
Ordinances



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3/12/19 bjl

Form and Correctness Approved: *ADM*

By *[Signature]*
Office of the City Attorney

Contents Approved:

NORFOLK, VIRGINIA

By *Emily M. Hutton* for Gregory Patrick
DEPT. Budget and Strategic Planning

Pursuant to Section 72 of the City Charter, I hereby certify that the money required for this item is in the city treasury to the credit of the fund from which it is drawn and not appropriated for any other purpose.

7,434,685
28,756,301
\$ *1,230,477,268*

HUB account
Annual Grants
Various

Christina Sanyal
Director of Finance

Account
5/9/19
Date

ORDINANCE No.

47,636

R-1
AN ORDINANCE APPROPRIATING FUNDS FOR OPERATION OF THE CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 AND ENDING JUNE 30, 2020, APPROPRIATING U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) ENTITLEMENT GRANTS, INCREASING CERTAIN FEES, AND REGULATING THE PAYMENT OF MONEY FROM THE CITY TREASURY.

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WHEREAS, the City Manager submitted to the Council a proposed annual budget for the city for the fiscal year beginning July 1, 2019 and ending June 30, 2020, which has been amended by the Council, and it is necessary to make appropriations sufficient to fund said budget and to regulate the payment of money from the city treasury; now, therefore,

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the amounts shown herein aggregating Nine Hundred One Million Nine Hundred Forty Four Thousand Four Hundred Twenty Nine Dollars (\$901,944,429) for the General Fund, Ninety Six Million Nine Hundred Twenty Two Thousand Nine Hundred Seventy Five Dollars (\$96,922,975) for the Water Utility Fund, Thirty Three Million Five Hundred Nineteen Thousand Seven Hundred Fifty Two Dollars (\$33,519,752) for the Wastewater Utility Fund, Twenty Million Eight Hundred Thirty Four Thousand Five Hundred Thirteen Dollars (\$20,834,513) for the Storm Water Utility Fund, One Hundred Three Million Five Hundred Ninety Three Thousand

One Hundred Eighteen Dollars (\$103,593,118) for the Internal Service Funds, Twenty Three Million Nine Hundred Seventy Nine Thousand Two Hundred Twenty Five Dollars (\$23,979,225) for the Parking Facilities Fund, One Million Nine Hundred Sixty Four Thousand Seven Hundred Thirty One Dollars (\$1,964,731) for the Cemetery Services Fund, Six Million Twenty Five Thousand Nine Hundred Sixty Six Dollars (\$6,025,966) for the Emergency Preparedness and Response Fund, Fifteen Thousand Dollars (\$15,000) for the Golf Operations Fund, Twenty One Million Nine Hundred Thirty Thousand Dollars (\$21,930,000) for the Waste Management Fund, Ten Million One Hundred Eleven Thousand Three Hundred Dollars (\$10,111,300) for the Public Amenities Fund, Seven Million Nine Hundred Eighty Two Thousand Eight Hundred Twenty Four Dollars (\$7,982,824) for the Tax Increment Financing Fund, One Million Six Hundred Fifty Five Thousand Four Hundred Thirty Five Dollars (\$1,655,435) for the Towing and Recovery Operations Fund, or so much thereof as may be necessary, as set forth in the annual budget for the fiscal year July 1, 2019 - June 30, 2020, submitted by the City Manager and as amended by the Council and hereby adopted, are hereby appropriated, subject to the conditions hereinafter set forth in this ordinance, from the revenues of the city from all sources for the fiscal year July 1, 2019 - June 30, 2020, for the use of the several departments and funds established within the City Government, and for the purposes hereinafter set forth in said annual budget for the fiscal year July 1, 2019 - June 30, 2020 as follows:

Legislative	\$5,215,803
Executive	\$10,104,392
Department Of Law	\$4,905,409
Constitutional Officers	\$48,577,771
Judicial	\$1,341,955
Elections	\$1,110,962
Department Of Information Technology	\$16,789,497
Department Of Finance	\$6,114,197
Department Of General Services	\$25,757,355
Department Of Human Resources	\$3,657,170
Department Of City Planning	\$4,974,976
Department Of Neighborhood Development	\$4,923,765
Department Of Economic Development	\$2,371,835

Norfolk Public Libraries	\$9,789,885
Department Of Cultural Facilities, Arts And Entertainment	\$6,167,660
Virginia Zoological Park	\$4,463,294
Nauticus	\$4,433,492
Slover Library	\$2,745,434
Department Of Recreation, Parks And Open Space	\$18,091,818
Central and Outside Agency Appropriations	\$70,528,091
Norfolk Community Services Board	\$25,078,661
Department Of Public Health	\$3,459,696
Department Of Human Services	\$49,308,700
Department Of Police	\$77,618,592
Department Of Fire - Rescue	\$47,278,783
Department Of Public Works	\$16,996,849
Department Of Transit	\$12,466,052
Debt Service	\$81,510,525
Norfolk Public Schools	\$336,161,810
Total Appropriations General Fund - Operating Budget	\$901,944,429

Water Utility Fund	\$96,922,975
Wastewater Utility Fund	\$33,519,752
Parking Facilities Fund	\$23,979,225
Storm Water Utility Fund	\$20,834,513
Internal Service Funds	\$103,593,118
Cemetery Services Fund	\$1,964,731
Emergency Preparedness And Response Fund	\$6,025,966
Golf Operations Fund	\$15,000
Waste Management Fund	\$21,930,000
Public Amenities Fund	\$10,111,300
Tax Increment Financing Fund	\$7,982,824
Towing and Recovery Operations Fund	\$1,655,435
Total Operating Funds	\$1,230,479,268

Section 2:- That unless otherwise specified by Council, all taxes and fees heretofore levied shall continue from year to year including but not limited to the increase provided in Virginia Code Section 58.1-3321 which increase the council deems to be necessary.

