SHOWN LIVE ON NEWPORT NEWS TELEVISION
COX CHANNEL 48
VERIZON CHANNEL 19
www.nngov.com

AGENDA

NEWPORT NEWS CITY COUNCIL REGULAR CITY COUNCIL MEETING

JUNE 10, 2014

City Council Chambers

7:00 p.m.

A. Call to Order

B. Invocation - Rev. George Chioros, Sants Constantine and Helen Greek

C. Pledge of Allegiance to the Flag of the United States of America

D. Presentations

None

E. Public Hearings

1. Ordinance Authorizing the City Manager to Execute Any and All Documents Necessary for the Conveyance of a Portion of 11846 Jefferson Avenue via a Quitclaim Deed for the Middle Ground Boulevard Extension Project

F. Consent Agenda

1. Minutes of the Work Session of May 27, 2014
2. Minutes of the Special Meeting of May 27, 2014
3. Minutes of the Regular Meeting of May 27, 2014

G. Other City Council Actions

1. Resolution Authorizing the Re-Sale of Wetland and Stream Mitigation Credits Purchased for the King William Reservoir Project and Authorizing the City Manager to Execute Any and All Documents Pertaining to the Re-Sale

H. Appropriations

1. Department of Engineering – FY 2014 Bond Authorization, Public Buildings Category: Design Services for Emergency Generators Replacement – $50,000

2. Department of Engineering – FY 2014 Bond Authorization, Public Buildings Category: Justice Building Elevator Renovations – $175,000

3. Newport News Sheriff's Office – Commonwealth of Virginia, Office of the Attorney General: Asset Forfeiture Funds – $249,480

4. Department of Engineering – Congestion Mitigation and Air Quality (CMAQ): Mariners' Museum Multi-Purpose Trail Project – $650,000

I. Citizen Comments on Matters Germane to the Business of City Council

***J. New Business and Councilmember Comments**

1. City Manager

2. City Attorney

3. City Clerk

4. Price

5. Scott

6. Vick

7. Whitaker

8. Woodbury

9. Bateman

10. Coleman

K. Adjourn

***THE BUSINESS PORTION OF THE MEETING WILL BE CONCLUDED NO LATER THAN 10:00 P.M. TO ALLOW PERSONS TO ADDRESS CITY COUNCIL UNDER "CITIZEN COMMENTS ON MATTERS GERMANE TO THE BUSINESS OF CITY COUNCIL."**

A. Call to Order

B. Invocation – Rev. George Chioros, Saints Constantine and Helen Greek

C. Pledge of Allegiance to the Flag of the United States of America

D. Presentations

E. Public Hearings

1. Ordinance Authorizing the City Manager to Execute Any and All Documents Necessary for the Conveyance of a Portion of 11846 Jefferson Avenue via a Quitclaim Deed for the Middle Ground Boulevard Extension Project

ACTION: A REQUEST TO ADOPT AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR THE CONVEYANCE OF A PORTION OF 11846 JEFFERSON AVENUE VIA A QUITCLAIM DEED FOR THE MIDDLE GROUND BOULEVARD EXTENSION PROJECT.

BACKGROUND:

- The Virginia Department of Transportation (VDOT) is constructing the extension of Middle Ground Boulevard and an additional right-of-way and a temporary construction easement are required on City-owned property.
- The City-owned property is located at 11846 Jefferson Avenue on the southeast corner of Jefferson Avenue and Middle Ground Boulevard.
- The project requires 0.121 acres of additional right-of-way for widening the northbound approach on Jefferson Avenue at Middle Ground Boulevard.
- A temporary construction easement of 0.255 acres is also necessary for construction activities behind the right-of-way.
- The City Manager recommends approval.

FISCAL IMPACT:

- N/A

Supporting Material

CM Memo re MiddleGroundBlvd Expansion Proj
Middle Ground Blvd Ext Proj Map
sdm12602 Ord Authorizing a Quitclaim Deed between City and VDOT

CITY OF NEWPORT NEWS

OFFICE OF THE CITY MANAGER

June 4, 2014

TO: The Honorable City Council

FROM: City Manager

SUBJECT: Conveyance of City-Owned Property for the Middle Ground Boulevard Expansion Project

City Council is requested to approve an ordinance authorizing the City Manager to execute any and all documents necessary for the conveyance of a portion of property located at 11846 Jefferson Avenue for the Middle Ground Boulevard Expansion Project. Construction of the Middle Ground Boulevard project is underway and is approximately 84% complete.

The project requires 0.121 acres of right-of-way and 0.255 acres of temporary construction easement from City-owned property as shown on the attached plans and deed. This City-owned parcel is located at the southeast corner of Jefferson Avenue and Middle Ground Boulevard. The conveyance of this portion of City-owned property is required for the widening of the northbound lanes on Jefferson Avenue approaching Middle Ground Boulevard. This conveyance of City property will allow Virginia Department of Transportation (VDOT) to grant permanent utility easements to Dominion Power, Verizon and Virginia Natural Gas.

There is no cost incurred to the City for this transfer of City property and upon completion of the project, the right-of-way will be returned back to the City.

I recommend City Council approve the resolution.

James M. Bourey

JMB/JMK/wjr

Attachments

cc: Everett Skipper, Director of Engineering

G:\JIM BOUREY\Correspondence\2014\June\Memo to HCC re Middle Ground Blvd Expansion Proj 6.4.14.docx

CITY OF NEWPORT NEWS, VIRGINIA

Date: 6/4/2014

Middle Ground Boulevard Expansion Project

sdm12602

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO ATTEST, ON BEHALF OF THE CITY OF NEWPORT NEWS, VIRGINIA, THAT CERTAIN QUITCLAIM DEED BY AND BETWEEN THE CITY OF NEWPORT NEWS, VIRGINIA, AND THE COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION, DATED JUNE 10, 2014, FOR THE PURPOSES OF UTILITY RELOCATIONS NECESSITATED BY THE MIDDLE GROUND BOULEVARD EXTENSION PROJECT.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News:

1. That it hereby authorizes and directs the City Manager to execute and the City Clerk to attest, on behalf of the City of Newport News, Virginia, that certain Quitclaim Deed by and between the City of Newport News, Virginia, and the Commonwealth of Virginia, Department of Transportation, dated June 10, 2014, for the purpose of the relocation of utility easements required by the Middle Ground Boulevard Extension Project.

2. That a copy of the said Quitclaim Deed is attached hereto and made a part hereof.

Prepared By/Return To:
City Attorney's Office
2400 Washington Avenue, 9th Fl.
Newport News, VA 23607

Consideration: $0.00

Portion of Assessor's Tax ID #0195.0001-02
11846 Jefferson Avenue

Exemption Claimed Under Section 58.1-811.C.4.. For Taxes Imposed by Section 58.1-802 on a Conveyance by a Virginia City.

THIS QUITCLAIM DEED, made this 10th day of June, 2014, by and between the **CITY OF NEWPORT NEWS, VIRGINIA**, a Municipality, Grantor, and the **COMMONWEALTH OF VIRGINIA**, acting by and through its Department of Transportation, Grantee;

W I T N E S S E T H:

THAT WHEREAS, the Council of the City of Newport News, Virginia, at its meeting on June 10, 2014, duly authorized the conveyance to the Commonwealth of Virginia, Department of Transportation, of certain lands.

NOW, THEREFORE, for and in consideration of the sum of $1.00, paid by the Grantee to the Grantor, receipt of which is hereby acknowledged, the Grantor hereby grants and conveys unto the Grantee with general warranty the following described land, all of which lies in the City of Newport News Virginia:

Parcel 005

All that certain parcel of land containing 0.121 acre, more or less, in area as shown on a plat titled "Compiled Plat Showing 0.121 Acre Fee Take Area Being Granted To Commonwealth of Virginia" for the Property Of City Of Newport News, Parcel #195000102, 11846 Jefferson Avenue, City of Newport News, Virginia, prepared by Vanasse Hangen Brustlin, Inc. dated January 17, 2012, and recorded simultaneously herewith in State Highway Plat Book ____ Page ____.

For the same consideration, the Grantor also conveys herewith to the Grantee the temporary right and easement to use the area shown on the aforesaid plat as "Proposed Temporary Construction Easement" and containing 0.255 acre, more or less, in area to extend the road slopes, or for other construction within such area. Said temporary construction easement shall terminate at such time as the construction of the aforesaid project is completed.

Being a part of the same land acquired by the landowner from Oyster Point Development Corporation by Deed dated June 30, 1993, and recorded in Deed Book 1335, Page 2132, in the Office of the Clerk of the Circuit Court of Newport News.

The Grantor by the execution of this instrument acknowledges that the plans for the aforesaid project as they affect its property have been fully explained to its authorized representative.

The Grantor covenants that it has the right to convey the land to the Grantee; that it has done no act to encumber the same; and that it will execute such further assurances of the same as may be requisite.

The Grantor covenants and agrees for itself, its successors and assigns, that the consideration hereinabove mentioned and paid to it shall be in lieu of any and all claims to compensation for land, and for damages, if any, to the remaining lands of the Grantor which may result by reason of the use to which the Grantee will put the land to be conveyed, including such drainage facilities as may be necessary.

WITNESS the following signature and seal:

CITY OF NEWPORT NEWS, VIRGINIA

BY _____(SEAL)
James M. Bourey
TITLE: City Manager

Commonwealth of Virginia
City of Newport News, to-wit:

Subscribed and sworn to be me, _____, a Notary Public in and for the jurisdiction aforesaid, this _____ day of _____, 2014, by James M. Bourey, City Manager for the City of Newport News, Virginia.

_____
Notary Public

(SEAL)

My Commission Expires: _____
Registration No.: _____

F. Consent Agenda

1. Minutes of the Work Session of May 27, 2014

ACTION:	• N/A
BACKGROUND:	• N/A
FISCAL IMPACT:	• N/A

Supporting Material

Minutes of the Work Session of May 27, 2014

DRAFT

MINUTES OF WORK SESSION
OF THE NEWPORT NEWS CITY COUNCIL
HELD IN THE 10TH FLOOR CONFERENCE ROOM
2400 WASHINGTON AVENUE
May 27, 2014
3:30 p.m.

PRESENT: Robert S. Coleman; McKinley L. Price, DDS; Tina L. Vick (arrived at 3:43 p.m.); Joseph C. Whitaker; Dr. Patricia P. Woodbury; and Herbert H. Bateman, Jr. ---- 6

ABSENT: Sharon P. Scott ---------- 1

OTHERS PRESENT: James Bourey; Collins Owens; Mabel Washington Jenkins; Cynthia Rohlf; Alan Archer; Wanda Pierre; Richard Caplan; Florence Kingston; Carol Meredith; Lisa Cipriano; Chad Pritchett; Keith Ferguson; Kofi Boateng; Scott Dewhirst; Katherine Goetz; Sheila McAllister; Christine Mignogna; Harold Roach; Lynn Spratley; Carlton Ashby; Teddy Hicks; Ashby Kilgore; Bryan Nichols; Flave Rogers; Cleder Jones; Kim Lee; Jennifer Walker; RoShaundra Ellington; Telly Whitfield; and Paul Klee

Mayor Price opened the meeting with the video production entitled "My Kind of Town, Newport News Is," that was aired at the Newport News Police Foundation Badge and Bandit Gala held May 16, 2014. The video was a worthwhile project to promote and raise funds for the Newport New Police Foundation.

I. Newport News Public School District Presentation - Magruder Primary School

Mr. James Bourey, City Manager, introduced Mr. Carlton Ashby, Chairperson, Newport News School Board, to begin the presentation.

Mr. Ashby stated it was said, if you really want something you must think and dream big and think and dream success, which Newport News Public Schools (NNPS) did for its children. He stated that NNPS recognized that children of the 21st Century were not taught the same way as children of the 20th Century. NNPS understood the 21st Century framework of learning, which included career skills, team building, listening, speaking and core subjects.

Mr. Ashby advised that NNPS offered the STEM (Science, Technology, Engineering and Mathematics) Corridor concept at nine schools. He was looking forward to the new Magruder Primary School that would offer the STEM concept. NNPS commitment was to ensure that all students were college, career and citizenship ready.

Mr. Ashby announced that NNPS would hold a STEM Community Day. The event was scheduled for Saturday, May 31, 2014, 10:00 a.m. – 3:00 p.m., at the Freeman Center at Christopher Newport University and was open to the public.

