

Joint City Council and School Board Meeting

Revised Agenda

Tuesday, July 11, 2023

3:30 PM – CITY HALL-10TH FLOOR CONFERENCE ROOM

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| I. WELCOME / OPENING REMARKS | <i>Mayor Alexander and Chairman Martin</i> |
| II. GENERAL DISCUSSION | <i>Norfolk City Council/Norfolk School Board</i> |
| III. TAKEAWAYS | <i>Norfolk City Council/Norfolk School Board</i> |
| IV. CLOSED SESSION: | |
| • LAND ACQUISITION MATTER | |

Supporting Documents:

- [Announcement of Meeting](#)
- [Minutes from City Council Meeting of June 27th](#)
- [Pending Land Use Report](#)



July 11, 2023

NORFOLK, VIRGINIA
DOCKET FOR THE COUNCIL

TUESDAY, JULY 11, 2023 – 6:00 P.M.

A CITIZEN WHO WISHES TO ADDRESS COUNCIL CONCERNING A DOCKET ITEM OR NEW BUSINESS MUST REGISTER TO SPEAK WITH THE CITY CLERK BY 3:00 PM THE DAY OF THE MEETING BY CALLING (757) 664-4253 OR [EMAILING CCOUNCIL@NORFOLK.GOV](mailto:CCOUNCIL@NORFOLK.GOV).

MOMENT OF SILENCE

Followed by the Pledge of Allegiance.

APPROVAL OF MINUTES

Approve the minutes of the previous City Council meeting.

PUBLIC HEARINGS

PH-1

PUBLIC HEARING scheduled this day, pursuant to State Law, to hear comments Approving a Third Amendment to Lease Between the City of Norfolk, as Landlord, and Cleo Ruby, Inc. d/b/a Todd Jurich's Bistro, as Tenant, Extending the Term of the Lease for an Additional Five Years for Premises Located at **150 W. Main Street** in the City of Norfolk, Virginia, and Authorizing the City Manager to Execute the Third Amendment to Lease on Behalf of the City of Norfolk.

An Ordinance Approving a Third Amendment to Lease Between the City of Norfolk, as Landlord, and Cleo Ruby, Inc. d/b/a Todd Jurich's Bistro, as Tenant, Extending the Term of the Lease for an Additional Five Years for Premises Located at **150 W. Main Street** in the City of Norfolk, Virginia, and Authorizing the City Manager to Execute the Third Amendment to Lease on Behalf of the City of Norfolk.

PH-2

PUBLIC HEARING scheduled this day, pursuant to State Law, to hear comments Approving a Lease Agreement with the Virginia Opera Association, Inc. for the Lease of a Portion of the Office Space Located Within Harrison Opera House at **160 W. Virginia Beach Boulevard**.

An Ordinance Approving a Lease Agreement with the Virginia Opera Association, Inc. for the Lease of a Portion of the Office Space Located Within **the Civic Arena Building Adjacent to the Harrison Opera House at 160 W. Virginia Beach Boulevard**.

[PH-3](#)

PUBLIC HEARING scheduled this day, pursuant to State Law, to hear comments Approving a Lease Agreement with the Virginia Opera Association, Inc. for the Lease of the **Harrison Opera House Performance Hall Located at 160 W. Virginia Beach Boulevard.**

An Ordinance Approving a Lease Agreement with the Virginia Opera Association, Inc. for the Lease of the **Harrison Opera House Performance Hall Located at 160 W. Virginia Beach Boulevard.**

[PH-4](#)

PUBLIC HEARING scheduled this day, pursuant to State Law, to hear comments approving a Purchase and Sale Agreement by and between William A. Hunton YMCA, Inc. d/b/a Hunton Young Men's Christian Association, Inc., as Seller, and the City of Norfolk, as Purchaser, for that certain parcel of real property located at **1139 E. Charlotte Street** in the City of Norfolk, Virginia (the "property"), authorizing the City Manager to Execute the Purchase and Sale Agreement and accept a Deed on behalf of the City, and authorizing the expenditure of funds for the acquisition of the property and all related transactional costs; approving an option to Purchase Real Estate by and between the City of Norfolk and William A. Hunton YMCA, Inc. d/b/a Hunton Young Men's Christian Association, Inc. for a portion of that certain parcel of real property located at **1045 E. Brambleton Avenue** in the City of Norfolk, Virginia (the "TPES Site") and authorizing the City Manager to execute the option to Purchase Real Estate and a Special Warranty Deed for the TPES Site; and approving an Escrow Agreement by and among William A. Hunton YMCA, Inc. d/b/a Hunton Young Men's Christian Association, Inc., and the City of Norfolk, deleted bridge trust setting forth terms and conditions of the parties understandings and agreement regarding escrow funds to be paid at closing as consideration for the TPES site, and authorizing the City Manager to execute the escrow agreement on behalf of the City of Norfolk.