Section 3:- That the salaries and wages set forth in detail in said annual budget, including for the City Manager, as amended, and for offices and positions which are not embraced within said compensation plan are hereby authorized.

The positions, except where the number thereof is not under the control of the Council, set forth in said annual budget, as amended, shall be the maximum number of positions authorized for the various departments, divisions, bureaus and funds of the city during the fiscal year July 1, 2019 - June 30, 2020 and the number may be changed during said fiscal year as authorized by the Council or City Manager.

Unless the city's compensation plan provides otherwise, changes in personnel occurring during said fiscal year in classifications embraced within the city's compensation plans shall be administered by the City Manager in accordance with the regulations for the administration of the plans.

In the event any personnel authorized in the preceding year's annual budget and appropriations are notified of release due to a reduction in force, reorganizations or workforce downsizing or the staffing and organization redesign effort, such positions are hereby authorized to continue in existence until such time as adopted procedures relating to reductions in force or work force downsizing, or the staffing and organizational redesign effort are completed and implemented in accordance with its terms and conditions. Unless the Council provides otherwise, the City Manager is hereby authorized to continue all benefits and salaries throughout the period of employment from appropriated funds for the positions aforesaid, notwithstanding that said positions may or may not have been deleted in a department budget for the fiscal year July 1, 2019 - June 30, 2020.

The Council reserves the right to change at any time during said fiscal year the compensation, including

pay supplements for constitutional officers, either before or after a change in basic salary is made by the State Compensation Board, and to abolish any office or position provided for in said annual budget, as amended, except such offices or positions as it may be prohibited by law from abolishing. The City Manager is authorized to make such rearrangements and reorganizations of positions and personnel services funds between the several departments, including funds named therein, as may best meet the uses and interests of the city.

No person shall acquire any vested interest in any compensation or supplement payable under this section beyond those actually paid.

Section 4:- That all payments from the appropriations provided for in this ordinance, including those from balances remaining on June 30, 2019, to the credit of appropriations for works, improvements or other objects which have not been completed or abandoned, except those works, improvements or other objects funded by Federal, State, or other organizational grants which are hereby encumbered, shall be made at such time as the City Manager may direct, unless otherwise specified by the Council. The City Manager is hereby authorized to apply for grants and awards during the fiscal year.

Section 5:- That within several departments, funds and activities, there are hereby appropriated sufficient amounts to cover the operation of all Internal Service Funds, including the Healthcare and Fleet Management Funds. Charges for services assessed against said departments, funds and activities by the Internal Service Funds shall be accumulated in the appropriate internal service fund and expended to cover the operating costs of such funds as provided in the annual budget.

Any unexpended balances in the amounts appropriated for the Healthcare Fund at the close of business on June 30, 2019, shall not revert to the surplus of the Healthcare Fund, but shall be carried forward on the books of the Director of Finance and be available for expenditure in the succeeding year.

Section 6:- That the various amounts appropriated by this ordinance for the several groups, as set forth in the annual budget, as amended, are to be expended for the purposes designated by said groups, provided,

however, that the City Manager or a designee may authorize the transfers between account groups within departments, funds or activities of the city and a record of such transfers shall be maintained by the Director of Finance.

The City Manager or a designee is authorized to transfer from any department, fund or activity which has an excess of funds appropriated for its use of the balance of the fiscal year to any department, activity or fund all or any part of such excess, or to cause such transfers to be made, a record of all such transfers shall be maintained by the Director of Finance.

Any unexpended balances in the amounts appropriated for the Department of Public Works Street Construction and Maintenance Projects, Public Amenities Fund, Tourism Infrastructure Repair, Poverty Commission, Downtown Service District (sometimes referred to as the Downtown Improvement District), and the Norfolk Consortium at the close of business on June 30, 2019 shall not revert to the surplus of the General Fund, but shall be carried forward on the books of the Director of Finance and be available for expenditure in the succeeding year.

There are hereby appropriated the revenues from the fiscal year 2015 Five cent (\$0.05) cigarette tax increase and the fiscal year 2017 Five cent (\$0.05) cigarette tax increase for development initiatives. The City Manager is hereby authorized to expend \$650,000 of the revenues for debt service on the former J.C. Penny's building and \$97,840 of the revenues for previously authorized economic development incentive grants through the Economic Development Authority. The City Manager is hereby authorized to reserve the balance of the revenues supported by the cigarette tax increases, an estimated \$65,160, for the purpose of business retention, feasibility analysis, debt service, and other economic development activities subject to Council authorization for expenditure. Any unspent funds at the end of the fiscal year will be transferred to the Norfolk Economic Development Authority and will not become a part of the General Fund Balance. The aforementioned unspent funds will be expended for the purpose of business retention, feasibility analysis, debt service, and other economic development activities.

The City Manager shall provide to the City Council a mid-year budget update. Such mid-year budget update shall report the projected revenue and expenditure estimates for the entire fiscal year, receipt of unbudgeted revenues, and other major changes to the adopted budget.

There is hereby reserved in the General Fund Balance up to the amount of Sixty Five Million Nine Hundred Sixty Two Thousand Three Hundred Twenty Seven Dollars (\$65,962,327) for the Unassigned General Fund Balance Reserve.

There is hereby reserved in the General Fund Balance the amount of Five Million Three Hundred Ten Thousand Dollars (\$5,310,000) for the Risk Management Reserve.

There is hereby reserved in the General Fund Balance the amount of Five Million Dollars (\$5,000,000) for the Economic Downturn and Leveling Reserve.