Mr. Ashby shared that the new Magruder Primary School would be a STEM school and would prepare students for middle and high school. He stated what was done on the elementary level was very important for the success of all children. NNPS understood that 80% of a child's personality and values about school and education were developed by the time they reached ten years of age. He introduced Mr. Bryan Nichols, Chief Academic Officer, Curriculum Development, NNPS, to share what the new Magruder Primary School would offer to children. Mr. Ashby thanked members of City Council for their support.

Mr. Nichols noted the new Magruder Primary School would offer the following:

- State of the Art Facility
  - Building as a Learning Tool
  - Collaborative Learning Spaces
  - Multi-Level Library and Science Lab
- Employee Expertise
  - STEM Certified Teachers
  - Partnership with NASA and Air & Space Center
  - STEM Instructional Specialist
- Quality Curriculum
  - STEM-Infused Curriculum
  - Reading and Math Integrated Through Engineering
  - Opportunities to Explore and Research Topics Related to STEM careers

Mr. Nichols stated the new Magruder Primary School would be a multi-level building to include Kindergarten through 5th grade. He noted the curriculum per grade level:

• Kindergarten	Mechanical Engineering
• 1st	Chemical Engineering
• 2nd	Environmental Engineering
• 3rd	Computer Engineering
• 4th	Electrical Engineering
• 5th	Aerospace Engineering

Mr. Nichols introduced Mr. Paul Klee, Architect, Grimm and Parker Architects, to offer an overview of the new Magruder Primary School.

Mr. Klee stated the new Magruder Primary School (Magruder STEM Academy) had an innovative design concept. He had worked with the stakeholders to understand what was

important to learn and lead the design concept for the new Magruder STEM Academy (a copy of the presentation "Newport News Public Schools – New Magruder Elementary School," is attached and made a part of these minutes). Mr. Klee reported that the construction documents were finalized, the project was out for bid, and June 12, 2014 was the bid submission date.

Mr. Klee noted the particulars of the new Magruder STEM Academy:

- Site: 9.7 Acres
- Building: 97,612 Gross Square Feet
- Capacity: 800 Students
- Scheduled Opening: September 2016

Mr. Klee stated six stakeholder meetings, with approximately 45 people, were held, along with school tours, to determine the guiding principles that lead the design principles of the project (a summary of the Guiding Principles are enclosed in the presentation attached to these minutes).

Mr. Klee explained the site and floor plan of the new Magruder STEM Academy. He stated the main entrance would be on Chestnut Avenue, and the school bus drop-off and staff parking lot would be off of Oak Avenue. The existing Magruder Primary School would continue to be operational as the new School was built adjacent to it. A barrier would be installed to eliminate the mixing of students with construction. The existing school would be taken down and recycled once the new school was complete.

Mr. Klee reported the new Magruder STEM Academy would include outdoor learning areas and classrooms throughout the entire campus. The administration office would be located near the main front entrance of the school. A community resource center would be included that would provide the community with continuing education and GED classes as well as a computer lab. The school would have a dining area (the Nutrition Lab) that included an outdoor vegetable garden where students could learn how to grow vegetables from a STEM point of view. A gym with stage, along with an outdoor amphitheater, was included in the project.

Mr. Klee explained that the new Magruder STEM Academy would be a multi-three-story building with six classroom pods and a collaborative learning zone on each floor. The first floor would house Kindergarten and 1st graders; the second floor would house 2nd and 3rd graders; and the third floor would house 4th and 5th graders. The learning zones would include a library with a learning theater where students could make STEM presentations. At the top of the learning theater there was a reading area with a look-out over the water where teachers could read to their classes.

Councilwoman Vick inquired whether the amphitheater would be open to the general public. Mr. Klee replied that was an operational decision to be made by the school administration; however, it could be open to the public from a design point of view.

Councilman Coleman inquired about the number of students at Magruder Primary School. Dr. Ashby Kilgore, Superintendent, NNPS, replied the student population included Kindergarten to 2nd grade, with approximately 500 students. The new Magruder STEM Academy would be expanded to grades Kindergarten through 5th grade, with approximately 800 students.

City Manager Bourey inquired how NNPS would expand its student population in terms of allowing current students to stay at the new facility. Dr. Kilgore replied that NNPS completed the rezoning during the spring of 2014. Beginning with the 2014 – 2015 school year, all Kindergarten students would be able to remain at the new Magruder STEM Academy through 5th Grade.

City Attorney Owens inquired whether it would take longer to get children and faculty out of a multi-three story building as opposed to a one story building in the event of an emergency, such as a fire. Mr. Klee replied he did not know whether there were studies to prove the time difference; however, the new building, by City Code, would include fire stairs. He stated there were three sets of fire stairs, along the classroom PODs. He could not comment on the time required to evaluate a three or one story building.

Vice Mayor Bateman inquired whether the building was a LEED (Leadership in Energy and Environmental Design) certified building or would be built using certified environmental and energy design principles. Mr. Klee replied it would not be a LEED certified building, but would be built using the LEED principles of sustainability. The life-cycle cost to operate the building would not be too expensive, and it would be an Energy Star approved building.

II. Lee Hall Dam Update & Appropriation Discussion

City Manager Bourey introduced Mr. Kofi A. Boateng, Director, Department of Public Utilities (Waterworks), to provide the presentation. He stated the Lee Hall Dam project had been ongoing for a number of years and staff was ready to take the next step in the process. There was a request to adopt a resolution to appropriate funding for the project on the evening agenda. He felt it was important to offer a briefing on the project in light of Dam regulations that were imposed by the state and federal government.

Mr. Boateng stated Waterworks was requesting that Council approve the appropriation of $2,233,600 in support of engineering construction services, purchasing of wetland credits, steam mitigation design and compliance monitoring, and reporting, for Phase III of the Lee Hall Dam project.

Mr. Boateng reminded of the key issues that were noted in the presentation made to City Council in 2012:

- Lee Hall Dam Impounded Water for Drinking Water Treatment
- The Dam Safety Division of the Virginia Department of Conservation and Recreation (VDCR) ruled the Dam unsafe and classified it as a high hazard in that if the Dam failed it would be catastrophic to human life and cause serious property damage and economic consequences
- Probable Maximum Flood (PMF) was the main culprit for the Dam's failure
- Three-Phase project to be in full compliance with the revised VDCR regulations adopted in September 2008
    - Phase I, Study/Concept Confirmation
    - Phase II, Survey, Design, Permitting
    - Phase III, Construction and Engineering Services

Mr. Boateng stated Phase I of the project was completed and Phase II was near completion. He stated a number of requirements for Phase III had to occur to finalize the design of the project prior to construction.

Mr. Boateng stated the Lee Hall Reservoir system consisted of two separate, interconnected impoundments known as the Lee Hall Upper Outlet Works and the Lee Hall Lower Dam. The impoundments were separated by a 600-foot-long CSX railroad embankment, which together with the Outlet Works, formed the Dam. The normal level of the Upper Dam was 19.6 feet and the normal level of the Lower Dam was 16.5 feet. The Outlet Works was a gated structure used to maintain a 3-foot higher water elevation in the upper portion of the lake, which was part of Newport News Park. The Outlet Works was attached to the upstream side of the CSX railroad embankment and was owned and operated by Waterworks for more than 65 years through an agreement with CSX. Mr. Boateng stated the Lee Hall Lower Dam was a 3,500-foot-long earthen Dam, which had been in operation for over 114 years and provided the water source to Waterworks' main treatment facility.

Mr. Boateng noted the modifications and improvements for the Lee Hall Reservoir Dam:

- Remove Upper Gate Structure
- Equalize Reservoir Levels into Single Pool
- Consolidate two Reservoir Dam Structures

- Eliminate Upper Dam from Compliance
- Modify Lower Dam Spillway to meet Probable Maximum Flood (PMF) Conditions
- Create Passive Spillway Structure with Armored Embankment to Pass full PMF

Mr. Boateng stated the modifications would allow the Upper and Lower Dam structures to be compliant and support the future of the reservoir as the main water supply source for the lower Peninsula.

Mr. Boateng noted the history of the Lower Reservoir Dam. He stated the original Dam was constructed in 1892. The height of the Dam was raised several times through the 1920s. The last major improvement project was the installation of a bascule gate to increase spillway capacity in 1968. The Dam first became regulated in July 2003.

Mr. Boateng recapped and noted the primary objective of the project:

1. Bring Dam/spillway into full compliance with new VDCR Dam safety regulations
2. Comply with VDCR Conditional O & M Certificate (September 30, 2013)
3. Rehabilitate/replace lower Dam/address seepage problems
4. Resolve compliance issues related to the gate structure attached to the CSX railroad embankment

Mr. Boateng noted the Phase III Lee Hall Reservoir project budget:

• Engineering Construction	$1,441,100
• Wetland Mitigation Credit Purchase	$ 351,000
• Stream Mitigation Design	$ 231,500
• Contingencies	$ 210,000

Mr. Boateng stated the total project cost for Phases I – III totaled approximately $20 million. He noted the timeline for the Lee Hall Dam Modification project:

• Certificate Deadline for Alteration Permit including review	October 2014
• Environmental Permits issued and Mitigation work begins	2014
• Construction of the Dam Improvement project	2016

Mr. Boateng recognized Mr. Scott Dewhirst, Assistant Director, Department of Public Utilities, who had been the Lee Hall Dam project manager over the past several years. He stated Mr. Dewhirst available to answer any questions.

Councilwoman Woodbury noted the sea level had risen over the past several years and inquired whether that had been considered in the project. Mr. Dewhirst replied the design work did include modifications in relation to the rise in sea level, and the Dam would be sufficient in height.

Councilwoman Woodbury inquired what happened to the CSX railroad structure once the improvements were made to the Dam, with the elimination of the gate spillway structure. Mr. Dewhirst replied that CSX owned that portion of the railway and once Waterworks took the gate structure away, the culvert underneath the railway would become an un-regulated structure according to VDCR. He stated that was a concern to the Department of Waterworks' because it would become unstable. He stated CSX was aware of the matter.

Councilwoman Woodbury inquired about security measures included in the project. Mr. Dewhirst replied the Dam was securely fenced in a hardened structure that was not easy to sabotage. He did not foresee any security issues.

III. Cultural Attractions – City Manager's Recommendations

Mr. Bourey introduced Ms. Lisa Cipriano, Director, Department of Budget and Evaluation, to report on the City Manager's Cultural Attractions Recommendations.

Ms. Cipriano stated $650,000 was included in the FY 2014 Operating Budget for a Cultural Attraction Fund to provide one-time operational and/or project support to local cultural arts entities that were adversely impacted by the economic recession. The funds were intended to serve as a financial safety net to ensure the ongoing viability of the City's local cultural assets and as an incentive to encourage private fundraising and grant match investment.

Ms. Cipriano stated an application process was undertaken to solicit organizations interested in receiving Cultural Attraction funding. She stated a committee, consisting of Mr. Telly Whitfield of the City Manager's Office, Ms. Carol Meredith of the Department of Development, Ms. Kay Sumner of the Department of Parks, Recreation and Tourism, and Ms. Katherine Goetz and herself of the Department of Budget and Evaluation, was tasked with reviewing the applications and making recommendations for the City Manager's approval. Eleven applications were received from public and private organizations. Approximately $1 million in funding was requested for capital and ongoing projects. She reminded of the $650,000 approved, $400,000 was dedicated to the Virginia Living Museum (VLM), which left a balance of $250,000 to be awarded between the 11 public and private organizations who applied for funding.

