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AGENDA

NEWPORT NEWS CITY COUNCIL
REGULAR CITY COUNCIL MEETING

APRIL 26, 2016

City Council Chambers

7:00 p.m.

A. Call to Order

B. Invocation

- Pastor Justin White, City Life Church

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

D. Presentations - None

E. Public Hearings

F. Consent Agenda

1. Minutes of the Work Session of April 12, 2016
2. Minutes of the Special Meeting of April 12, 2016
3. Minutes of the Regular Meeting of April 12, 2016
4. Resolution of Recognition: Newport News Park on its 50th Anniversary

G. Other City Council Actions

1. Receipt of Bids for Granting a 20-foot Easement Across City-owned Property Located at 15402 Warwick Boulevard
2. Receipt of Bids for Granting a 30-foot Easement Across City-owned Property Located at 13141 Jefferson Avenue
3. Resolution Approving the Consolidated Plan for Housing and Community Development - Annual Action Plan FY 2016-2017
4. Ordinance Repealing City Code, Chapter 29, Parks, Squares and Recreational Facilities; Article II., General Regulations Governing Parks;

Section 29-53.1, Flying of Model Aircraft Prohibited

H. Appropriations

1. Department of Engineering – The Virginia Department of Environmental Quality (DEQ) Stormwater Local Assistance Fund (SLAF) (\$2,275,200) and The Water Quality Banking Program Fund (\$400,000): Construction of the Stoney Run Regional Best Management Practice (BMP) Retrofit; Stream Restoration and Lake Dredging Project – \$2,675,200
2. Department of Engineering – State Revenue Sharing Program (\$7,075,000); FY 2016 Bond Authorization, Streets and Bridges Category (\$4,325,000); and FY 2016 Bond Authorization, Community Development Category (\$2,750,000): Various Roadway Projects – \$14,150,000

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. Bateman
5. Cherry
6. Coleman
7. Price
8. Scott
9. Vick
10. Woodbury

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 - Pastor Justin White, City Life Church

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

D. Presentations

E. Public Hearings

1. None Advertised

F. Consent Agenda

1. Minutes of the Work Session of April 12, 2016

ACTION: • N/A

BACKGROUND: • N/A

FISCAL IMPACT: • N/A

ATTACHMENTS:

Description

Minutes of the Work Session of April 12, 2016

**MINUTES OF WORK SESSION
OF THE NEWPORT NEWS CITY COUNCIL
HELD IN THE 10TH FLOOR CONFERENCE ROOM
2400 WASHINGTON AVENUE**

**April 12, 2016
3:15 p.m.**

PRESENT: Patricia P. Woodbury; Herbert H. Bateman, Jr.; Sandra N. Cherry; Robert S. Coleman; McKinley L. Price, DDS (arrived at 3:25 p.m.); Sharon P. Scott and Tina L. Vick (arrived at 3:37 p.m.)-----7

ABSENT: None-----0

OTHERS PRESENT: James M. Bourey; Collins L. Owens; Mabel Washington Jenkins; Cynthia Rohlf; Alan Archer; Wanda Pierre; Darlene Bradberry; Jeff Stodghill; Carlton Ashby; Douglas Brown; Mary Lou Roseau; Pat Finneran; Bryan Nichols; Ashby Kilgore; Telly Whitfield; Lisa Cipriano; Sherry Crocker; Scott Dewhirst; Steve Carpenter; Dave Cooper; Florence Kingston; Sheila McAllister; Claudia Cotton; Jerry Wilson; Kim Lee; Cleder Jones; Jennifer Walker; Teresa Clift; and Dave Reese

I. FY 2017 Recommended Operating Budget

1. Newport News Public Schools (NNPS)

Mr. James Bourey, City Manager, introduced Mr. Jeff Stodghill, Chairperson, Newport News School Board, to provide opening remarks on the FY 2016 – 2017 School Board Proposed Operating Budget (FY 2017 School Board Budget).

Chairperson Stodghill thanked City Manager Bourey and City Council for the support provided to the Newport News Public Schools (NNPS). He advised that this was one of the rare moments that the Governor and General Assembly was inspired to do something positive for public education. Statewide, an additional \$1 billion was returned to education. The City of Newport News received its fair share of the \$1 billion that would assist the Schools to:

- Increase teacher salaries to eliminate disparities
- Increase bus driver pay to be compatible with neighboring jurisdictions
- Add additional 4th and 5th grade teachers in order to lower class size
- Hire a K-12 STEM coach, a Primary Behavior Specialist, a Governor’s Health Sciences Academy Program Administrator, and an ESL Teacher for the Middle School Newcomer Center and an additional Custodian at South Morrison Learning Center
- Purchase elementary school classroom supplies and classroom library books
- Upgrade wireless access in all buildings
- Fund capital needs including vehicle replacement
- Expand the Summer Learning and Enrichment Program (SPARK – Summer Program for Arts, Recreation, and Knowledge) across the entire City

Chairperson Stodghill announced that the NNPS SPARK Initiative earned first place in the 2016 National School Board Association's Magna Awards Program. The award recognized school districts that took bold and innovative steps in educating students. He introduced Dr. Ashby Kilgore, Superintendent, NNPS, to continue with the presentation.