There is hereby reserved in the General Fund Balance up to the amount of Six Million Thirty Nine Thousand Three Hundred Fifty Five Dollars (\$6,039,355) in the revolving fund for strategic land acquisitions to be expended for future land acquisitions. Unless otherwise appropriated, the proceeds of future land sales shall be deposited in the Land Acquisition Fund during the fiscal year. Such deposits are hereby appropriated for future land acquisitions. Any unobligated appropriation in the Land Acquisition/Revolving Fund at the close of the fiscal year ending on June 30, 2019, is hereby reserved for the Land Acquisition/Revolving Fund to be expended for future strategic land acquisitions.

There is hereby appropriated and authorized for expenditure the revenues, if and when received, from the fiscal year 2006 flat tax increase of one dollar (\$1.00) per room for each night of lodging at any hotel to the Norfolk Convention and Visitors Bureau (Visit Norfolk) for visitor promotion and advertising for conventions and tourism and from the fiscal year 2012 flat tax increase of one dollar (\$1.00) per room for each night of lodging at any hotel to the Norfolk Consortium.

There is hereby appropriated and authorized for expenditure for the Parking Facilities Fund up to Two

Million Two Hundred Fifty Two Thousand Six Hundred Twenty Four Dollars (\$2,252,624) from the Parking Facilities Rate Stabilization Fund.

There is hereby authorized, in accordance with guidelines established by the City Manager, the execution of warrants for the disbursement of any cash in banks credited to the City's Corporate Account to meet any properly authorized and approved payment chargeable to any account of the city.

Unless otherwise specified by any other provision of local, state or federal law, operating funds appropriated to Norfolk Public Schools that have not been expended or contractually obligated at the end of the fiscal year are deemed local dollars and shall revert to the city for re-appropriation by City Council.

There are hereby appropriated and authorized for expenditure the revenues from the fiscal year 2014 Two cent (\$0.02) real estate tax increase for the School Construction, Technology and Infrastructure Program. The City Manager is hereby authorized to expend and reserve the School Construction, Technology and Infrastructure Program supported by the Two cent (\$0.02) real estate tax increase to support the needs of Norfolk Public Schools. For the purposes of policy governing the allocation of local revenue to Norfolk Public Schools, this revenue is defined as a dedicated local tax, therefore, excluded from the revenue-sharing formula calculation. Any unexpended balances in the amounts appropriated shall not revert to the surplus of the General Fund, but solely be dedicated to the School Construction, Technology and Infrastructure Program and shall be carried forward on the books of the Director of Finance and appropriated and available for expenditure in the succeeding year.

There is hereby appropriated an amount equal to One-cent (\$0.01) of the real estate tax to support the city's resilience initiatives. For the purposes of policy governing the allocation of local revenue to Norfolk Public Schools, this revenue is defined as a dedicated local tax, therefore, excluded from the revenue-sharing formula calculation. Any unexpended balances in the amounts appropriated shall not revert to the surplus of the General Fund, but solely be dedicated to the Resilience Program and shall be carried forward on the

books of the City Controller and appropriated and available for expenditure in the succeeding year.

There is hereby appropriated and authorized for expenditure the revenue from the One and nine-tenths (\$0.019) cent real estate tax for the St. Paul's People First and Redevelopment Program. For the purposes of policy governing the allocation of local revenue to Norfolk Public Schools, this revenue is defined as a dedicated local tax, therefore, excluded from the revenue-sharing formula calculation. Any unexpended balances in the amounts appropriated shall not revert to the surplus of the General Fund, but solely be dedicated to the St. Paul's People First and Redevelopment Program and shall be carried forward on the books of the City Controller and appropriated and available for expenditure in the succeeding year.

Section 7:- That the FY 2020 Annual Plan, (Consolidated Plan Fiscal Years 2017-2021) for the Community Development Block Grant Program, HOME Investment Partnership Program and Emergency Solutions Grant Program attached hereto, having been reviewed and found to be in the best interests of the city, is hereby approved.

Section 8:- That, if and when made available from the U.S. Department of Housing and Urban Development (HUD), the sum of up to Four Million Three Hundred Twenty Three Thousand Eight Hundred Forty Two Dollars (\$4,323,842) is hereby appropriated and authorized for expenditure for the Community Development Block Grant Program (2019-2020) from the Community Development Block Grant.

Section 9:- That the sum of up to One Million Two Hundred Thirty Seven Thousand Seven Hundred Ninety Seven Dollars (\$1,237,797) is hereby appropriated and authorized for expenditure for the Community Development Block Grant Program (2019-2020), if and when received from the Community Development Block Grant Local Accounts.

Section 10:- That, if and when made available from the U.S. Department of Housing and Urban Development (HUD), the sum of up to One Million Two Hundred Seventy Eight Thousand Six Hundred Eight Dollars (\$1,278,608) and up to Two Hundred Forty Three Thousand Two Hundred Fifty Seven Dollars (\$243,257) in program fees, is hereby

appropriated and authorized for expenditure for the HOME Investment Partnership Program (2019-2020) from the HOME Investment Partnership Program Grant.

Section 11:- That, if and when made available from the U.S. Department of Housing and Urban Development (HUD), the sum of up to Three Hundred Fifty One Thousand One Hundred Eighty One Dollars (\$351,181) is hereby appropriated and authorized for expenditure for the Emergency Solutions Program (2019-2020) from the Emergency Solutions Grant.

Section 12:- That the City Manager is designated as the certifying officer and authorized representative of the City of Norfolk and shall provide the assurance required by the provisions of the Housing and Community Development Act of 1974, as amended, and the regulations adopted pursuant to such Act.

Section 13:- That the City Manager is further authorized and directed to give to the U.S. Department of Housing and Urban Development (HUD) and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, documents and other materials which are related to the grant funds and is further authorized and directed to do all things necessary and proper to apply for, accept, receive and modify current and prior year grant funds to carry out the program.