Ms. Cipriano stated the committee considered the following criteria when reviewing the applications:

- Record of financial sustainability
- Ability to leverage other funding
- Ability to use funding as one-time assistance
- Clear objectives and outcome measures
- Impact on the community clearly described
- Ability to generate additional economic effects

Ms. Cipriano stated in addition, the committee considered if the organization received other City funding and if proposed programs or projects were within the City's priorities and upcoming projects. As the total requested funding ($1 million) exceeded the available budget ($250,000), the committee made recommendations based on what would best support the City's cultural landscape and what would provide a positive return on investment. She noted the following organizations and funding recommendations (see the complete list of requests and recommendations in memo to City Council attached and made a part of these minutes):

1.	Chesapeake Bay Wind Ensemble	$ 500
2.	James A. Fields House	$ 9,600
3.	Mariners' Museum	$42,900
4.	Newport News Public Art Foundation	$50,000
5.	N.N. Public Library System Foundation	$ 0
6.	N.N. Parks & Recreation – Historic Services	$42,000
7.	N.N. Parks & Recreation – Special Events	$40,000
8.	N.N. Parks & Recreation – VA War Museum	$ 0
9.	Peninsula Fine Arts Center	$50,000
10.	Port Warwick Foundation	$15,000
11.	Puddin's Place for Performing & Cultural Arts	$ 0

Councilwoman Woodbury inquired whether Cultural Attraction funding for the Virginia War Museum was requested because no funding was included in the FY 2015 – 2019 Capital Improvements Plan (CIP). Ms. Cipriano replied yes. She stated the funding was requested for the protection of the Virginia War Museum's outside exhibits, which could not be accommodated in the CIP. The committee did not feel this was the best source of funding for that particular project.

Councilwoman Woodbury stated the Virginia War Museum was a gem to the City, and hated to see it being neglected. Ms. Cipriano agreed; but pointed out the recommendations were difficult, as there was only $250,000 available for the programs that needed funding.

City Manager Bourey agreed there was a need at the Virginia War Museum and believed funding needed to be included in the CIP.

Councilwoman Woodbury inquired whether the performance review of the VLM was underway. City Manager Bourey responded that staff was working to finalize budget matters, and the performance review would take place in the near future.

Ms. Cipriano asked that City Council support the aforementioned Cultural Attractions Fund recommendations. She stated award letters would be processed and mailed to the awardees with information on how to report back to the City.

Vice Mayor Bateman inquired whether the City had the financial information to warrant an award and a review of the above entities. Ms. Cipriano replied a reporting process, noting how the funding was used, and how many people reached was included on the initial application.

Mayor Price inquired whether City staff would help with the restoration of the Victory Arch, which would ensure expertise. Ms. Cipriano replied that staff from the Department of Parks, Recreation and Tourism would help with the restoration of the Victory Arch.

Mayor Price inquired whether there was a motion to accept the above-noted Cultural Attractions Fund recommendations. Councilwoman Vick made a motion to accept the above-noted recommendations; seconded by Councilman Coleman.

Vice Mayor Bateman disclosed that he was a member of the Port Warwick Foundation Board of Directors who applied for funding.

Councilwoman Vick inquired whether a conscious effort could be made to employ neighborhood residents to assist with the restoration of the Victory Arch and other City projects. She stated it would be nice if citizens could be hired to assist with the work in the Lower Jefferson Avenue Corridor, considering the high unemployment rate in the area. She suggested that the City work with organizations such as Good Seed Good Ground, who was affiliated with the Virginia Employment Commission. Employment would help decrease an individual's desire to get involved with gang violence. She asked the City Manager to assist with the matter. City Manager Bourey replied he would assist with the matter.

Vote on Roll Call:
Ayes: Coleman, Price, Vick, Whitaker, Woodbury, Bateman
Nays: None
Absent During Vote: Scott

DRAFT

Councilwoman Woodbury asked that funding for the Virginia War Museum be included in the FY 2016 - 2020 CIP. She felt the Virginia War Museum was a true asset that should be maintained. City Manager Bourey replied he would ensure the matter was included in the FY 2016 – 2020 CIP.

IV. Street Vendor Regulations Update

City Manager Bourey introduced Ms. Cindy Rohlf, Assistant City Manager, to offer the Street Vendor Regulations update.

Assistant City Manager Rohlf stated, in regards to concerns voiced by the business community and the City's increased focus on future downtown development opportunities, the time had come to do a comprehensive review and make recommended changes to the Street Vendor Ordinance. She recalled that several businesses had approached City Council to express their concerns about the impact that street vendors were having on their businesses. In response to their concerns, an initiative was undertaken through the Community Maintenance effort to address the matter. A sub-committee of the Community Maintenance team was organized with staff from the Departments of Codes Compliance, Development, Police, the City Attorney's Office, the Office of the Commissioner of the Revenue, and the Health Department. The sub-committee had a detailed process to evaluate the existing street vendor regulations. As part of the review, the sub-committee researched the regulations and practices of other urban communities, met with local business owners, and met with street vendors that would be impacted by any changes to the street vendor regulations.

Assistant City Manager Rohlf advised that current street vendor regulations prohibited street vending in certain corridors; however, it was allowed in the "Historic Downtown District." The current Street Vendor Ordinance noted where street vending was not allowed, and the sub-committee felt the ordinance would be more effective by noting where street vending was allowed. The revised Street Vendor Ordinance continued to center most of the street vending activity in certain areas of the "Historic Downtown District." The revised ordinance would note that street vending was not allowed in any other area outside of the "Historic Downtown District."

City Manager Bourey pointed out that the revisions to the Street Vendor Ordinance only applied to on-street vendors.

Councilwoman Woodbury inquired whether the ordinance would regulate the hotdog vendor that was located outside of the Lowe's Home Improvement Center on Chatham Drive. Assistant City Manager Rohlf replied it depended on how the vendor was characterized, whether the vendor had a permanent structure, and whether the vendor was on private property. The revisions to the ordinance dealt with mobile and non-permanent food vendors.

Assistant City Manager Rohlf reported existing street vendor regulations were difficult to understand, which created enforcement issues. The regulations were put in place in 1994, had not been changed or modified, and were outdated. The sub-committee felt it best to revise the ordinance to note where street vending was allowed, rather than where street vending was not allowed.

Assistant City Manager Rohlf noted the street vendor district boundaries ranged from Washington Avenue at 50th Street, City Hall at 23rd and 24th Streets, and West Avenue to the water. She stated street vending was prohibited in other areas of the City.

Councilwoman Vick hoped that the new regulations would not affect the ice cream truck vendors that rode through neighborhoods. Assistant City Manager Rohlf replied ice cream truck vendors were regulated under a different category and would not be affected.

Councilman Coleman inquired whether hotdog vendors in the vicinity of City Hall would fall under the new regulations. Assistant City Manager Rohlf replied yes. She stated the revised ordinance proposed designated areas where street vendors were allowed to locate, as opposed to the current ordinance that allowed a vendor to self-select their location.

Assistant City Manager Rohlf stated the sub-committee proposed certain sites and locations, within the "Historic Downtown District," where a vendor could reside. She stated the vendor would be required to apply for a permit and would be appointed a specific location to operate. The permit would need to be renewed annually. She stated there were ten truck vendor and eight side-walk vendor sites within the district. Most of the proposed sites were at or near existing vendors. The sub-committee had received good feedback from the vendors after some initial questions and concerns were addressed. The vendors felt it was a worthwhile trade-off to apply for a permit and be assigned a permanent site.

Assistant City Manager Rohlf noted the revised Street Vendor Ordinance included the following requirements:

- Vendors would receive a specific location
- Vendors would be required to pay an annual permit fee
  - $150 for Street Vendors
  - $500 for Food Trucks

Councilwoman Vick voiced concern that the $500 permit fee for Food trucks was excessive; she felt $300 would be reasonable. Assistant City Manager Rohlf replied the City of Norfolk's Food Truck permit fee was $750. She pointed out that the vendors would be required to obtain additional insurance and would still need to meet the requirements of the Health Department.

Councilwoman Woodbury inquired whether the existing ordinance required that vendors pay an annual permit fee. Assistant City Manager Rohlf replied no.

Councilwoman Woodbury agreed with Councilwoman Vick that the $500 permit fee was excessive. Assistant City Manager Rohlf replied the $500 permit fee would be assessed upon Food Vendor trucks that were, in most cases, affiliated with large establishments.

Councilwoman Woodbury inquired about the average income of a Food truck vendor. Assistant City Manager Rohlf replied that information was provided to the Commissioner of Revenue and they were not required to share that information.

Councilwoman Vick felt income should be considered when determining the cost for a permit fee. Assistant City Manager Rohlf replied that the sub-committee could take another look at the proposed fee. She stated the fee could be reduced if it was found to cause a hardship. She stated she would look into the matter.

V. Sign Ordinance

City Manager Bourey introduced Ms. Sheila McAllister, Director, Department of Planning, to provide the presentation.

Ms. McAllister advised there were several amendments to the Sign Ordinance that were coming before City Council for their approval. She stated the main amendments dealt with the regulation of electronic display signs and the height of a sign.

Ms. McAllister reported the Sign Ordinance would be revised to require the sign height for all signs (multi-family residential, commercial and industrial uses) to be reduced from 33 feet to 10 feet. She stated definitions were added in the Sign Ordinance that limited the height of electronic signs to 8 feet. The message of the electronic sign would be revised to rotate from five seconds rather than three seconds. Electronic signs would not be allowed in residential areas. Also, included in the ordinance was a requirement that electronic signs that illuminated in residential areas had to be turned-off between 10:00 p.m. to 6:00 a.m. daily.

Councilwoman Woodbury inquired about visuals as she would like to see the sign proportions. City Manager Bourey stated he would ensure that visuals were provided to members of City Council.

City Manager Bourey stated that the City was facing a major safety issue pertaining to videos in electronic signs, which could cause motorist distractions.

Councilwoman Woodbury inquired about the signs that were instituted before the new regulations were adopted. City Attorney Owens replied there was nothing in the Sign Ordinance that allowed electronic signs.

Councilwoman Woodbury inquired whether the City would require the businesses to take down their electronic signs. Ms. McAllister responded that the City would only be able to require a business to abide by the new Sign Ordinance regulations, i.e. the timing change of illuminated signs from three to five seconds.

Councilwoman Woodbury inquired whether current business owners would be grandfathered. City Attorney Owens replied no; they would have to abide by the new timing regulations. City Manager Bourey replied current business owners would be grandfathered, but would be required to abide by the new regulations for electronic signs.

Councilwoman Vick inquired whether all businesses would have to abide by the regulation pertaining to the illumination cut-off time period between 10:00 p.m. to 6:00 a.m. City Attorney Owens replied only if the sign was not visible in or from a residential area.

City Manager Bourey pointed out that there would be revisions to the Sign Ordinance for Special Districts in the near future due to noted issues related to signage.

Councilwoman Woodbury inquired about the Special Districts where the issues had been noted. City Manager Bourey replied districts such as City Center. Ms. McAllister replied the City imposed special district regulations for all of its Overlay Districts and indicated staff was reviewing the regulations. The specific Overlay District would have electronic display sign regulations imposed that applied specifically to that district.

Councilwoman Woodbury questioned who determined the regulations for Overlay Districts. Ms. McAllister replied staff would make the recommendations.

City Manager Bourey stated he would provide visuals of certain signs to offer insight on how they would appear on the street.

Councilwoman Vick inquired whether the Sign Ordinance could be provided in a "new business package" to new businesses that opened in the City. City Manager Bourey agreed that the information should be included to a "new business package."

DRAFT

THERE BEING NO FURTHER BUSINESS
ON MOTION, COUNCIL ADJOURNED AT 5:13 P.M.

Jennifer D. Walker
Chief Deputy City Clerk

McKinley L. Price
Mayor
Presiding Officer

A true copy, tested:

City Clerk

F. Consent Agenda

2. Minutes of the Special Meeting of May 27, 2014

ACTION:	• N/A
BACKGROUND:	• N/A
FISCAL IMPACT:	• N/A

Supporting Material

Minutes of the Special Meeting of May 27, 2014

DRAFT

MINUTES OF SPECIAL MEETING
OF THE NEWPORT NEWS CITY COUNCIL
HELD IN THE 10TH FLOOR CONFERENCE ROOM
2400 WASHINGTON AVENUE
May 27, 2014
5:10 P.M.

PRESENT: Robert S. Coleman; McKinley L. Price, DDS; Tina L. Vick; Joseph C. Whitaker; Dr. Patricia P. Woodbury; and Herbert H. Bateman, Jr.----------6

ABSENT: Sharon P. Scott----------1

OTHERS PRESENT: James M. Bourey; Collins L. Owens, Jr; Mabel Washington Jenkins; Richard Caplan; Cynthia Rohlf; Alan K. Archer; Florence Kingston; Christopher Morello; George Schraudt; and Jennifer Walker.

