districts Policy**,” will be introduced in writing and read by its title.
- R-6 Letter from the City Manager and an Ordinance entitled, “An Ordinance to amend and reordain **Chapter 25.1, Article I** of the **Norfolk City Code, 1979, SO AS TO** add one new **Subsection 25.1-88** to establish parking rates for faculty and staff of **Tidewater Community College**,” will be introduced in writing and read by its title.
- R-7 Letter from the City Manager and an Ordinance entitled, “An Ordinance to amend and reordain **Sections 2-7, 33.1-11, 33.1-20, 33.1-23, 33.1-26, 33.1-37, 33.1-39** of the **Norfolk City Code, 1979, SO AS TO** provide for the issuance of purchase orders in lieu of contracts for certain small purchases; revise the definition of ‘**Professional Services**’ to conform with state law; provide for the procurement duties exclusive of the purchasing division to comply with best practices; and provide that the purchasing agent may determine when competitive sealed proposals is the most advantageous method of procurement,” will be introduced in writing and read by its title.
- R-8 Letter from the City Manager and an Ordinance entitled, “An Ordinance authorizing the City Manager to negotiate an **Agreement** in substantial conformity with the terms and conditions of the attached **Purchase and Sale Agreement**, for the purpose of purchasing certain parcels and an easement in the **Chesterfield Heights Area** of the City from **Milton Point KT, LLC**, for the **Ohio Creek Watershed Improvement Project**, authorizing the purchase of said property, and authorizing the expenditure of a sum of up to \$171,742.00 for such purpose from funds heretofore appropriated,” will be introduced in writing and read by its title.
- R-9 Letter from the City Manager and an Ordinance entitled, “An Ordinance authorizing the City Manager to negotiate an **Agreement** in substantial conformity with the terms and conditions of the attached **Purchase Agreement**, for the purpose of construction and maintaining a berm at **734 Filer Street**, in the **City of Norfolk**, for the **Ohio Creek Watershed Improvement Project**, authorizing the purchase of said **Easement**, and authorizing the expenditure of a sum of up to \$11,875.00 for such purpose from funds heretofore appropriated,” will be introduced in writing and read by its title.

- R-10 Letter from the City Manager and an Ordinance entitled, “An Ordinance authorizing the City Manager to negotiate an **Agreement** in substantial conformity with the terms and conditions of the attached **Easement Purchase Agreement**, for the purpose of construction and maintaining a berm at **706 Forbes Street**, in the **City of Norfolk**, for the **Ohio Creek Watershed Improvement Project**, authorizing the purchase of said **Easement**, and authorizing the expenditure of a sum of up to \$10,984.00 for such purpose from funds heretofore appropriated,” will be introduced in writing and read by its title.
- R-11 Letter from the City Manager and an Ordinance entitled, “An Ordinance authorizing the City Manager to negotiate an **Agreement** in substantial conformity with the terms and conditions of the attached **Easement Purchase Agreement**, for the purpose of construction and maintaining a berm and drainage at **720 Filer Street**, in the **City of Norfolk**, for the **Ohio Creek Watershed Improvement Project**, authorizing the purchase of said **Easement**, and authorizing the expenditure of a sum of up to \$11,138.00 for such purpose from funds heretofore appropriated,” will be introduced in writing and read by its title.
- R-12 Letter from the City Manager and a Resolution entitled, “A Resolution supporting the **Governor’s 2019 Special Legislative Session** to address gun violence in the **Commonwealth**,” will be introduced in writing and read by its title.
- R-13 Letter from the City Manager and an Ordinance entitled, “An Ordinance authorizing the acquisition of a certain parcel of property located at **234 Lavalette Avenue** for flood mitigation and the creation of a public greenspace for the sum of \$178,000.00; approving the terms and conditions of the **Purchase and Sale Agreement**; and authorizing the expenditure of a sum of up to \$193,000.00 from funds heretofore appropriated for acquisition of the property and all related transactional costs,” will be introduced in writing and read by its title.
- R-14 Letter from the City Manager and an Ordinance entitled, “An Ordinance authorizing the acquisition of a certain parcel of property located at **244 Lavalette Avenue** for flood mitigation and the creation of a public greenspace for the sum of \$205,000.00; approving the terms and conditions of the **Purchase and Sale Agreement**; and authorizing the expenditure of a sum of up to \$220,000.00 from funds heretofore appropriated for acquisition of the property and all related transactional costs,” will be introduced in writing and read by its title.