Section 14:- That the reoccurring grants listed below, having been reviewed and found to be in the best interest of the city, are hereby accepted, appropriated and authorized for expenditure if and when received.

(a) That, if and when made available from the Supreme Court of Virginia, the sum of up to Two Hundred Fifty Thousand Dollars (\$250,000) is hereby appropriated and authorized for expenditure for the Adult Drug Court Program from Adult Drug Treatment Court grant.

(1) That a local cash match of up to Seventy Eight Thousand Five Hundred Dollars (\$78,500) in appropriated funds and up to Twenty Thousand Dollars (\$20,000) in program fees are hereby authorized to be expended for the Adult Drug Court Program from the Circuit Court Judges General Fund Account.

(b) That, if and when made available from Supreme Court of Virginia, the sum of up to Fifty Thousand Dollars (\$50,000) is hereby appropriated and authorized for expenditure for the Vivitrol Program from the Vivitrol grant.

(c) That, if and when made available from U.S. Department of Health and Human Services, the sum of up to Six Million Two Hundred Thousand Dollars (\$6,200,000) is hereby appropriated and authorized for expenditure for the Ryan White HIV/AIDS Program - Part A HIV Emergency Relief from the Ryan White HIV/AIDS grant.

(d) That, if and when made available from the Virginia Department of Criminal Justice Services, the sum of up to One Million Two Hundred Ten Thousand Dollars (\$1,210,000) is hereby appropriated and authorized for expenditure for the Norfolk Criminal Justice Services (NCJS) Agency from the Comprehensive Community Corrections Act grant.

(1) That a local cash match of up to Eighty Nine Thousand Dollars (\$89,000) in appropriated funds and up to Seventy Thousand Dollars (\$70,000) in program fees are hereby authorized to be expended for the Norfolk Criminal Justice Services (NCJS) Agency from the City Manager General Fund Account.

(e) That, if and when made available from Virginia Department of Criminal Justice Services, the sum of up to Eighty Thousand Dollars (\$80,000) is hereby appropriated and authorized for expenditure for the Community Collaboration Center Satellite Office from the Victim Witness Assistance Grant Program/New Initiative.

(1) That a local cash match of up to Twenty Thousand Dollars (\$20,000) in appropriated funds is hereby authorized to be expended for the Community Collaboration Center Satellite Office from the Commonwealth's Attorney General Fund Account.

(f) That, if and when made available from Virginia Department of Criminal Justice Services, the sum of up to Forty Five Thousand Dollars (\$45,000) is hereby appropriated and authorized for expenditure

for the Virginia Sexual and Domestic Violence Victims Fund Paralegal from the Virginia Sexual and Domestic Violence Victims Fund.

(g) That, if and when made available from Virginia Department of Criminal Justice Services, the sum of up to Ninety Thousand Dollars (\$90,000) is hereby appropriated and authorized for expenditure for the Prosecution Program from the Violence Against Women's Act VSTOP Program.

(1) That a local cash match of up to Thirty Thousand Dollars (\$30,000) in appropriated funds is hereby authorized to be expended for the Prosecution Program from the Commonwealth's Attorney General Fund Account.

(h) That, if and when made available from Virginia Department of Criminal Justice Services, the sum of up to Seven Hundred Seventy Five Thousand Dollars (\$775,000) is hereby appropriated and authorized for expenditure for the Victim Services Program from the Victim Witness Assistance Grant Program.

(i) That, if and when made available from Virginia Department of Emergency Management, the sum of up to One Hundred Thirteen Thousand Six Hundred Seventeen Dollars (\$113,617) is hereby appropriated and authorized for expenditure for the Local Emergency Management Program from the Local Emergency Management Grant.

(1) That a local cash match of up to One Hundred Thirteen Thousand Six Hundred Seventeen Dollars (\$113,617) in appropriated funds is hereby authorized to be expended for the Local Emergency Management Program from the Emergency Preparedness and Response Fund Account.

(j) That, if and when made available from Commonwealth of Virginia - Virginia 9-1-1 Services Board, the sum of up to Two Thousand Dollars (\$2,000) is hereby appropriated and authorized for expenditure for the Public Safety Answering Point Program from the Virginia Information Technologies Agency - Public Safety Answering Point Grant.

(k) That, if and when made available from Virginia Department of Fire Programs, the sum of up to Eight

Hundred Forty Thousand Dollars (\$840,000) is hereby appropriated and authorized for expenditure for the Aid to Localities Program from the Virginia Department of Fire Programs - Aid to Localities Grant.

(l) That, if and when made available from Virginia Department of Health and the Department of Emergency Medical Services, the sum of up to One Hundred Seventy Nine Thousand Dollars (\$179,000) is hereby appropriated and authorized for expenditure for the Emergency Medical Services program from the Four for Life - Emergency Medical Services Grant.

(m) That, if and when made available from the Virginia Department of Juvenile Justice, the sum of up to Six Hundred Forty Thousand Dollars (\$640,000) is hereby appropriated and authorized for expenditure for the Virginia Juvenile Community Crime Control Act Program from the Virginia Juvenile Community Crime Control Act grant.

(1) That a local cash match of up to Six Hundred Forty Thousand Dollars (\$640,000) in appropriated funds is hereby authorized to be expended for the Virginia Juvenile Community Crime Control Act Program from the Human Services General Fund Account.

(n) That, if and when made available from the Commonwealth of Virginia Children's Services Act Program, the sum of up to Eight Million Dollars (\$8,000,000) is hereby appropriated and authorized for expenditure for the Virginia Children's Services Act program from the Virginia Children's Services Act grant.

(1) That a local cash match of up to Three Million Dollars (\$3,000,000) in appropriated funds is hereby authorized to be expended for the Virginia Children's Services Act program from the Human Services General Fund Account.