After ascertaining that proper meeting notice had been provided to each member of City Council, Mayor Price called the meeting to order and stated the meeting was being held for the following purposes:

(1) To call a closed meeting pursuant to Section 2.2-3711(A) of the Code of Virginia, 1950, as amended, subsections: (1) a discussion, consideration or interview of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, to include a discussion or consideration of prospective candidates for appointment to boards and commissions; (3) a discussion or consideration of the acquisition of real property for a public purpose in the northern portion of the City and for the disposition of publicly held real property in the southern and northern portions of the City, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City; (5) a discussion of a prospective business where no previous announcement had been made of the business' interest in locating its facility in the community; and (6) a discussion or consideration of the investment of public funds where competition or bargaining was involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected.

Councilman Coleman moved for a closed meeting under the section and reasons cited above; seconded by Vice Mayor Bateman.

Vote on Roll Call:
Ayes: Coleman, Price, Vick, Whitaker, Woodbury, Bateman
Nays: None
Absent During Vote: Scott

(Closed Session 5:15 p.m. – 5:45 p.m.)

After reconvening in open session, Councilman Coleman moved to certify that to the best of each member's knowledge (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting by the Council. Motion seconded by Councilwoman Vick.

Vote on Roll Call:
Ayes: Coleman, Price, Vick, Whitaker, Woodbury, Bateman
Nays: None

THERE BEING NO FURTHER BUSINESS,
ON MOTION, COUNCIL ADJOURNED AT 5:45 P.M.

Mabel Washington Jenkins

Mabel Washington Jenkins, MMC
City Clerk

McKinley L. Price, DDS
Mayor
Presiding Officer

A true copy, teste:

City Clerk

DRAFT

CERTIFICATE OF CLOSED MEETING

MEETING DATE: May 27, 2014

MOTION: Councilman Robert S. Coleman
SECOND: Councilwoman Tina L. Vick

WHEREAS, the City Council of the City of Newport News has convened a closed meeting on this date pursuant to an affirmative recorded vote as required under the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712.D of the Code of Virginia, 1950, as amended, requires a certification by this City Council that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newport News does hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the City Council.

VOTE

AYES: Coleman, Price, Vick, Whitaker, Woodbury, Bateman
NAYS: None
ABSTENTION: None

ABSENT DURING VOTE: Scott

ABSENT DURING MEETING: Scott

ATTEST:

Mabel Washington Jenkins

Mabel Washington Jenkins, MMC
City Clerk

F. Consent Agenda

3. Minutes of the Regular Meeting of May 27, 2014

ACTION:	• N/A
BACKGROUND:	• N/A
FISCAL IMPACT:	• N/A

Supporting Material

Minutes of the Regular Meeting of May 27, 2014

DRAFT

MINUTES OF REGULAR MEETING
OF THE NEWPORT NEWS CITY COUNCIL
HELD IN THE CITY COUNCIL CHAMBERS
2400 WASHINGTON AVENUE
May 27, 2014
7:00 P.M.

PRESENT: Robert S. Coleman; McKinley L. Price, DDS; Tina L. Vick; Joseph C. Whitaker; Dr. Patricia P. Woodbury; and Herbert H. Bateman, Jr.----------6

ABSENT: Sharon P. Scott----------1

A. Call to Order

Mayor Price stated the City Code identified the procedure for citizen participation regarding items on the Council agenda, as well as the opportunity for citizens to address City Council on matters germane to the business of the Council. He explained matters that were germane to the business of Council meant matters that the City Council, by law, were empowered to act upon. This did not include announcements that were personal to an individual, business, or organization. He pointed out copies of the ordinance highlighting citizen participation, and encouraged citizens to review the document.

Mayor Price requested that cell phones and/or pagers be silenced or turned off.

B. Invocation

The invocation was rendered by Dr. C.L. Spells, Harvest Land Ministries.

C. Pledge of Allegiance to the Flag of the United States of America

The Pledge of Allegiance to the Flag of the United States of America was led by Councilman Robert S. Coleman.

D. Presentations

None

MOTION MADE BY COUNCILMAN COLEMAN; SECONDED BY COUNCILWOMAN VICK; AND CARRIED UNANIMOUSLY, TO EXCUSE COUNCILWOMAN SCOTT FROM THIS MEETING.

E. Public Hearings

1. Ordinance Authorizing the City Manager to Execute a Franchise Agreement with Metro Fiber Networks, Inc. ("Metro") to Construct, Maintain and Operate a Telecommunications System in the City

AN ORDINANCE GRANTING A FRANCHISE AGREEMENT TO METRO FIBER NETWORKS, INC., TO CONSTRUCT, MAINTAIN AND OPERATE A

E. Public Hearings Continued

1. Ordinance Authorizing the City Manager to Execute a Franchise Agreement with Metro Fiber Networks, Inc. ("Metro") to Construct, Maintain and Operate a Telecommunications System in the City Continued

TELECOMMUNICATIONS SYSTEM IN THE CITY OF NEWPORT NEWS, VIRGINIA, WHICH AGREEMENT SETS FORTH CONDITIONS ACCOMPANYING THE GRANT OF A FRANCHISE; PROVIDES FOR REGULATIONS AND USE OF THE SYSTEM; PRESCRIBES PENALTIES FOR VIOLATION OF THE PROVISIONS THEREIN; AND AUTHORIZES THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO ATTEST THE FRANCHISE AGREEMENT BETWEEN THE CITY OF NEWPORT NEWS AND METRO FIBER NETWORKS, INC. This ordinance approved a Franchise Agreement with Metro Fiber Networks, Inc., ("Metro") to construct, maintain and operate a telecommunications system in the City and authorized the City Manager to execute the Franchise Agreement between the City and Metro. A bid was received and opened at the May 13, 2014 Regular Meeting of City Council for authorizing a Franchise Agreement for fiber optic telecommunication facilities within the City. The bid received was submitted by Metro Fiber Networks, Inc. ("Metro"). As the successful bidder, Metro had the right to lay, construct, operate and maintain one or more underground fiber optic telecommunication lines, conduits, vaults, and connections. Metro was expected to enter into agreements with the City to perform work on properties other than rights-of-way and secure access across private properties along existing City water pipeline corridors. The City Manager recommended approval.

(No registered speakers)

Mr. Allen Tanner, 701 Town Center Drive, Suite 800, Newport News, was available to answer questions.

Mr. Gary Tarpley, 435 Redoubt Road, Yorktown, was available to answer questions.

Councilman Whitaker moved closure of the public hearing; seconded by Vice Mayor Bateman.

Vote on Roll Call:
Ayes: Coleman, Price, Vick, Whitaker, Woodbury, Bateman
Nays: None

Councilwoman Woodbury moved adoption of the above ordinance; seconded by Councilwoman Vick.

Vote on Roll Call:
Ayes: Coleman, Price, Vick, Whitaker, Woodbury, Bateman
Nays: None

E. Public Hearings Continued

2. Ordinance Authorizing the City Manager to Execute a Lease By and Between the City of Newport News and Warwick Lions Club, Inc, for a Storage Building Located on Municipal Lane

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO ATTEST, ON BEHALF OF THE CITY OF NEWPORT NEWS, VIRGINIA, THAT CERTAIN LEASE BY AND BETWEEN THE CITY OF NEWPORT NEWS, VIRGINIA, AND WARWICK LIONS CLUB, INCORPORATED, DATED THE 27TH DAY OF MAY, 2014, FOR A CINDER BLOCK STORAGE BUILDING LOCATED ON MUNICIPAL LANE. This ordinance authorized and directed the City Manager to execute a lease between the City of Newport News, Virginia and Warwick Lions Club, Incorporated for a Storage Building located on Municipal Lane. The Warwick Lions Club had continually leased a storage building on Municipal Lane from the City since 1994. The current lease was due to expire June 30, 2014. A new lease was requested. The new lease would contain the same terms and conditions as the current lease, and was for a one-year period, with four successive one-year options to renew at the discretion of the City. The new annual rate would begin at $500 and escalate five percent (5%) annually. The City Manager recommended approval.

(No registered speakers)

Councilwoman Vick moved closure of the public hearing; seconded by Councilman Coleman.

Vote on Roll Call:
Ayes: Coleman, Price, Vick, Whitaker, Woodbury, Bateman
Nays: None

Councilwoman Woodbury moved adoption of the above ordinance; seconded by Councilwoman Vick.

Vote on Roll Call:
Ayes: Coleman, Price, Vick, Whitaker, Woodbury, Bateman
Nays: None

3. Ordinance Granting Conditional Use Permit No. CU-14-331, L & L Holding Company, LLC, to Operate a Pawn Shop on Property at 15674 Warwick Boulevard

AN ORDINANCE GRANTING CONDITIONAL USE PERMIT NUMBER CU-14-331 FOR THE HEREINAFTER DESCRIBED PROPERTY FOR THE PURPOSE OF THE OPERATION OF A PAWN SHOP IN A C1 RETAIL COMMERCIAL DISTRICT. This ordinance granted a Conditional Use Permit No. CU-14-331 to L & L Holding Company, LLC, to operate a pawn shop on property located at 15674 Warwick Boulevard and zoned C1 Retail Commercial. The proposed pawn shop would utilize a vacant commercial building. The Police Department objected to the request citing a detrimental impact upon public

E. Public Hearings Continued

3. Ordinance Granting Conditional Use Permit No. CU-14-331, L & L Holding Company, LLC, to Operate a Pawn Shop on Property at 15674 Warwick Boulevard Continued

safety and quality of life for the surrounding neighborhood and residents. Given that pawn shops are a nuisance in the sense that they tended to attract criminal activity, the request was not consistent with the Framework for the Future 2030 Comprehensive Plan's vision for safe neighborhoods. On May 7, 2014, the City Planning Commission voted 2:6 to deny the request. The motion failed, therefore no recommendation was provided. On May 21, 2014, the City Planning Commission reconsidered the motion and voted 6:3 to recommend approval with conditions. The City Manager recommended approval with conditions.

Mr. Herbert V. Kelly, Jr., 6 Little Bluff Road, Newport News, Applicant, stated the property was rehabilitated in 2010 with efforts to lease five units unsuccessfully; and then through three brokerage firms, attempted to sell unsuccessfully. The time arose to make the property income producing. Over the years, the landscaping died, the building vacated, the parking lot deteriorated, and the signage was unattractive. He researched the Framework for the Future to seek possible solutions, and concluded contrarily to the Planning Staff. In District 3, the issues were (in two of which he would assist) to develop and improve commercial strips, improve and develop an economically healthy district, and increasing employment opportunities. This lead him to the Warwick Boulevard Corridor study where he found that 67% of those surveyed were unsatisfied with the business climate, wanting renovated existing buildings, more green space, improved landscape, more attractive signage, and a reduction of vacant buildings. Mr. Kelly was then lead to form the Warwick Trading Company, which would buy, sell, and trade jewelry, antiques, tools, etc. The use of the word pawn would not be used. He had no intention to use the word "pawn" to advertise what went on in the Warwick Trading Company. The Business Plan was to operate approximately 6,000 square feet of floor space doing retail transactions. The Warwick Trading Company would be extremely attractive to the City. The pawn business would be less than 20% based on what other like facilities were doing. No one would ever see pawned items. Why does Warwick Trading Company want to be in the pawn business? He advised there was a small segment of society who had personal property, and needed money that would use their property as collateral to avoid giving it up permanently. Being accommodating was the expectation in the pawn industry. Mr. Kelly, addressing the concerns of the police, stated there was no connectivity between crime and pawn shops. Criminals that had stolen goods did not deal in pawn. The Warwick Trading Company had state-of-the-art security – cameras at 20 locations. Mr. Kelly requested assistance on two conditions as follows: (1) Condition #7 allowed operating hours between 10:00 a.m. to 7:00 p.m. Monday through Sunday; and (2) Condition #12 to allow storage only in the rear yard of the building. He requested Council approval, with conditions revised, to amend Condition #7 and Condition #12.

Councilwoman Woodbury moved closure of the public hearing; seconded by Councilman Coleman.

DRAFT

E. Public Hearings Continued

3. Ordinance Granting Conditional Use Permit No. CU-14-331, L & L Holding Company, LLC, to Operate a Pawn Shop on Property at 15674 Warwick Boulevard Continued

Vote on Roll Call:
Ayes: Coleman, Price, Vick, Whitaker, Woodbury
Nays: None
Abstention: Bateman (Warwick Holding Company has a relationship with his employer, Towne Bank).

Councilman Whitaker moved adoption of the above ordinance; seconded by Councilwoman Woodbury.