Dr. Kilgore stated the NNPS academic agenda for public education included three student benchmarks (Achievement, Advancement and Youth Development) to monitor and measure progress. She noted signs of NNPS Academic Successes:

- Achievement
 - All six high schools met state and federal graduation requirements
 - 89.5% of students graduated on time
 - 80% of second grade students were reading at grade level
 - NNPS students were making progress on all SOL tests
- Advancement
 - 120% increase in students earning industry certifications
 - 89% of high school students took at least one honors, AP or IB course
 - 680 high school students were dual enrolled in a college course
- Youth Development
 - Elementary school student retention decreased 150%
 - 78% of secondary school students participated in a club, activity or sport
 - 78% of elementary students participated in service learning

Dr. Kilgore advised, since 2011 student enrollment had decreased by 1,209 students due to a decrease of 1,429 military connected students. In reality, student enrollment increased by 200 in terms of non-military connected students. She reported the FY 2017 School Board Budget totaled \$305.6 million, which amounted to a \$9.7 million increase over FY 2016. She noted the major revenue sources of the FY 2017 School Board Budget:

- State \$180.1 million; 5.1% increase
- City \$119.3 million; 0.8% increase
- Federal \$3.5 million; 22.7% decrease
- Other Revenue \$2.7 million; 53.2% increase

Dr. Kilgore noted expenditures by function within the FY 2017 School Board Budget:

- Instruction \$217.8 million 71.3%
- Operations \$ 30.5 million 10.0%
- Transportation \$ 18.5 million 6.1%
- Admin. Attendance & Health \$ 14.0 million 4.6%
- Technology \$ 12.5 million 4.1%
- Facilities & Debt Service \$ 12.2 million 4.0%

Dr. Kilgore noted major expenditure categories within the FY 2017 School Board Budget related to people:

- | | | |
|--------------------|-----------------|-------|
| • Salaries | \$180.7 million | 59.1% |
| • Fringe Benefits | \$ 73.0 million | 23.9% |
| • Non-compensation | \$ 51.9 million | 17.0% |

Councilwoman Woodbury inquired about items that were included in the Non-Compensation Category of the School Board Budget. Dr. Kilgore replied that material and maintenance supplies, textbooks, etc. were included in the Non-Compensation Category.

Dr. Kilgore noted the Funding Priorities for the FY 2017 School Board Budget:

- Salary increases for all employees
 - \$8 million invested in employee salaries
- New elementary school teachers for 4th and 5th grades
- Technology (computer replacement postponed)
 - Improve wireless access
- Cash capital (partially funded)

Dr. Kilgore noted NNPS teacher salary comparisons at various levels of experience compared to other regional school divisions (see the comparisons as part of the presentation attached to these minutes). NNPS felt the salary increase was needed to recruit and retain teachers in Newport News. NNPS also wanted to return to parity with City salary increases. NNPS proposed a 3.0% salary increase for all employees. NNPS also instituted salary adjustments for employees with higher levels of experience. NNPS devoted a total of \$8 million for salary increases and adjustments for FY 2017.

Councilwoman Woodbury questioned whether Dr. Kilgore meant salary adjustments for employees that had been with NNPS for more than ten years and not in parity with newer employees. Dr. Kilgore replied that salaries became compressed so this would offer a 4% increase to employees that had worked 12 or more years with NNPS.

Councilwoman Woodbury inquired whether a comparative study had been done to show where the employees should be. Dr. Kilgore replied yes.

Vice Mayor Coleman recalled, approximately three to four years ago, the City gave all employees a 5% pay increase over and above their merit increase to make their own VRS and NNERF contributions. He inquired whether NNPS did the same. Dr. Kilgore replied that NNPS did the same (see information in presentation attached to these minutes).

Dr. Kilgore noted future initiatives for NNPS:

- Additional salary adjustments
- Capital needs
- Bus and support vehicle replacements
- Technology
- Extended learning
- Early career
- Employee apprenticeship program expansion

Dr. Kilgore advised that during the FY 2015 – 2016 school year, NNPS was piloting 25 youth who had finished high school in January 2016 and were attending Thomas Nelson Community College and taking career readiness programs. She stated that this was the next step for NNPS to prepare students for college and/or a career. NNPS paid one-half (½) of the tuition, while the students paid the remainder.

Dr. Kilgore advised that NNPS was one of five school divisions in Virginia to be chosen to receive an innovation grant to revolutionize what high school could be. NNPS worked with Heritage High School to create five new career academies for incoming 9th graders in 2017. Heritage High School currently had a Governor's Stem Academy and a University Magnet. Students would be eligible to gain certification in all academic areas. She believed NNPS would be on the cutting edge of reshaping what high school would be. It was going to be an exciting program beginning at Heritage in 2017.