(o) That, if and when made available from Schools and Libraries Division of the Universal Service Fund E-Rate Reimbursement Program, the sum of up to One Hundred Thirty Three Thousand Dollars (\$133,000) is hereby appropriated and authorized for expenditure for the E-Rate Reimbursement Program from the E-Rate Reimbursement Program grant.

(p) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, the sum of up to Three Hundred Six Thousand Dollars (\$306,000) is hereby appropriated and authorized for expenditure for the Crisis Intervention Program from the Crisis Intervention Program grant.

(q) That, if and when made available from Virginia Department of Social Services, the sum of up to Four Hundred Eleven Thousand Dollars (\$411,000) is hereby appropriated and authorized for expenditure for the Flexible Employment Supports Team for TANF Participants program from the Flexible Employment Supports Team for TANF Participants grant.

(1) That a local cash match of up to Forty One Thousand Seventy Two Dollars (\$41,072) in appropriated funds is hereby authorized to be expended for the Flexible Employment Supports Team for TANF Participants program from the Norfolk Community Services Board General Fund Account.

(r) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, allocated by Chesapeake Integrated Behavioral Health Care, the sum of up to One Hundred Sixty Five Thousand Dollars (\$165,000) is hereby appropriated and authorized for expenditure for the Norfolk Community Services Board to provide forensic discharge planner services to Hampton Roads Regional Jail.

(s) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, the sum of up to Two Hundred Thousand Dollars (\$200,000) is hereby appropriated and authorized for expenditure for the Forensic Program of Assertive Community Treatment from the Forensic Program of Assertive Community Treatment grant.

(t) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, the sum of up to One Hundred Thirty One Thousand Dollars (\$131,000) is hereby appropriated and authorized for expenditure for the Peer Recovery Center from the Peer Recovery Center grant.

(u) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, the sum of up to One Million Five Hundred Thirty Thousand Dollars (\$1,530,000) is hereby appropriated and authorized for expenditure for the Permanent Supportive Housing program from the Permanent Supportive Housing grant.

(v) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, the sum of up to Five Hundred Sixty Seven Thousand Dollars (\$567,000) is hereby appropriated and authorized for expenditure for the Pharmacy and Medication Support Program from the Pharmacy and Medication Support grant.

(w) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, the sum of up to Two Hundred Eighty Thousand Dollars (\$280,000) is hereby appropriated and authorized for expenditure for the State Opioid Response Treatment Program from the State Opioid Response Treatment grant.

(x) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, the sum of up to Two Hundred Seventy Thousand Dollars (\$270,000) is hereby appropriated and authorized for expenditure for the State Opioid Response Recovery Program from the State Opioid Response Recovery grant.

(y) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, the sum of up to One Hundred Forty Five Thousand Dollars (\$145,000) is hereby appropriated and authorized for expenditure for the Partnership for Success - Strategic Prevention Framework program from the Partnership for Success - Strategic Prevention Framework grant.

(z) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, the sum of up to Two Hundred Seventy Thousand Dollars (\$270,000) is hereby appropriated and authorized for expenditure for the Same Day Access Program from the Mental Health System

Transformation Excellence and Performance in Virginia grant.

(aa) That, if and when made available from Virginia Department of Behavioral Health and Developmental Services, the sum of up to Two Hundred Eight Two Thousand Dollars (\$282,000) is hereby appropriated and authorized for expenditure for the Primary Care Program from the Mental Health System Transformation Excellence and Performance in Virginia grant.

(bb) That, if and when made available from Virginia Commission for the Arts, the sum of up to Four Thousand Five Hundred Dollars (\$4,500) is hereby appropriated and authorized for expenditure for the Creative Communities Partnership program from the Creative Communities Partnership Grant.

(1) That a local cash match of up to Four Thousand Five Hundred Dollars (\$4,500) in appropriated funds is hereby authorized to be expended for the Creative Communities Partnership program from the Office of Marketing and Communications General Fund Account.

(cc) That, if and when made available from Virginia Department of Motor Vehicles, the sum of up to Forty One Thousand Dollars (\$41,000) is hereby appropriated and authorized for expenditure for the Alcohol Program from the DMV Selective Enforcement grant.

(1) That a local cash match of up to Twenty Thousand Five Hundred Dollars (\$20,500) in appropriated funds is hereby authorized to be expended for the Alcohol Program from the Police General Fund Account.

(dd) That, if and when made available from Virginia Department of Motor Vehicles, the sum of up to Fifty Thousand Dollars (\$50,000) is hereby appropriated and authorized for expenditure for the Speed Program from the DMV Selective Enforcement grant.

(1) That a local cash match of up to Twenty Five Thousand Dollars (\$25,000) in appropriated funds is hereby authorized to be expended for the Speed Program from the Police General Fund Account.

(ee) That, if and when made available from U.S. Department of Justice, the sum of up to One Hundred Eighty Three Thousand Dollars (\$183,000) is hereby appropriated and authorized for expenditure for the Edward Byrne Memorial Justice Assistance Grant Program from the Edward Byrne Memorial Justice Assistance Grant.

(ff) That, if and when made available from Virginia Department of Environmental Quality, the sum of up to Thirty Five Thousand Dollars (\$35,000) is hereby appropriated and authorized for expenditure for the Keep Norfolk Beautiful Program from Keep Norfolk Beautiful grant.

(gg) That, if and when made available from the Sheriff, funds generated from the 811 Market Place Program (Inmate Commissary Account), the sum of up to Two Hundred Thousand Dollars (\$200,000) is hereby appropriated and authorized for expenditure for 811 Market Place Program.

(hh) That, if and when made available from funds generated from Sheriff's Community Corrections Program (Work Release, Inmate Work Force, and Electronic Monitoring), the sum of up to Five Hundred Eighty Six Thousand Dollars (\$586,000) is hereby appropriated and authorized for expenditure for the Sheriff's Community Correction Program.