Councilwoman Vick suggested consideration of approval with the recommendations to allow for the operating hours of 10:00 a.m. to 7:00 p.m. Monday through Sunday (Condition #7) ; and allow storage in the rear (Condition #12) as requested by Mr. Kelly.

Councilman Whitaker moved adoption of the above amended ordinance to include the suggested time change and the allowance of storage in the rear of the facility; seconded by Councilwoman Woodbury.

Vote on Roll Call:
Ayes: Coleman, Price, Vick, Whitaker, Woodbury
Nays: None
Abstention: Bateman (Warwick Holding Company has a relationship with his employer, Towne Bank).

4. Ordinance Granting Conditional Use Permit No. CU-14-332, 5901 Investors LLC, to Operate a Small Motor Vehicle Repair Facility on Property Located at 5901 Jefferson Avenue

AN ORDINANCE GRANTING CONDITIONAL USE PERMIT NUMBER CU-14-332 FOR THE HEREINAFTER DESCRIBED PROPERTY FOR THE PURPOSE OF THE OPERATION OF A SMALL MOTOR VEHICLE REPAIR AND SERVICE FACILITY IN A C2 GENERAL COMMERCIAL DISTRICT. This ordinance granted Conditional Use Permit No. CU-14-332 to 5901 Investors, LLC, Owners, and Joshua Tonski, Applicant, to operate a small motor vehicle repair facility on property located at 5901 Jefferson Avenue and zoned C2 General Commercial. The proposed small motor vehicle repair operation would conduct all repair work indoors. The planned landscaping improvements would enhance the visual appearance of the property and Jefferson Avenue. The use was consistent with the Framework for the Future 2030 Comprehensive Plan land use map designation of community commercial. On May 7, 2014, the City Planning Commission voted unanimously 8:0 to recommend approval of the request with conditions. The City Manager recommended approval.

(No registered speakers)

DRAFT

E. Public Hearings Continued

4. Ordinance Granting Conditional Use Permit No. CU-14-332, 5901 Investors LLC, to Operate a Small Motor Vehicle Repair Facility on Property Located at 5901 Jefferson Avenue Continued

Councilwoman Vick moved closure of the public hearing; seconded by Vice Mayor Bateman.

Vote on Roll Call:
Ayes: Coleman, Price, Vick, Whitaker, Woodbury, Bateman
Nays: None

Councilman Coleman moved adoption of the above ordinance; seconded by Vice Mayor Bateman.

Vote on Roll Call:
Ayes: Coleman, Price, Vick, Whitaker, Woodbury, Bateman
Nays: None

5. Ordinance Granting Zoning Text Amendment ZT-14-349, City of Newport News, to Amend City Code, Chapter 45, Zoning Ordinance; Article II., Definitions; Section 45-201, Definition of Certain Words and Terms, to Add Assisted Living Facility, Congregate

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 45, ZONING ORDINANCE, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE II., DEFINITIONS, SECTION 45-201, DEFINITION OF CERTAIN WORDS AND TERMS, BY ADDING THERETO THE DEFINITION OF ASSISTED LIVING FACILITY, CONGREGATE. This ordinance granted Zoning Text Amendment ZT-14-349, City of Newport News, to Amend the City Code, Chapter 45, Zoning Ordinance; Article II., Definitions; Section 45-201, Definition of Certain Words and Terms., to Add Assisted Living Facility, Congregate. This amendment added the definition of Assisted Living Facility, Congregate, so they may be permitted in the City as a stand alone use, not affiliated with a nursing home or convalescent home. On May 7, 2014, the City Planning Commission voted unanimously 8:0 to recommend approval of this request. The City Manager recommended approval.

Mr. Joe S. Frank, 2 Madison Circle, Newport News, stated there was an emerging need for this type facility as the population got older. More and more families had an elderly member with dementia or Alzheimer's disease. The congregate facilities were stand alone facilities. They were not nursing homes. Nursing Homes affiliated with Assisted Living Facilities were regulated by the Virginia Department of Health. The Congregate facilities were regulated by the Department of Human Services. The Congregate facilities provide support for those that did not need counseling, nor medical care. It provided for the person's human needs, ensuring they had as much physical activity in their lives as was possible. The Congregate Facilities were typically private pay. The buildings were architecturally designed and were attractive. It was an emerging type of use around the country. The City's Zoning Ordinance did not permit this type

E. Public Hearings Continued

5. Ordinance Granting Zoning Text Amendment ZT-14-349, City of Newport News, to Amend City Code, Chapter 45, Zoning Ordinance; Article II., Definitions; Section 45-201, Definition of Certain Words and Terms, to Add Assisted Living Facility, Congregate Continued

of use. Assisted Living Facilities could only be associated with a Nursing Home. Putting such patients in the same environment with the very sick would lend to disorientation and tended to be troublesome. Having a stand-alone separate facility was a better environment according to experts in the field. The City's Ordinance could not accommodate this type facility, or there had to be four people that were related in some way. This was the most attractive way to have enough staff available to support the needs of the patients. If there were only 4, 5, or 6, there was no way to justify the cost of the necessary staff. Mr. Frank felt the City could use such a facility, and it would benefit many families. He urged Council support of this ordinance.

(No registered speakers)

Councilman Coleman moved closure of the public hearing; seconded by Councilwoman Vick.

Vote on Roll Call:
Ayes: Coleman, Price, Vick, Whitaker, Woodbury, Bateman
Nays: None

Councilwoman Vick moved adoption of the above ordinance; seconded by Councilman Coleman.

Vote on Roll Call:
Ayes: Coleman, Price, Vick, Whitaker, Woodbury, Bateman
Nays: None

6. Ordinance Granting Zoning Text Amendment ZT-14-350, City of Newport News, to Amend City Code, Chapter 45, Zoning Ordinance; Article IV., Summary of Uses by District; Section 45-402; to Stipulate in which Districts Congregate Assisted Living Facilities will be Allowed

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 45, ZONING ORDINANCE, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE IV., SUMMARY OF USES BY DISTRICT, SECTION 45-402, SUMMARY OF USES BY DISTRICT, BY AMENDING USE "C" ENTITLED HEALTH. This ordinance granted Zoning Text Amendment ZT-14-350, City of Newport News, to amend City Code, Chapter 45, Zoning Ordinance; Article IV., Summary of Uses by District; Section 45-402; to stipulate in which Districts Congregate Assisted Living Facilities would be allowed. The amendment was needed to establish in which districts congregate assisted living facilities would be allowed by-right, or with the approval of a conditional use permit. The amendment recommended allowing the facilities in those districts to mirror how nursing homes were allowed

DRAFT

E. Public Hearings Continued

6. Ordinance Granting Zoning Text Amendment ZT-14-350, City of Newport News, to Amend City Code, Chapter 45, Zoning Ordinance; Article IV., Summary of Uses by District; Section 45-402; to Stipulate in which Districts Congregate Assisted Living Facilities will be Allowed Continued

in the City Code, with the addition of allowing them in the O1 Office District with a conditional use permit. On May 7, 2014, the City Planning Commission voted unanimously 8:0 to recommend approval of the request. The City Manager recommended approval.

(No registered speakers)

Councilwoman Vick moved closure of the public hearing; seconded by Vice Mayor Bateman.

Vote on Roll Call:
Ayes: Coleman, Price, Vick, Whitaker, Woodbury, Bateman
Nays: None

Councilwoman Woodbury moved adoption of the above ordinance; seconded by Vice Mayor Bateman.

Vote on Roll Call:
Ayes: Coleman, Price, Vick, Whitaker, Woodbury, Bateman
Nays: None

F. Consent Agenda

Councilwoman Woodbury moved adoption of the Consent Agenda, Items 1 through 3, both inclusive; seconded by Councilwoman Vick.

(1) Minutes of the Special Meeting of May 13, 2014

(No registered speakers)

Vote on Roll Call:
Ayes: Coleman, Price, Vick, Whitaker, Woodbury, Bateman
Nays: None

(2) Minutes of the Work Session of May 13, 2014

(No registered speakers)

Vote on Roll Call:
Ayes: Coleman, Price, Vick, Whitaker, Woodbury, Bateman
Nays: None

F. Consent Agenda Continued

(4) Minutes of the Regular Meeting of May 13, 2014

(No registered speakers)

Vote on Roll Call:
Ayes: Coleman, Price, Vick, Whitaker, Woodbury, Bateman
Nays: None

G. Other City Council Actions

(1) Resolution Authorizing the City Manager to Execute a Temporary, Non-exclusive Revocable License Agreement (TNRLA) between the City and Metro Fiber Networks, Inc., ("Metro") to Construct and Maintain Telecommunications Facilities in the City

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO ATTEST, ON BEHALF OF THE CITY OF NEWPORT NEWS, VIRGINIA, THAT CERTAIN TEMPORARY, NONEXCLUSIVE, REVOCABLE LICENSE AGREEMENT BY AND BETWEEN THE CITY OF NEWPORT NEWS, VIRGINIA, AND METRO FIBER NETWORKS, INC. DATED THE 27TH DAY OF MAY, 2014. This resolution authorized the City Manager to execute a Temporary, Non-Exclusive Revocable License Agreement (TNRLA) between the City and Metro Fiber Networks, Inc., for use of City property outside of the public right-of-way, public streets, or public ways to construct and maintain telecommunications facilities. Metro requested the right to install underground conduit containing fiber optic cable on City property in order to establish a fiber optic network. The Commonwealth of Virginia adopted legislation regarding public rights-of-way and telecommunication facilities. This Agreement covered only the use of City property outside of the public right-of-way, public streets, or public ways. The City was agreeable to allowing Metro to use the property subject to certain terms and conditions. The City Manager recommended approval.

Mr. Gary Tarpley, 435 Redoubt Road, Yorktown, was available to answer questions.

(No registered speakers)

Councilman Coleman moved adoption of the above resolution; seconded by Councilwoman Vick.

Vote on Roll Call:
Ayes: Coleman, Price, Vick, Whitaker, Woodbury, Bateman
Nays: None

G. Other City Council Actions Continued

(2) Resolution Authorizing the City Manager to Execute an Agreement between the City and Metro Fiber Networks, Inc. ("Metro"), Allowing Metro to Obtain Easements

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO ATTEST, ON BEHALF OF THE CITY OF NEWPORT NEWS, VIRGINIA, THAT CERTAIN AGREEMENT BY AND BETWEEN METRO FIBER NETWORKS, INC. AND THE CITY OF NEWPORT NEWS, VIRGINIA, DATED THE 27TH DAY OF MAY, 2014, ALLOWING METRO FIBER NETWORKS, INC. TO OBTAIN EASEMENTS TO PROVIDE CITY WITH CONDUITS FOR A FUTURE FIBER OPTIC NETWORK TO BE USED BY CITY. This resolution authorized the City Manager to execute an Agreement between the City and Metro Fiber Networks, Inc. ("Metro"), allowing Metro to obtain easements to provide the City with conduits for a fiber optic network within the City. Metro sought to create a fiber optic network within the City. The preferred path would be across the City right-of-way, City-owned property that was not public right-of-way, and through waterline easements, held by the City on private property, where permitted. Metro intended to obtain necessary easements to provide the City with conduits for a future fiber optic network within the City. The City Manager recommended approval.

Mr. Gary Tarpley, 435 Redoubt Road, Yorktown, was available to answer questions.

Mr. Allen Tanner, 801 Riverside Drive, Newport News, thanked the City Manager, and staff, as well as the City Attorney's Office and Mr. Joe Durant, for their assistance in working through the documents. Mr. Tanner expressed excitement about the proposed project and advised that he looked forward to a successful venture.

Councilwoman Woodbury moved adoption of the above resolution seconded by Councilwoman Vick.