- R-15 Letter from the City Manager and an Ordinance entitled, “An Ordinance authorizing the acquisition of a certain parcel of property located at **250 Lavalette Avenue** for flood mitigation and the creation of a public greenspace for the sum of \$194,750.00; approving the terms and conditions of the **Purchase and Sale Agreement**; and authorizing the expenditure of a sum of up to \$210,000.00 from funds heretofore appropriated for acquisition of the property and all related transactional costs,” will be introduced in writing and read by its title.
- R-16 Letter from the City Manager and an Ordinance entitled, “An Ordinance authorizing the acquisition of a certain parcel of property located at **240 Lavalette Avenue** for flood mitigation and the creation of a public greenspace for the sum of \$212,000.00; approving the terms and conditions of the **Purchase and Sale Agreement**; and authorizing the expenditure of a sum of up to \$227,000.00 from funds heretofore appropriated for acquisition of the property and all related transactional costs,” will be introduced in writing and read by its title.
- R-17 Letter from the City Manager and an Ordinance entitled, “An Ordinance to amend and reordain the **Code of the City of Norfolk, Virginia, 1979**, by adding a new **Chapter 45.7** entitled ‘**Downtown Arts and Cultural District**’ **SO AS TO** establish the **Downtown Arts and Cultural District** Pursuant to § 15.2-943.1 of the **Code of Virginia, 1950**, as amended,” will be introduced in writing and read by its title.
- R-18 Letter from the City Manager and an Ordinance entitled, “An Ordinance approving an amendment to the **Nonexclusive Wireless Facilities Franchise Agreement** with **Extenet Systems LLC.**,” will be introduced in writing and read by its title.
- R-19 Letter from the City Manager and an Ordinance entitled, “An Ordinance approving an amendment to the **Nonexclusive Wireless Facilities Franchise Agreement** with **Cox Wireless Access, LLC.**,” will be introduced in writing and read by its title.
- R-20 Letter from the City Manager and an Ordinance entitled, “An Ordinance approving an amendment to the **Nonexclusive Wireless Facilities Franchise Agreement** with **New Cingular Wireless, PDS, LLC.**,” will be introduced in writing and read by its title.

- R-21 Letter from the City Manager and an Ordinance entitled, “An Ordinance approving an amendment to the **Nonexclusive Wireless Facilities Franchise Agreement** with **Cellco Partnership d/b/a Verizon Wireless**,” will be introduced in writing and read by its title.
- R-22 Letter from the City Manager and an Ordinance entitled, “An Ordinance to amend and reordain **Article X of Chapter 25** of the **Norfolk City Code SO AS TO** regulate the operation of dockless shareable mobility devices by adding **Sections 25-379, 25-380, 25-381, 25-382 and 25-383**,” will be introduced in writing and read by its title.
- R-23 Letter from the City Manager and an Ordinance entitled, “An Ordinance approving the **Agreement** between the **City** and **Neutron Holdings, INC. dba Lime** for the operation of an **electric scooter sharing system** on the **City's** right-of-way,” will be introduced in writing and read by its title.
- R-24 Letter from the City Manager and an Ordinance entitled, “An Ordinance accepting the conveyance of parcels of real property to the City by the **Commonwealth of Virginia**, acting through the **Commonwealth Transportation Commissioner**, for the **Ohio Creek Watershed Improvement Project** and consenting to the assignment and assumption of the **Deed of Lease** between the **Commonwealth** as **Lessor** and **Titan Virginia Ready-Mix, LLC** as **Lessee**,” will be introduced in writing and read by its title.