(ii) That, if and when made available from U.S. Department of Justice, the sum of up to Thirty Thousand Dollars (\$30,000) is hereby appropriated and authorized for expenditure for the State Criminal Alien Assistance Program from State Criminal Alien Assistance Program grant.

(jj) That, if and when made available from funds generated from the Sheriff's Inmate Commissary Account, the sum of up to One Hundred Eighty Three Thousand Dollars (\$183,000) is hereby appropriated and authorized for expenditure for the Inmate Classification Specialist Program.

(kk) That, if and when made available from U.S. Marshal Service, the sum of up to One Hundred Twenty One Thousand Dollars (\$121,000) is hereby

appropriated and authorized for expenditure for the U.S. Marshal Services Program.

Section 15:- That there is hereby set-aside from the General Fund revenues a sum sufficient, estimated at Five Million Dollars (\$5,000,000) to be the amount by which revenue is reduced for the purpose of providing real estate tax exemptions and deferrals for the elderly and disabled under Chapter 24, Article IV, Division 2 of the Norfolk City Code, 1979, real estate tax exemptions for disabled veterans pursuant to Code of Virginia, Section 58.1-3219.5, and real estate tax exemptions of the principal residences of surviving spouses of members of the armed forces of the United States killed in action, pursuant to Code of Virginia, Section 58.1-3219.9.

The Department of Human Services, as designated by the City Manager, shall administer this program.

Section 16:- That Section 2-42 of the Norfolk City Code, 1979, is hereby amended and reordained so as to read as follows:

Sec. 2-42 Reimbursement for travel on city business by private transportation.

When reimbursement of city employees traveling on city business by private transportation is on a mileage basis, the rate of such reimbursement shall be at the rate established by Internal Revenue Service's standard mileage rate.

Section 17:- That Section 41.1-23 subsection (a) of the Norfolk City Code, 1979 is hereby amended and reordained so as to read as follows:

Sec. 41.1-23 Stormwater management fees.

(a) The following stormwater management fees are hereby authorized:

Type of Account	Daily Rate	Effective Date
Residential Accounts	\$0.402	July 1, 2019
Nonresidential Accounts	\$0.402 per 2,000 square foot of impervious area	July 1, 2019

For residential accounts that are active as of July 1, 2019, the rate will increase on July 1, 2019, so that the rate will be \$0.402 per day. For nonresidential accounts, the rate will increase on July 1, 2019, to \$0.402 per day per two thousand (2,000) square feet of impervious surface. Rates will be calculated by rounding to the nearest two thousand (2,000) square feet of impervious area with a minimum bill based on two thousand (2,000) square feet. Annual increases of three percent (3%) over the previous year's stormwater rate for residential and nonresidential accounts will begin July 1 of each year, until amended.

In addition to the above daily rates, the residential stormwater charge shall be one dollar (\$1.00) per month per account and the nonresidential stormwater charge shall be one dollar (\$1.00) per month per two thousand (2,000) square feet of impervious surface.

Section 18:- That Section 41-21, subsections (a), (d) and (e) of the Norfolk City Code, 1979 are hereby amended and reordained so as to read as follows:

**Sec. 41-21 Fees for the collection and disposal
 of refuse.**

The following maximum fees are hereby established for the collection and disposal of refuse (garbage and bulky waste) by city forces:

- (a) Three hundred twenty-four dollars and twelve cents (\$324.12) per year for each single-family dwelling unit or dwelling units in multiple residences not exceeding four (4) families or dwelling units.
- (d) If business and family units are combined on a single property, the charge shall be seven hundred thirty-four dollars and sixteen cents (\$734.16) per year for each business unit plus three hundred twenty-four dollars and twelve cents (\$324.12) for each dwelling unit.
- (e) Five hundred fifty-one dollars and twenty-eight cents (\$551.28) per year for each container serving multiple residences exceeding four (4) families.

Section 19:- There are hereby appropriated the revenues from the taxes imposed on the service district created by Council pursuant to Section 15.2-2400 of the Code of Virginia, 1950, as amended, known as the Downtown Service District (sometimes referred to as the Downtown Improvement District) in the estimated amount set out in a line item in the attachments incorporated into this ordinance, to be used by the Downtown Norfolk Council for the purposes set out in Section 24-212.1 of the Code of the City of Norfolk (1979), as amended, and in Section 15.2-2403 of the Code of Virginia, 1950, as amended.

Section 20:- That the provisions of this ordinance are hereby declared to be severable. If any part, section provision, sentence, clause or phrase, or the application thereof to any person or circumstance, is adjudged to be unconstitutional or invalid for any reason, the remainder of the ordinance shall remain in full force and effect and its validity shall not be impaired, it being the legislative intent now hereby declared that the ordinance would have been adopted even if such invalid matter had not been included or if such invalid application had not been made.

Section 21:- That this ordinance shall be in effect from and after July 1, 2019.

Adopted by Council May 14, 2019
Effective July 1, 2019

TRUE COPY

TESTE:

RICHARD ALLAN BULL, CITY CLERK

BY:

ADISA MUSE, CHIEF DEPUTY CITY CLERK

Form and Correctness Approved

RAT

By

Office of the City Attorney

Pursuant to Section 72 of the City Charter, I hereby certify that the money required for this item is in the city treasury to the credit of the fund from which it is drawn and no appropriated for any other purpose.

Content Approved:

\$ 133,885,700

various

Account

By Emily M. Maclellan for Gregory Patrick

DEPT.