Vote on Roll Call:
Ayes: Coleman, Price, Vick, Whitaker, Woodbury, Bateman
Nays: None

(3) Resolution Approving the Fiscal Year 2014-2015 Consolidated Housing and Community Development Annual Action Plan

A RESOLUTION OF THE COUNCIL OF THE CITY OF NEWPORT NEWS APPROVING THE CONSOLIDATED PLAN FOR HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN FOR THE CITY OF NEWPORT NEWS INCLUDING THE PROPOSED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME FUNDS AND CERTIFICATIONS FOR FISCAL YEAR 2014-2015 AND AUTHORIZING SUBMISSION OF THIS PLAN TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. This resolution approved the Consolidated

G. Other City Council Actions Continued

(3) Resolution Approving the Fiscal Year 2014-2015 Consolidated Housing and Community Development Annual Action Plan Continued

Plan for Housing and Community Development Annual Action Plan for the City, including the proposed use of Community Development Block Grant (CDBG) and HOME Investment Partnership funds (HOME) for Fiscal Year 2014-2015 and Certifications. The Consolidated Plan for Housing and Community Development Annual Action Plan required the approval of City Council. A similar document was approved annually and identified the City's needs for housing and community development, the resources available to meet the needs and the priorities for directing those resources. This document was required by the U. S. Department of Housing and Urban Development (HUD), and must be approved by that agency for the City to receive CDBG and HOME funds each year. The Annual Action Plan included the proposed use of funds for FY 2014-2015 and included HUD entitlement funding and program income for both CDBG and HOME. The City Manager recommended approval.

Ms. Sandra Walker, Community Development Director, Newport News Redevelopment and Housing Authority, was available to answer questions.

Councilwoman Vick moved adoption of the above resolution; seconded by Councilman Coleman.

Vote on Roll Call:
Ayes: Coleman, Price, Vick, Whitaker, Woodbury, Bateman
Nays: None

(4) Ordinance Authorizing an Encroachment on City Right-of-Way and Authorizing the City Manager to Execute an Encroachment Agreement between the City and Brookridge Apartments, L.L.C., for a Proposed Fence

AN ORDINANCE AUTHORIZING AN ENCROACHMENT UPON CITY RIGHT-OF-WAY KNOWN AS MADISON AVENUE APPROXIMATELY 116 FEET SOUTH OF ITS INTERSECTION WITH NANSEMOND DRIVE WITHIN THE CITY OF NEWPORT NEWS, AS MORE PARTICULARLY SET FORTH HEREIN, AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE AN ENCROACHMENT AGREEMENT BETWEEN THE CITY OF NEWPORT NEWS, VIRGINIA, AND BROOKRIDGE APARTMENTS, L.L.C. This ordinance authorized an encroachment upon a City right-of-way known as Madison Avenue, approximately 116-feet South of its intersection with Nansemond Drive, and authorized the City Manager to execute an encroachment agreement between the City and Brookridge Apartments for a proposed fence. The Madison Avenue right-of-way was currently closed adjacent to 5014 and 5015 Madison Avenue. Brookridge Apartments proposed an ornamental fence along the drainage swale. Once approved, the apartment management company would obtain a permit to install the fence. No financial contribution from the City was required. Maintenance would be provided by Brookridge Apartments. The City Manager recommended approval.

DRAFT

G. Other City Council Actions Continued

(4) Ordinance Authorizing an Encroachment on City Right-of-Way and Authorizing the City Manager to Execute an Encroachment Agreement between the City and Brookridge Apartments, L.L.C., for a Proposed Fence Continued

Mr. Dan DeStefano, Brookridge Apartments, L.L.C., Yorktown, was available to answer questions.

(No registered speakers)

Councilman Coleman moved adoption of the above ordinance; seconded by Vice Mayor Bateman.

Councilwoman Vick inquired about the name change to Brookridge Apartments.

Mr. DeStefano responded that Cottage Grove Apartments was the new name for Brookridge Apartments. The name was changed for marketing purposes. Councilwoman Vick asked for clarity regarding the parties of the Agreement. Mr. DeStefano replied, that legally, the party was Brookridge Apartments, L.L.C., but the property was known as Cottage Grove Apartments.

Vote on Roll Call:
Ayes: Coleman, Price, Vick, Whitaker, Woodbury, Bateman
Nays: None

H. Appropriations

Councilwoman Woodbury moved adoption of Appropriation Item 1, as shown below; seconded by Councilman Whitaker.

(1) Department of Public Utilities (Waterworks) – Capital Improvements Plan (CIP): Environmental Mitigation Services for Phase III of the Lee Hall Reservoir Dam Improvements Project

A RESOLUTION APPROPRIATING FUNDS FROM BOND PROCEEDS GO BONDS ($2,233,600.00) TO ENGINEERING ($1,441,100.00), WW STREAM MITIGATION DESIGN ($231,500.00) WW ENG WETLAND MITIGATION ($351,000.00) AND CONTINGENCIES ($210,000.00). This resolution appropriated $2,233,600.00 for Engineering and Environmental Mitigation Services for Phase III of the Lee Hall Reservoir Dam Improvements Project. Phase III would consist of construction inspection services, prequalification of potential bidders, design of stream mitigation compensation, purchase of wetland credits from an approved bank, and compliance monitoring/reporting. The primary justification for this project was to bring the Lee Hall Dam structures into full compliance with the Virginia Department of Conservation and Recreation regulations. Secondary benefits would

H. Appropriations Continued

(1) Department of Public Utilities (Waterworks) – Capital Improvements Plan (CIP): Environmental Mitigation Services for Phase III of the Lee Hall Reservoir Dam Improvements Project Continued

include increased capacity to safely discharge significantly higher storm flows. It was estimated that it would take approximately 24 months for the process, construction, and improvements associated with this next phase. This project had been identified in the Waterworks Capital Improvements Plan (CIP) budget. The City Manager recommended approval.

(No registered speakers)

Vote on Roll Call:
Ayes: Coleman, Price, Vick, Whitaker, Woodbury, Bateman
Nays: None

I. Citizen Comments on Matters Germane to the Business of City Council

Mr. Antonio Thompson, 3011 Madison Avenue, Newport News, expressed appreciation for the Newport News City Council, and their hard work. He stated they were all worthy of respect. Mr. Thompson expressed gratitude for the encouragement received, and the favorable responses received from the community regarding his comments and remarks to City Council on various topics. He thanked the youth for their growing interest in local government, and viewing the City Council meetings. He encouraged all of the citizens to take a strong interest in the City Council meetings. The more people that participated, the greater the turn-out in future elections, and the greater pool of leaders to handle the challenges of the 21st Century and beyond.

Mr. Thompson expressed appreciation to those serving in the military. He shared that he volunteered his services at the Veterans Administration (VA) in Hampton. He recommended that citizens join him in showing support for veterans. He felt it was a great disservice to neglect the needs of veterans, particularly those that had been dishonorably discharged from the military. There is no amount of attention that should be spared when looking out for veterans and all of their needs.

Mr. Thompson commented about the vision of a "green revolution" which could be the up and coming industry – the path for future generations – from solar power to wind power. He stated this would increase the City's revenue.

Mr. Michael Edwards, 3310 Oak Avenue, Newport News, a member of the Southern Christian Leadership Conference (SCLC), addressed the issue of amending the City Charter to add a provision to include recall elections in Newport News. He shared that the SCLC was committed to non-violent action in an effort to achieve economic, social, and political justice. He added that the SCLC, a non-sectarian, interfaith advocacy movement, was founded and organized in 1957 by the late Reverend Dr. Martin Luther King, Jr., and demanded justice as a moral imperative. Reverend William King served as the President of the Virginia State Unit of the SCLC; and Mr. Andrew Shannon served as the State's Vice President. Mr. Edwards

DRAFT

I. Citizen Comments on Matters Germane to the Business of City Council Continued

requested that the City amend its Charter to include recall elections. The passage of the 1965 Voting Rights Act provided relief through the federal government to ensure that the value of one vote was just as important as another's vote. The Virginia State Unit of the SCLC wanted to ensure that all eligible voters that wanted to vote did not become disenfranchised voters. The SCLC was instrumental in the historic passage of the Voting Rights Act of 1965 and the Civil Rights Act of 1964. There were members that marched and endured vicious attacks to bring about change in the voting system, equality, and justice for all.

Mr. Edwards congratulated the incumbents and the newly elected winners in the May 6, 2014 City Council election. He made note that two SCLC members, Ms. Teunsha Vick (who came in second) and Mr. Marcellus Harris, Jr. (who lost in the North by 107 votes to a 12-year incumbent), showed the change coming to the City in the future. He added that visibility in the community was important for the productivity of the youth.

Mr. Edwards extended an invitation to members of City Council to attend the Annual Southeast Community Day and Festival, scheduled for September 6, 2014.

Mr. Dean Longo, 10 Island View Drive, Newport News, Chairman of the Virginia Peninsula Republican Assembly, an organization of business and community leaders that were politically active in the community, thanked members of City Council for their hard work and applauded their efforts. The Virginia Peninsula Republican Assembly had noticed consistent irregularities in the election process within the City of Newport News. Initial research showed that up to 30% of the precincts within Newport News had significant errors of irregularities in the voting. The anecdotes found included inaccurate machine counts, people were signing off that the election was conducted properly and in accordance with the laws, numbers were not cross-checked, tapes were not reported consistently, and families were consistently running the same precincts. Given the issues that occurred during the May 6, 2014 School Board Elections, the Virginia Peninsula Republican Assembly requested that City Council answer the following questions: (1) What steps were City Council taking to look into the matter; (2) What steps were City Council taking to ensure that the people who are running the elections and precincts are properly trained, there was proper oversight and control over the process; and (3) If there was something being done, how would the Virginia Peninsula Republican Assembly be able to follow that so that they could ensure and report back to the members. The organization believed the electoral process was critical to everything they did. This was an issue they were very keen on and would like to ensure that the City Council was aware of the issue, and were taking active steps to ensure that elections were conducted properly, and that the people overseeing the process were properly trained to ensure that results were fair and accurate. The Virginia Peninsula Republican Assembly looked forward to receiving a response to their questions.

J. New Business and Councilmember Comments

Mayor Price began with the City Attorney to see whether there was a response to what City Council was empowered to do as far as elections were concerned in an effort to shed light on the concerns being expressed.

J. New Business and Councilmember Comments Continued

City Attorney Owens responded that City Council, by ordinance, established voting precincts; however, manning and running the precincts were done by the Voter Registrar, who was appointed by the Newport News Electoral Board, who was appointed by the Circuit Court Judges. This was done under State Law. City Council had no authority in that regard.

City Manager Bourey reminded everyone about the upcoming Charrette, scheduled for June 27-28, 2014, for the Superblock. Everyone was encouraged to participate in the event.

City Manager Bourey announced that Congressman Robert C. "Bobby" Scott would hold a Gang Violence Prevention Town Hall Meeting. The event was scheduled for June 5, 2014, 6:30 p.m. at An Achievable Dream Middle and High School (5720 Marshall Avenue). The Police Chief would be in attendance, as would the City Manager. There would be discussion about the City's Youth and Gang Violence Initiative. Police Chief Rick Meyers would speak about a number of aggressive ideas and matters going on in the Southeast Community. Chief Meyers was scheduled to attend the June 10, 2014 Regular Meeting of Council to address this issues.

Councilman Coleman applauded the City staff for the hard work on the Statue Unveiling Ceremony held on Saturday, May 17, 2014. The unveiling of the sculpture, "The Unfinished March" was held at the Dr. Martin Luther King, Jr. Plaza on Jefferson Avenue at 25th Street (Dr. Martin Luther King Way).

Councilman Coleman congratulated City Staff for the hard work on the opening of the Paragon City Center 12 Theater, as part of the City's Entertainment District in City Center Oyster Point (11810 Fountain Way). The event was held Tuesday, May 20, 2014. The Theater had brought positive energy to City Center and he looked forward to its continued success.

Councilman Coleman attended OHA's 48th Annual Awards Banquet on Thursday, May 22, 2014 at the Hampton Roads Convention Center. Reverend Al Sharpton, Founder and President of the National Action Network, served as the Guest Speaker. He thanked Councilwoman Vick for serving as a gracious hostess.

Councilman Coleman thanked all of the men and women serving in the United States Armed Forces, particularly those that gave the ultimate sacrifice.

Mayor Price congratulated those citizens that participated in the Virginia Senior Games held in Newport News, May 14-17, 2014. The events were open to seniors aged 50 and up. Mayor Price proudly displayed a gold medal which he won in the Senior Games while participating in the sport of Tennis.

Mayor Price thanked City staff for the hard work on the Statue Unveiling Ceremony held on Saturday, May 17, 2014. The unveiling of the sculpture, "The Unfinished March" was held at the Dr. Martin Luther King, Jr. Plaza on Jefferson Avenue at 25th Street (Dr. Martin Luther King Way). The bronze sculpture was designed by Mr. Edward N. Hamilton.

DRAFT

J. New Business and Councilmember Comments Continued

Mayor Price profusely apologized for failing to include the City Manager during the Ribbon Cutting of the bas relief.