An Ordinance Approving a Purchase and Sale Agreement by and Between William A. Hunton YMCA, Inc. d/b/a Hunton Young Men's Christian Association, Inc., as Seller, and the City of Norfolk, as Purchaser, for that Certain Parcel of Real Property Located at **1139 E. Charlotte Street** in the City of Norfolk, Virginia (the "Property"), Authorizing the City Manager to Execute the Purchase and Sale Agreement and Accept a Deed on Behalf of the City, and Authorizing the Expenditure of Funds for the Acquisition of the Property and all Related Transactional Costs; Approving an Option to Purchase Real Estate by and Between the City of Norfolk and William A. Hunton YMCA, Inc. d/b/a Hunton Young Men's Christian Association, Inc. for a Portion of that Certain Parcel of Real Property Located at **1045 E. Brambleton Avenue** in the City of Norfolk,

Virginia (the "TPES Site") and Authorizing the City Manager to Execute the Option to Purchase Real Estate and a Special Warranty Deed for the TPES Site; and Approving an Escrow Agreement by and Between William A. Hunton YMCA, Inc., d/b/a Hunton Young Men's Christian Association, Inc. and the City of Norfolk Setting Forth Terms and Conditions of the Parties' Understandings and Agreement Regarding Escrow Funds to be Paid at Closing as Consideration for the TPES Site, and Authorizing the City Manager to Execute the Escrow Agreement on Behalf of the City of Norfolk.

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](#) An Ordinance Granting Conditional Use Permits SO AS TO Approve a Change of Managers for a Restaurant Operating with Extended Hours and the Sale of Alcoholic Beverages for On-Premises Consumption Named "Pendulum Fine Meats" on Property Located at **820 Shirley Avenue**.
- [C-2](#) An Ordinance Approving a Right of Entry Permitting TWP - The Youth Movement to go Upon and Use City-Owned Property Located at **801 and 901 Church Street**.
- [C-3](#) An Ordinance Granting 2411 Granby, LLC Permission to Encroach into the Right-of-Way at **2411 Granby Street** with Entry Doors, Leader Heads and Downspouts, and Signs.
- [C-4](#) An Ordinance Permitting Derek T. Peterson to Encroach into Willoughby Bay Avenue at **707 W. Ocean View Avenue**, with a 130'-Long Pier, a 30' by 5' Floating Dock and a 15'X15' Deck.
- [C-5](#) An Ordinance directing the City Treasurer to issue a **refund to Aramark Educational Services, LLC** upon the overpayment of its Business Tangible Property Tax for the Tax Years 2020, 2021 and 2022.
- [C-6](#) An Ordinance directing the City Treasurer to issue a **refund to Freedom Ford, Inc.** upon the overpayment of its Business License Tax for the Tax Year 2023.

- [C-7](#) An Ordinance Granting Conditional Use Permits to Authorize the Operation of a Banquet Hall, Live Entertainment, and the Sale of Alcoholic Beverages for On Premises Consumption at an Establishment Named “The Venue at 259 Granby” on Property Located at **259 Granby Street**.
- [C-8](#) An Ordinance Granting Conditional Use Permits to Authorize the Operation of a Banquet Hall, Production of Craft Beverages, and Live Entertainment at and Establishment Named “Reaver Beach Brewing” on Property Located at **737 Michigan Avenue**.
- [C-9](#) An Ordinance Granting a Conditional Use Permit to Authorize Short-Term Rental Units (Vacation Rental) on Property Located at **1227 East Ocean View Avenue**.
- [C-10](#) An Ordinance Granting a Conditional Use Permit to Authorize Short-Term Rental Units (Vacation Rental) on Property Located at **1235 East Ocean View Avenue**.
- [C-11](#) An Ordinance **Amending and Reordaining Ordinance No. 49,149** SO AS TO Increase the Funds Appropriated for the Costs of the Easement Due to the Cost of an Additional Administrative Fee.
- [C-12](#) An Ordinance to Amend Section 2-490 of the *Norfolk City Code, 1979*, as Amended, SO AS TO Update the **Composition of the Criminal Justice Board**.
- [C-13](#) An Ordinance to Amend and Reordain Section 2.1-58 of the *Norfolk City Code, 1979*, regarding the **Members, Terms of Members, and Vacancies for the Military Economic Development Authority Committee (MEDAC)** SO AS TO Permit Appointment of Members who are not Senior Officers, Senior Enlisted Persons, or Qualified Civilians, and to correct typographical errors.
- [C-14](#) An Ordinance Accepting the Acceptance of a Temporary Construction Easement Over Property Located at **2513 E. Princess Anne Road** and Authorizing the City Manager to Accept the Deed of Easement on Behalf of the City.
- [C-15](#) An Ordinance Accepting the Acceptance of a Temporary Construction Easement Over Property Located at **W S Oaklawn Avenue** and Authorizing the City Manager to Accept the Deed of Easement on Behalf of the City.