Budget + Strategic Planning

NORFOLK, VIRGINIA

Christine A. Sneyd
Director of Finance

5/9/19
Date

ORDINANCE No.**47,637**

R-2

AN ORDINANCE APPROVING THE CAPITAL IMPROVEMENT PLAN BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 AND ENDING JUNE 30, 2020; APPROPRIATING \$133,885,700 FOR CERTAIN PROJECTS APPROVED THEREIN; AUTHORIZING AN ISSUE OF BONDS IN THE AMOUNT OF \$72,202,999; REAPPROPRIATING PREVIOUSLY AUTHORIZED BUT UNISSUED BONDS IN THE AMOUNT OF \$28,829,000; AND AUTHORIZING THE EXPENDITURE OF \$32,853,701 IN CASH.

- - -

WHEREAS, on March 26, 2019, the City Manager submitted to the City Council a Capital Improvement Plan for the City for the fiscal year beginning July 1, 2019 and ending on June 30, 2020; and

WHEREAS, it is necessary to appropriate sufficient funds to cover the approved capital projects set forth in the Capital Improvement Plan and to authorize said projects; now therefore,

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the capital projects set forth below in the Capital Improvement Plan for the fiscal year beginning on July 1, 2019 and ending on June 30, 2020, are hereby approved and the amounts totaling \$133,885,700, or so much thereof as may be necessary, are hereby appropriated for the purposes hereinafter set out:

A. General Capital Improvement Projects

<u>Number</u>	<u>Title</u>	<u>Approved Amount</u>
1	Acquire Equipment and Technology	8,691,100
2	Improve Marriott Waterside Conference Center (PA)	6,500,000
3	Improve Street Infrastructure Citywide	5,000,000
4	Address School Major Maintenance	3,000,000
5	Revitalize St. Paul's Community	3,000,000
6	Maintain Municipal Facilities	2,850,000
8	Provide Funds for Acquisition in Wards Corner	2,831,000
9	Install New Sidewalks	2,550,000
10	Repair, Replace, and Maintain Bridges	2,000,000
11	Improve Road Infrastructure in St. Paul's Area	2,000,000
12	Improve and Maintain the Zoo	1,500,000
13	Maintain Sidewalks Citywide	1,300,000
14	Control Beach Erosion	1,014,400
15	Acquire School Buses	1,000,000
16	Fund Nauticus Capital Campaign	1,000,000
	Improve Emerging Districts: 38th Street and North	
17	Colley	900,000
18	Improve Emerging Districts: Complete Bay Oaks Park	900,000
	Improve Emerging Districts: Arts District Streetscape	
19	Design	900,000
	Improve Emerging Districts: Church Street and	
20	Huntersville	900,000
21	Improve Emerging Districts: Five Points and Broad Creek	900,000
22	Fund Chrysler Museum Capital Campaign Match	850,000
23	Implement Complete Streets Initiative	750,000
24	Improve Fairmount Park Infrastructure	750,000
25	Maintain USS Wisconsin BB-64	750,000
26	Fund Preliminary Engineering	609,000
27	Improve Neighborhood Streets	550,000
28	Enhance Signals and Intersections	500,000
29	Implement RPOS Master Plan	500,000
30	Improve Animal Care Center Infrastructure	500,000
31	Improve Harbor Park	500,000
32	Support Jail Improvements	450,000
33	Improve Tennis Courts Citywide	400,000
34	Improve Cemeteries Infrastructure	250,000
35	Improve Community and Neighborhood Parks	250,000
36	Support Citywide Public Art	250,000
37	Acquire Blighted Properties in Willoughby	200,000
38	Improve Existing Community Centers	200,000

39	Improve Citywide Dredging and Waterways	150,000
40	Create Gender-Neutral Restroom in City Hall	150,000
41	Improve Street Lights	100,000
42	Repair and Replace Underground Storage Tanks	100,000
43	Convert Street Lights to LED	75,000
Total General Capital		57,570,500
<u>B. Parking Facilities</u>		
44	Maintain Parking Facilities	2,900,000
Total Parking Facilities		2,900,000
<u>C. Storm Water Utility</u>		
45	Improve Storm Water Infrastructure in St. Paul's	3,000,000
46	Reduce Neighborhood Flooding	2,850,000
47	Improve Storm Water Quality	2,350,000
48	Create Citywide Flooding Reserve	1,315,200
49	Address Street Flooding Citywide	1,300,000
50	Raise the Downtown Floodwall	1,000,000
51	Improve Storm Water System	600,000
52	Improve Storm Water Waterfront Facilities	500,000
Total Storm Water Utility		12,915,200
<u>D. Wastewater Utility</u>		
53	Improve Wastewater Collection System	12,000,000
5452	Create Citywide Wastewater Utility Reserve	5,000,000
55	Improve Wastewater Infrastructure in St. Paul's	2,000,000
Total Wastewater Utility		19,000,000
<u>E. Water Utility</u>		
56	Upgrade Water Treatment Plants	16,500,000
57	Improve Water Resources and Delivery System	16,000,000
58	Create Citywide Water Utility Reserve	5,000,000
59	Improve Water Infrastructure in St. Paul's	2,000,000
Total Water Utility		39,500,000
<u>F. Waste Management</u>		
60	Improve Waste Management Facilities	1,000,000
61	Support Campostella Landfill Post Closure Requirements	1,000,000
Total Waste Management		2,000,000
Grand Total		133,885,700

Section 2:- The issuance of bonds of the City from time to time, in the total principal amount of \$72,202,999 is hereby authorized, in such form and with such terms as shall be established pursuant to future ordinances, of which \$41,602,999 is for General Capital

Improvement Projects, \$11,600,000 is for Storm Water Utility Projects, \$14,000,000 is for Wastewater Utility Projects, \$2,000,000 is for Waste Management Projects, and \$3,000,000 is for Water Utility Projects.