Mayor Price and colleagues attended the VIP Opening of the Paragon City Center 12 Theater, as part of the City's Entertainment District in City Center Oyster Point (11810 Fountain Way). The event was held Tuesday, May 20, 2014. He stated the theater would add to the restaurants and shops in City Center.

Mayor Price and colleagues attended the Newport News Police Department Awards Ceremony on Wednesday, May 21, 2014 at the Ferguson Center for the Arts. He expressed appreciation to the men and women of the Newport News Police Department and the First Responders for all they did on a daily basis.

Mayor Price and colleagues attended the Pleasant Shade Cemetery Memorial Day Tribute Commemorative Ceremony on Monday, May 26, 2014, 11:00 a.m., honoring veterans from the Civil War to the Vietnam War and former City leaders, i.e. Mayor Jessie M. Rattley. The ceremony included a wreath laying and raising of the flag, as well as comments from himself and other City officials. He thanked Ms. Artistine Mears Lang, Executive Director, East End Neighborhood Association of the Peninsula, Inc., for spearheading the effort to spruce up this historic African American cemetery. Volunteers and donations were needed to ensure the upkeep of the Pleasant Shade Cemetery.

Mayor Price stated the Virginia Arts Festival hosted the Memorial Day celebration with the United States Air Force Heritage of America Band. The concert was held on Monday, May 26, 2014, at City Center at Oyster Point.

Mayor Price reiterated the announcement about the Gang Violence Prevention Town Hall Meeting, hosted by Congressman Robert C. "Bobby" Scott. The event was scheduled for Thursday, June 5, 2014. 6:30 p.m. at An Achievable Dream Middle and High School (5720 Marshall Avenue).

Mayor Price reiterated the remarks by the City Manager regarding the Charrette scheduled for June 27-28, 2014, for the Superblock in Downtown Newport News along Washington Avenue between 26th and 28th Streets. He advised that the Design Charrette would allow stakeholders, citizens, and the development community to be a part of the future design of a site-seeking project for the Superblock. All were encouraged to attend.

Councilwoman Vick congratulated the Newport News Redevelopment and Housing Authority scholarship winners. Scholarships were awarded to graduates on Thursday, May 22, 2014, at the Office of Human Affairs (OHA) Annual Awards Banquet, held at the Hampton Roads Convention Center. She was honored to serve as the Guest Speaker at the event. She shared that she was the first recipient of a NNRHA Scholarship in 1980. It was great to see how much the program had grown. On May 22, 2014, 20 Scholarships were awarded.

DRAFT

J. New Business and Councilmember Comments Continued

Councilwoman Vick thanked members of Council for their support and attendance at the OHA Awards Banquet. Reverend Al Sharpton, Founder and President of the National Action Network, served as the Guest Speaker. There were more than 700 people in attendance.

Councilwoman Vick reminded that there had been a rash of crimes in the Ivy Avenue area. She thanked "Nicole," an Ivy Avenue resident, who took charge and organized the first "Community Day" on Ivy Avenue. The event was a huge success, and instilled great community pride. Councilwoman Vick advised that this would become an annual event.

Councilman Whitaker shared personal stories about his struggles, those that helped him throughout life, and the importance of education. He reminded that he had hosted annual runs to raise funds for diabetes ($92,000). He then began to raise funds for the NNRHA to enable them to give full scholarships to students. It was important to help young people further their education, and to instill in them the importance of a good education in an effort to improve their quality of life.

Councilwoman Woodbury commented about the Annual Memorial Day Ceremony at the Victory Arch hosted by American Legion Braxton-Perkins Post 25. The Guest Speaker was Congressman Scott Rigell. Most impressive was the Menchville High School ROTC. She commended them and their leader for their professional training.

She reiterated the remarks of her colleagues about the Unveiling Ceremony held on Saturday, May 17, 2014. She encouraged citizens to view the sculpture, "The Unfinished March" at the Dr. Martin Luther King, Jr. Plaza on Jefferson Avenue at 25th Street (Dr. Martin Luther King Way).

Councilwoman Woodbury advised, when she served on the Newport News Public School Board, she was honored to serve as Chair of the Educational Section of the WHRO Board of Directors. She was fortunate to attend a Reunion of the group and was pleased to see the wonderful new programs that had been put into effect, particularly in education.

Councilwoman Woodbury, along with her colleagues, attended the VIP Opening of the Paragon City Center 12 Theater, as part of the City's Entertainment District in City Center Oyster Point (11810 Fountain Way). She commented on the comfortable furnishings and set-up of the theater.

Councilwoman Woodbury met with the Consultants about the Design Charrette. It was interesting to exchange ideas. She encouraged all to participate in the Charrette in an effort to build the community.

Councilwoman Woodbury thanked Mr. Dean Longo for his attendance and participation, particularly sharing his concerns about the Election process and issues that occurred during the May 6, 2014 School Board Election. She shared his concerns and stated that although City Council was not empowered to do anything, they could certainly make inquiries about the process and ensure that people investigate the process.

J. New Business and Councilmember Comments Continued

Councilwoman Woodbury had the opportunity to attend the Newport News Fire Department Annual Recognition Ceremony on Thursday, May 1, 2014 at Jefferson Lab (12000 Jefferson Avenue) and the Newport News Police Department Awards Ceremony on Wednesday, May 21, 2014, at the Ferguson Center for the Arts. She was impressed with the Firefighters and the Police Officers, as well as the citizens that received awards for their acts of heroism.

Councilwoman Woodbury announced the First Reunion of the Peninsula Dance Party scheduled for Monday, June 30, 2014 at 6:30 p.m., at the Denbigh Community Center (15198 Warwick Boulevard). The event would be known as the Senior Prom as it was mostly for Seniors, but others would be welcomed.

K. Adjourn

Mayor Price adjourned the meeting by addressing the citizens. He stated, "May what you say and do uplift the City of Newport News."

THERE BEING NO FURTHER BUSINESS,
ON MOTION, COUNCIL ADJOURNED AT 8:11 P.M.

Mabel Washington Jenkins

Mabel Washington Jenkins, MMC
City Clerk

McKinley L. Price, DDS
Mayor
Presiding Officer

A true copy, teste:

City Clerk

G. Other City Council Actions

1. Resolution Authorizing the Re-Sale of Wetland and Stream Mitigation Credits Purchased for the King William Reservoir Project and Authorizing the City Manager to Execute Any and All Documents Pertaining to the Re-Sale

ACTION: A REQUEST TO APPROVE A RESOLUTION AUTHORIZING THE RE-SALE OF WETLAND AND STREAM MITIGATION CREDITS PURCHASED FOR THE KING WILLIAM RESERVOIR PROJECT AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS PERTAINING TO THE RE-SALE.

BACKGROUND:

- In 2009, the City purchased 50 acres of wetland mitigation credits and 19,978 linear feet of stream mitigation credits from York River Wetland Mitigation Bank as part of the mitigation program for the former King William Reservoir Project.
- Credits are classified as a commodity, and can be transferred and sold at mutually agreed upon terms.
- Those acquired from the York River Wetland Mitigation Bank can only be used to mitigate for project impacts within the Upper York River Basin.
- Resale of credits will be on a case-by-case basis, with quantity of credits at a price deemed appropriate by the City Manager and the City Attorney's office.
- The City Manager recommends approval.

FISCAL IMPACT:

- N/A

Supporting Material

CM Memo re Resale of Wetland-Stream Mitigation Credits

sdm12533 Authorizing re Re-Sale of Wetlands and Stream Mitigation Credits

CITY OF NEWPORT NEWS

OFFICE OF THE CITY MANAGER

June 4, 2014

TO: The Honorable City Council

FROM: City Manager

SUBJECT: Resale of Wetland and Stream Mitigation Credits

City Council is requested to grant the City Manager the authority to re-sell wetland and stream mitigation credits that were acquired to mitigate for wetland and stream impacts that would have occurred during the construction of the former King William Reservoir project. The resale of the credits will be on a case-by-case basis, with quantity of credits at a price deemed appropriate by the City Manager and reviewed by the City Attorney's Office at the time of their sale.

In February 2009, the City purchased 50 acres of wetland mitigation credits and 19,978 linear feet of stream mitigation credits from York River Wetland Mitigation Bank. These credits were purchased as part of a comprehensive mitigation program for the former reservoir project. Since the King William Reservoir was never constructed, there were no environmental impacts and these credits can be re-allocated to other projects. This has been confirmed by outside legal counsel.

Recently, the City received some interest regarding the resale of some of these credits. We expect that as the region's economy continues to improve, the need for mitigation credits will slowly increase. These credits are classified as a commodity and can be transferred and sold at mutually agreed upon terms. Unfortunately, the credits that were acquired from the York River Wetland Mitigation Bank can only be used to mitigate for project impacts within the Upper York River Basin. The City of Newport News does not own any potential assets that would qualify for its use, including the extraterritorial lands managed by Waterworks, which are either in the James River Basin or the Lower Chesapeake Bay (Coastal) Basin.

I recommend that City Council grant me the authority to re-sell the mitigation credits as we deem appropriate. Proceeds from any sale of credits will be credited to the Public Utilities Fund.

James M. Bourey

JMB:WW:wmp

sdm12533

RESOLUTION NO. _____

A RESOLUTION OF THE NEWPORT NEWS CITY COUNCIL AUTHORIZING THE RE-SALE OF WETLANDS MITIGATION CREDITS AND STREAM MITIGATION CREDITS ACQUIRED FOR THE KING WILLIAM RESERVOIR PROJECT.

WHEREAS, in furtherance of the King William Reservoir Project ("the Project"), the City purchased various wetlands mitigation credits and stream mitigation credits; and

WHEREAS, on November 9, 2009, the U.S. Corps of Engineers revoked Permit No. 93-0902-12. The Permit previously authorized the City to construct and operate a water supply reservoir in King William County, Virginia. Due to the termination of the Project by the City, the mitigation credits are no longer needed by the City; and

WHEREAS, by Resolution No. 11917-09, the Acting City Manager was "authorized to analyze and recommend appropriate action with respect to...mitigation credits acquired for the Project;" and

WHEREAS, the City Manager has recommended that the mitigation credits be re-sold at such times, in such quantities, and at such prices, as he deems appropriate, in light of the existing market for such credits.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Newport News, Virginia, that:

1. Subject to applicable legal requirements, the City Manager is authorized to re-sell the mitigation credits at such times, in such quantities and at such prices, as he deems appropriate, in light of the existing market for such credits.

2. That the City Manager is authorized to execute any and all documents pertaining to the future re-sale of such mitigation credits, subject to review and approval by the City Attorney's Office.

3. That the proceeds of all sales of mitigation credits shall be deposited in the Public Utilities Fund.

4. That all such documents shall first be reviewed and approved by the City Attorney's office.

5. That this resolution shall be in effect on and after the date of its adoption, June 10, 2014.

H. Appropriations

ACTION: A REQUEST FOR A MOTION OF CITY COUNCIL TO APPROVE AS A BLOCK THE FOLLOWING APPROPRIATIONS.

1. Department of Engineering – FY 2014 Bond Authorization, Public Buildings Category: Design Services for Emergency Generators Replacement – $50,000

2. Department of Engineering – FY 2014 Bond Authorization, Public Buildings Category: Justice Building Elevator Renovations – $175,000

3. Newport News Sheriff's Office – Commonwealth of Virginia, Office of the Attorney General: Asset Forfeiture Funds – $249,480

4. Department of Engineering – Congestion Mitigation and Air Quality (CMAQ): Mariners' Museum Multi-Purpose Trail Project – $650,000

H. Appropriations

1. Department of Engineering – FY 2014 Bond Authorization, Public Buildings Category: Design Services for Emergency Generators Replacement – $50,000

ACTION: A REQUEST TO APPROVE A RESOLUTION APPROPRIATING $50,000 FROM THE FY 2014 BOND AUTHORIZATION, PUBLIC BUILDINGS CATEGORY FOR DESIGN SERVICES FOR THE REPLACEMENT OF EMERGENCY GENERATORS.

BACKGROUND:

- The design services will address the purchase and installation of new equipment and wiring to replace and update the existing emergency generators at various City facilities.

FISCAL IMPACT:

- Funding in the amount of $50,000 is available from the FY 2014 Bond Authorization, Public Buildings category.
- The City Manager recommends approval.