- [C-16](#) An Ordinance Authorizing the Acceptance of a Permanent Drainage Easement Over Property Located at **2952 E. Princess Anne Road**; Authorizing the City Manager to Accept a Deed of Easement on Behalf of the City; and Authorizing the Expenditure of the Sum of Up to \$2,900.00 from Funds Heretofore Appropriated for Acquisition of the Easement.
- [C-17](#) An Ordinance Authorizing the Dedication of a Portion of Certain City-Owned Property Located at **1420 Merrimac Avenue** as Public Right-of-Way and Authorizing the Expenditure of a Sum of Up to \$5,000.00 for Possible Transaction Costs.
- [C-18](#) A Resolution Approving the **Norfolk Community Services Board's Performance Contract** with The Commonwealth for Fiscal Year 2024 Renewable by Mutual Agreement for Fiscal Year 2025.
- [C-19](#) Transmitted herewith from the General Registrar in an Abstract of Votes cast in the **2023 Democratic Primary held on June 20, 2023**, pursuant to *Section 24.2-675 of the Code of Virginia*.
- [C-20](#) An Ordinance Approving a Right of Entry by and Between the City of Norfolk and **First Baptist Church of Norfolk, Inc.** for use of the Surface Parking Lot Located at **698 Saint Paul's Boulevard** on July 15, 2023 for a **Community Farmers Market**, and Authorizing the City Manager to Execute the Right of Entry on Behalf of the City of Norfolk.

REGULAR AGENDA

- [R-1](#) An Ordinance Requesting the Virginia Department of Transportation to Establish a **Project for Pedestrian Safety Improvements to Tidewater Drive at Easy Street**, Authorizing the Project Administration Agreement, and the Expenditure of a Sum up to \$658,100 for the Project.
- [R-2](#) A Resolution in Support of the City's Applications for the Allocation of Funds from the Virginia Department of Transportation Grant Programs, Affirming the Commitment of the City to Fund the Locality Share of Projects Under Agreement with the Virginia Department of Transportation, and Authorizing the City Manager to Execute all Agreements for the **VDOT Approved Projects**

- [R-3](#) An Ordinance Authorizing the Acquisition from the Norfolk Redevelopment and Housing Authority of that Parcel of Property Located at **9519 22nd Bay Street** and Authorizing the City Manager to Accept a Special Warranty Deed on Behalf of the City.
- [R-4](#) An Ordinance Amending the FY2023 Annual Appropriations Ordinance (No. 48,751) SO AS TO Re-Appropriate and Authorize the Expenditure of The Remaining Grant Funds in The Amount Of \$321,919.53 Received from The National Fish and Wildlife Foundation Pursuant to Ordinance No. 47,630, And Previously-Appropriated Local Matching Funds in the Amount of \$1,211,180 for **The Granby Park Living Shoreline And The Pleasant Point Living Shoreline Projects**.
- [R-5](#) An Ordinance Amending the FY2023 Annual Appropriations Ordinance (No. 48,751) SO AS TO Accept, Appropriate and Authorize the Expenditure of Grant Funds up to the sum of \$257,359 from the Virginia Department of Emergency Management for the **FY2022 Urban Area Security Initiative (UASI) for Phase III of the Regional Operating Picture Project**.
- [R-6](#) An Ordinance Amending the FY2023 Annual Appropriations Ordinance (No. 48,751) SO AS TO Accept, Appropriate and Authorize the Expenditure of Grant Funds up to the sum of \$475,000 from the Virginia Department of Emergency Management for the **FY2022 Homeland Security Grant Program - Urban Area Security Initiative to Purchase a Bomb Squad Response Vehicle**.
- [R-7](#) An Ordinance Amending The FY2024 Annual Appropriations Ordinance (No. 49,220) SO AS TO Accept, Appropriate And Authorize The Expenditure Of Funds Up To The Amount Of \$9,900,000 Received As A Result Of The City's Purchase Of Certain Property Located at **300 Monticello Avenue**, from the MacArthur Mall, and any Credits Received at Closing on the Purchase of the Property are, if and when Received, to be used to Pay the Anticipated Operating, Maintenance, and Repair Costs of **MacArthur Mall**.
- [R-8](#) An Ordinance Accepting the Conveyance from Norfolk Redevelopment and Housing Authority to the City of Norfolk of that Certain Parcel of Real Property Located at **300 Monticello Avenue** in the City of Norfolk, Virginia, and Authorizing the City Manager to Accept the Deed on Behalf of the City of Norfolk.

[R-9](#)

An Ordinance Accepting, Appropriating and Authorizing the Expenditure of Grant Funds in the Sum of \$50,000.00 from the Commonwealth's Opportunity Fund Awarded to the City through the Virginia Economic Development Partnership Authority; Approving the Performance Agreement by and Among the City of **Norfolk, Princo LLC, Virginia Economic Development Partnership Authority**, and the Economic Development Authority of the City of Norfolk, Virginia, Setting Forth the Terms and Conditions of the Payout and use of the Grant Funds, and Authorizing the City Manager to Execute the Performance Agreement on Behalf of the City of Norfolk.

[R-10](#)

A Resolution appointing and reappointing 34 members to 6 Commissions, 7 Boards, 3 Authorities, and 1 Committee for Certain Terms.

ADJOURNMENT