Section 3:- Previously approved and appropriated but unissued bonds in the amount of \$28,829,000 are hereby reappropriated, \$6,329,000 of which for General Capital Improvement Projects and \$22,500,000 for Water Utility Projects.

Section 4:- That \$300,000 of cash funding previously appropriated for the Capital Improvement Plan project "Strengthen Neighborhoods Through Affordable Housing Initiatives" is hereby transferred to the General Fund.

Section 5:- That the expenditure of \$32,853,701 in cash is hereby authorized in order to provide a portion of the funds appropriated. Of such sum, \$9,638,501, comprised of \$6,503,148 transferred from the General Fund, \$1,750,000 from the Public Amenities Fund and \$1,385,353 from the Capital Improvement Fund, is for General Capital Improvement Projects; \$2,900,000 from the Parking Fund is for Parking Facilities Projects; \$1,315,200 from the Storm Water Fund is for Storm Water Utility Projects; \$5,000,000 from the Wastewater Utility Fund is for Wastewater Utility Projects; and \$14,000,000 from the Water Utility Fund is for Water Utility Projects.

Section 6:- That the Council reasonably expects to reimburse certain expenditures made to interim finance the above-described capital projects from the General Capital Improvement Projects Fund, Storm Water Utility Fund, Wastewater Utility Fund, Water Utility Fund, and Waste Management Fund with the proceeds of the bonds to be issued by the City.

Section 7:- That this ordinance represents a declaration of "official intent" under Treasury Regulations Section 1.150-2(e).

Section 8:- That the expenditures to be reimbursed will be paid from the following funds, which funds have the following general functional purposes:

(a) General Capital Improvement Projects

Fund. Used to account for the financial resources used to finance general capital improvement projects in the Capital Improvement Plan other than those financed by the City's enterprise funds or special revenue funds;

(b) Storm Water Utility Fund. Used to account for the City's environmental storm water operations, including accounting for the financial resources used to finance capital projects in the Capital Improvement Plan related to the storm water utility;

(c) Wastewater Utility Fund. Used to account for the City's wastewater utility operations, including accounting for the financial resources used to finance capital projects in the Capital Improvement Plan related to the wastewater utility;

(d) Waste Management Fund. Used to account for the City's waste management operations, including accounting for the financial resources used to comply with regulatory requirements related to its landfills; and

(e) Water Utility Fund. Used to account for the City's water utility operations, including accounting for the financial resources used to finance capital projects in the Capital Improvement Plan related to the water utility.

Section 9:- That the appropriate officers or agents of the City are authorized and directed to file a certified copy of this ordinance with the Circuit Court of the City of Norfolk pursuant to Sections 15.2-2607 and 15.2-2627 of the Code of Virginia, 1950, as amended.

Section 10:- That the City Manager, unless otherwise directed by City Council, is hereby authorized to do all things necessary to implement the projects set forth in the Fiscal Year 2020 Capital Improvement Plan Budget.

Section 11:- That the City Manager or his designee is authorized to close out or reappropriate unused

Capital Improvement Plan funds in projects that have been completed. These funds may be reappropriated as sources in future year Capital Improvement Plans.

Section 12: - That the City Manager or their designee is authorized to change, subject to any applicable restriction of law or of any bonds or bond issue, the financing sources for the various capital projects included in this or previous ordinances to reflect effective utilization of the financing sources and actual collections and/or realized revenues. If the financing sources in support of capital projects decline, the City Manager or their designee is authorized to reduce, subject to any applicable restriction of law or of any bonds or bond issue, those appropriations to equal the changed financing source. The accounting records of the City will be maintained in a manner where the total of financing sources is equal to the total appropriations for each of the City's capital projects funds.

Section 13:- That the City Manager or his designee is authorized to transfer from any project that has an excess of funds appropriated for its use to any other project all or any part of such excess. A record of all such transfers shall be maintained by the Director of Finance.

Section 14:- That the City Manager or his designee is authorized to transfer funds from any project authorized with Public Art funds in the Capital Improvement Plan to any other project or pool funds, as needed, to implement any portion of the Capital Improvement Plan.

Section 15:- That, if the City Manager, in consultation with the Director of Finance, determines that it is advisable to finance the acquisition of Short-Term Equipment in an alternative manner, the City Manager, with the approval of Council, is hereby authorized to execute and deliver on behalf of the city nongeneral obligation bonds, notes, term loan agreements, a master equipment lease agreement or other similar financing agreement (the "Alternative Short-Term Equipment Financing"), to execute and deliver such instruments, agreements, documents or certificates and to do and perform such things and

acts, as the City Manager shall deem necessary or appropriate to carry out the transactions relating to the Alternative Short-Term Equipment Financing authorized by this ordinance, including to solicit and accept proposals to provide Alternative Short-Term Equipment Financing that the City Manager determines to be in the city's best interest and all of the foregoing, previously done or performed by such officers or agents of the city, are hereby in all respects approved, ratified and confirmed.

Should the City Manager determine that it is in the city's best interest to enter into Alternative Short-Term Equipment Financing, the Alternative Short-Term Equipment Financing shall bear interest at a rate not exceeding Six and a Half Percent (6.5%), shall have a final term to maturity not in excess of ten (10) years and shall not exceed Ten Million Dollars (\$10,000,000). The obligation of the city to make payments under any Alternative Short-Term Equipment Financing is subject to appropriation each year by the Council and nothing in this ordinance or the Alternative Short-Term Equipment financing shall constitute a debt or pledge of the faith and credit of the city.

Section 16:- That this ordinance shall be in effect from and after July 1, 2019.

Adopted by Council May 14, 2019
Effective July 1, 2019

TRUE COPY

TESTE:

RICHARD ALLAN BULL, CITY CLERK

BY:

ADISA MUSE, CHIEF DEPUTY CITY CLERK

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