Supporting Material

CM Memo re Emergency Generators Replacement
sdm12614 Appropriation re Replacement of Emergency Generators

CITY OF NEWPORT NEWS

OFFICE OF THE CITY MANAGER

June 4, 2014

TO: The Honorable City Council

FROM: City Manager

SUBJECT: Emergency Generators

City Council is requested to approve a resolution appropriating $50,000 for Design Services for the replacement of emergency generators.

The proposed project includes the design of replacement emergency generators and associated wiring, switches, and other appurtenances at various City locations and facilities. There are three main projects to be accomplished with the appropriated funds, they are: The Midtown Community Center, The Justice Building, and the Circuit and General District Courthouse.

The requested appropriation of $50,000 is available from the FY 2014 Bond Authorization, Public Buildings category.

I recommend City Council approve this resolution.

James M. Bourey

JMB/BDW/wjr

cc: Everett Skipper, Director of Engineering

sdm12614

RESOLUTION NO. _____

A RESOLUTION APPROPRIATING FUNDS FROM BONDS AUTHORIZED AND ISSUED TO EMERGENCY GENERATORS.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Newport News:

That it hereby appropriates funds from Bonds Authorized and Issued to Emergency Generators, as follows:

Appropriation From:

Bonds Authorized and Issued 4104-100-70-700G-579000-000000-2014- 00000-G0000	$	50,000.00

Appropriation To:

Emergency Generators 4104-200-70-700G-579401-000000-2014- 00000-G2408	$	50,000.00

H. Appropriations

2. Department of Engineering – FY 2014 Bond Authorization, Public Buildings Category: Justice Building Elevator Renovations – $175,000

ACTION: A REQUEST TO APPROVE A RESOLUTION APPROPRIATING $175,000 FROM THE FY 2014 BOND AUTHORIZATION, PUBLIC BUILDINGS CATEGORY FOR THE JUSTICE BUILDING ELEVATOR RENOVATIONS.

BACKGROUND:

- The City has made many renovations to the Justice Building as recommended in the 2003 Hampton-Newport News Community Services Board (H-NNCSB), Facilities Plan, CSB Central Extract Study.
- The final phase of the project will be the upgrading of the existing elevators.
- The project consists of the purchase and installation of new equipment and wiring to replace and update the remaining existing elevator at the Justice Building.

FISCAL IMPACT:

- The total estimated project cost for the remaining elevator, including contingencies is $200,000.
- Funding in the amount of $175,000 is available from the FY 2014 Bond Authorization, Public Buildings category.
- The remaining $25,000 is available from previously appropriated funds in the Public Buildings category.
- The City Manager recommends approval.

Supporting Material

CM Memo re JusticeBldg Elevator Renovation

sdm12607 Appropriation re Justice Building Elevator Renovation

CITY OF NEWPORT NEWS

OFFICE OF THE CITY MANAGER

June 4, 2014

TO: The Honorable City Council

FROM: City Manager

SUBJECT: Justice Building Elevator Renovation

City Council is requested to approve a resolution appropriating $175,000 for the Justice Building Elevator Renovation.

The City of Newport News has made many renovations to the Justice Building as recommended in the 2003 Hampton-Newport News Community Services Board (H-NNCSB), Facilities Plan, CSB Central Extract study. Previous renovations include the replacement or repairs of the following:

1. All floors have been renovated except a portion of the 4th floor;
2. The exterior of the building has been caulked and sealed;
3. The roof has been replaced;
4. Boilers have been replaced;
5. HVAC units have been repaired as needed;
6. Elevators - Two (2) of the elevators are under contract to be replaced. Approval of the appropriation will add the third elevator to the contract.

The final phase of the project will be the upgrading of the remaining existing elevator. The existing elevator and equipment will be removed. A new elevator car, entrance doors on each floor, elevator controls, and drive mechanism will be installed.

The building was originally designed to be occupied by private offices of the bank. The elevators were designed accordingly to accommodate a low level of traffic. Since the City's acquisition, the building has been transformed into a public facility resulting in the increase of traffic volume placed on the elevators. This has caused an increase in wear and damage

to the elevators. Presently the elevators are experiencing multiple failures each week. At the completion of the project, the elevator will be ADA compliant with car handrails, braille push buttons, and audible signaling.

I recommend City Council approve this resolution.

James M. Bourey

JMB/BDW/wjr

cc: Everett Skipper, Director, Department of Engineering

sdm12607

RESOLUTION NO. _____

A RESOLUTION APPROPRIATING FUNDS FROM BONDS AUTHORIZED AND ISSUED TO JUSTICE BUILDING ELEVATOR RENOVATION.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Newport News:

That it hereby appropriates funds from Bonds Authorized and Issued to Justice Building Elevator Renovation, as follows:

Appropriation From:

Bonds Authorized and Issued 4104-100-70-700G-579000-000000-2014- 00000-G0000	$	175,000.00

Appropriation To:

Justice Building Elevator Renovation 4104-200-70-700G-579420-000000-2014- 00000-G2308	$	175,000.00

H. Appropriations

3. Newport News Sheriff's Office – Commonwealth of Virginia, Office of the Attorney General: Asset Forfeiture Funds – $249,480

ACTION: A REQUEST TO APPROVE A RESOLUTION APPROPRIATING $249,480 OF FEDERAL REVENUE (ASSET FORFEITURE FUNDS) FROM THE COMMONWEALTH OF VIRGINIA, OFFICE OF THE ATTORNEY GENERAL TO THE NEWPORT NEWS SHERIFF'S OFFICE.

BACKGROUND:

- The Virginia Attorney General's Office has awarded the Newport News Sheriff's Office asset forfeiture monies in the amount of $249,480.
- The funds are the result of a settlement with Abbott Laboratories regarding the unlawful promotion of prescription drugs.
- These forfeited funds are permitted to be used as supplemental support for law enforcement needs.
- The funds will be used to purchase computer equipment, vehicles, protective vests, a security camera system for the courts, copiers, and a portable generator.

FISCAL IMPACT:

- No local matching funds are required.
- The City Manager recommends approval.

Supporting Material

CM Memo re Asset Forfeiture Funds for NN Sheriffs Office
sdm12603 Appropriation re Sheriff's Office - FY14 Asset Forfeiture

CITY OF NEWPORT NEWS

OFFICE OF THE CITY MANAGER

June 4, 2014

TO: The Honorable City Council

FROM: City Manager

SUBJECT: Newport News Sheriff's Office - Federal Asset Forfeiture Funds

The Virginia Attorney General's Office recently awarded Federal asset forfeiture funds in the amount of $249,480 to the Newport News Sheriff's Office. The funds are the result of a settlement with Abbott Laboratories. On May 7, 2012, Abbott Laboratories entered a plea agreement with the U.S. Department of Justice, pleading guilty to the unlawful promotion of prescription drugs.

The asset forfeiture funds are permitted to be used as supplemental financial support for the Sheriff's immediate law enforcement needs. The funds will be used to purchase computer equipment, a 12-passenger van for the re-entry and work release programs, two special police SUVs for the K-9 unit, a Ford-250 pick-up truck, ten protective vests, a security camera system for the three courthouses, two copiers, and a portable generator. No local matching funds are required.

Approval of the resolution is recommended.

James M. Bourey

James M. Bourey

JMB:kg

G:\JIM BOUREY\Correspondence\2014\June\Memo to HCC re NN Sheriff's Office Asset Forfeiture Funds 6.4.14.docx

sdm12603

RESOLUTION NO. _____

A RESOLUTION APPROPRIATING FUNDS FROM USE OF FUND BAL-US 0TREAS-14 TO MACHINERY & EQUIPMENT.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Newport News:

That it hereby appropriates funds from Use of Fund Bal-US Treas-14 to Machinery & Equipment, as follows:

Appropriation From:

Use of Fund Bal-US Treas-14 2651-000-26-0000-453000-000000-0000- 26A14-26A14	$	249,480.00

Appropriation To:

Machinery & Equipment 2651-000-26-0000-570010-000000-0000- 26A14-26A14	$	249,480.00

H. Appropriations

4. Department of Engineering – Congestion Mitigation and Air Quality (CMAQ): Mariners' Museum Multi-Purpose Trail Project – $650,000

ACTION: A REQUEST TO APPROVE A RESOLUTION APPROPRIATING $650,000 FROM CONGESTION MITIGATION AND AIR QUALITY (CMAQ) GRANT FUNDS FOR THE MARINERS' MUSEUM MULTI-PURPOSE TRAIL PROJECT.

BACKGROUND:

- The design of the Mariners' Museum Multipurpose Trail is substantially complete.
- The construction of this sidewalk along Mariners' Museum property, parallel to Warwick Boulevard, will connect the Avenue of the Arts sidewalk with the arterial sidewalk located to the south at the Harpersville Road intersection with Warwick Boulevard.

FISCAL IMPACT:

- The revised project estimate has increased to $2,748,220.
- City Council previously appropriated $1.1 million of CMAQ grant funds for this project.
- The Virginia Department of Transportation (VDOT) has approved additional CMAQ funds in the amount of $650,000 and approved a transfer of $998,220 from two other previously appropriated CMAQ projects.
- The City Manager recommends approval.

Supporting Material

CM Memo re Mariners Museum Multipurpose Trail
Attachment Location Map Mariners Museum
sdm12613 Appropriation re Mariners' Museum Multipurpose Trail

CITY OF NEWPORT NEWS

OFFICE OF THE CITY MANAGER

June 4, 2014

TO: The Honorable City Council

FROM: City Manager

SUBJECT: Mariners' Museum Multipurpose Trail

City Council is requested to approve a resolution to appropriate an additional $650,000 of Congestion Mitigation Air Quality (CMAQ) funds for the construction of the Mariners' Museum Multipurpose Trail.

The design of the Mariners' Museum Multipurpose Trail is substantially complete. Construction of this sidewalk along Mariners' Museum property parallel to Warwick Boulevard will connect the Avenue of the Arts sidewalk network to the existing sidewalk located south at the Harpersville Road intersection with Warwick Boulevard.

As the project design progressed, the total cost estimate increased significantly to $2,748,220. The primary cause of the increase was the addition of an independent pedestrian bridge crossing Lake Maury as opposed to the original plans which called for a sidewalk alongside the roadway bridge. Additional drainage improvements, lighting, and landscaping also have contributed to the increased cost estimate.

City Council previously appropriated $1.1 million of CMAQ grant funds for this project. The City has been successful in receiving additional CMAQ funds for construction in the amount of $650,000 and approval to transfer $998,220 in CMAQ surplus funds from two other previously appropriated projects. The additional funding will provide for the construction of the project based on the latest Engineer's estimate.

I recommend City Council approve the resolution.

James M. Bourey

James M. Bourey

JMB/DQB/plw

Attachment

cc: Everett Skipper, Director of Engineering

G:\JIM BOUREY\Correspondence\2014\June\Memo to HCC re Mariners' Museum Multipurpose Trail 6.4.14.docx

CITY OF NEWPORT NEWS, VIRGINIA

MARINERS MUSEUM MULTIPURPOSE TRAIL

sdm12613

RESOLUTION NO. _____

A RESOLUTION APPROPRIATING FUNDS FROM FEDERAL REVENUE AND STATE REVENUE TO MARINERS' MUSEUM MULTIPURPOSE TRAIL.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Newport News:

That it hereby appropriates funds from Federal Revenue and State Revenue to Mariners' Museum Multipurpose Trail, as follows:

Appropriation From:

Federal Revenue 4300-000-00-0000-483000-000000-2011- 00000-J3003	$	520,000.00
State Revenue 4300-000-00-0000-482000-000000-2011- 00000-J3003	$	130,000.00

Appropriation To:

Mariners' Museum Multipurpose Trail 4300-250-70-700J-579420-000000-0000- 00000-J3003	$	650,000.00

*I. Citizen Comments on Matters Germane to the Business of City Council

J. New Business and Councilmember Comments

City Manager
City Attorney
City Clerk

Price
Scott
Vick
Whitaker
Woodbury
Bateman
Coleman

K. Adjourn

***THE BUSINESS PORTION OF THE MEETING WILL BE CONCLUDED NO LATER THAN 10:00 P.M. TO ALLOW PERSONS TO ADDRESS CITY COUNCIL UNDER "CITIZEN COMMENTS ON MATTERS GERMANE TO THE BUSINESS OF CITY COUNCIL."**