NNPS was the only school division in Virginia that was connected with the Apprenticeship Council and offered apprenticeship certifications to custodial, transportation, child nutrition and clerical staff. Dr. Kilgore advised there was much thinking going on in how to build a better organization and a better school system and prepare graduates for college, career, and citizenship.

Councilwoman Vick commended Dr. Kilgore and NNPS for the work they were doing to connect the dots that would help youth understand the importance of education to their future.

2. Waterworks Department

City Manager Bourey introduced Mr. Scott Dewhirst, Interim Director, Department of Waterworks, to provide an overview of the FY 2017 Waterworks budget.

Mr. Dewhirst stated the Waterworks Proposed FY 2017 Budget totaled \$88.75 million, which was a 0.7% increase over FY 2016, or \$0.22 per month on the average residential monthly customer's bill (a copy of the presentation, Waterworks Budget Presentation to City Council, Fiscal Year 2017, April 12, 2016, is attached and made a part of these minutes). A stable water demand at 33.5 million gallons per day (MGD) was budgeted, which was exactly the same as in 2016.

Councilwoman Scott inquired whether Waterworks was only asking for a 1% increase in the water rate. Mr. Dewhirst replied yes, which equated to a \$0.22 per month increase for the average customer. The increase allowed Waterworks to fund programs, a salary adjustment, pension and benefits and reduce attrition credit and a hiring lag. They carried a relatively large hiring lag for a number of years and had reduced approximately 30 positions over the past decade. It had become difficult to maneuver around the hiring-lag. Positions were filled as they became available because it was difficult to leave positions vacant for extended periods of time.

Councilwoman Scott inquired about the types of positions that needed to be filled that were making an impact on the organization. Mr. Dewhirst replied that they were field level positions which affected the daily operation of the utility, such as personnel responsible for pipelines, grounds maintenance, water treatment operations, etc.

Mr. Dewhirst advised that the 2017 Waterworks Budget included funding for:

- Lift-Up program
- Smart Cities/AMI project
- Strategic Plan/EUM Implementation
- Paperless Initiatives
- Plant and infrastructure maintenance and improvements

Councilwoman Vick inquired whether Waterworks was working with the SMART Cities program with the Department of Human Services. Mr. Dewhirst replied that the AMI project could be coupled with the SMART Cities program.

Councilwoman Scott inquired whether Waterworks was upgraded to the point where customers could receive their bills in either paper or electronic form. Mr. Dewhirst replied the option to receive one's bill in either paper or electronic form would be available in approximately one month. He stated the more people that received their bills electronically, the better. Waterworks was about to unveil a revised e-billing system that would revamp the existing web site through a third party vendor where one could pay using any method.

Mayor Price inquired whether Waterworks would have the capability to monitor leaks in a customer's system. Mr. Dewhirst replied yes, and Waterworks would notify the customer.

Mr. Dewhirst noted the breakdown of the FY 2017 Waterworks Recommended Budget:

- | | |
|------------------------------|--------------|
| • Salary and Fringe Benefits | \$28,277,039 |
| • Debt Service | \$18,487,902 |
| • Transfers & ROI | \$13,063,492 |

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• Other	\$13,265,673
• Cash Capital	\$ 7,982,665
• Chemicals	\$ 3,025,096
• Utilities	\$ 3,076,404
• Leases	\$ 860,759
• Fuel	\$ 690,000

Mr. Dewhirst noted proposed Waterworks FY 2017 Revenue adjustments:

- No change to the service fee
- Increase consumption rates across all tiers and blocks (see rates in presentation attached to these minutes)
- Other fees adjusted per ordinance (no impact on most customers)

Mr. Dewhirst noted the FY 2017 Recommended Budget Effect on an Average Residential Customer:

• Service Fee	\$12.00
• Volumetric (Lifeline & Gen.)	<u>\$19.34</u>
Total	\$31.34
Net Increase/Month	+\$0.22
	0.7%

Councilwoman Cherry inquired about discrepancies in the figures in the FY 2017 Budget PowerPoint presentation made at the March 22, 2016 Work Session as opposed to figures in the FY 2017 Recommended Budget document. Ms. Cipriano replied that the discrepancies in the figures were due to the rounding-up of numbers in the PowerPoint presentation for simplicity.

Councilwoman Cherry understood the rounding-up of figures, but indicated there was a difference in rounding-up from \$1.8 million to \$1.9 million. The budget noted \$1.8 million, but the difference, if subtracted correctly, was \$1.9 million. There was a difference in some of the Department of Waterworks figures presented by Mr. Dewhirst than what was reported at the March 22, 2016 Work Session by Ms. Cipriano. Ms. Cipriano reiterated that the numbers were rounded-up for simplicity. Councilwoman Cherry repeated that there was a difference from rounding-up from \$1.8 million to \$1.9 million. Ms. Cipriano replied that all of the numbers contained in the FY 2017 Recommended Budget were accurate. She offered to redo the chart in the PowerPoint presentation for Councilwoman Cherry to show the exact numbers.

Councilwoman Cherry thanked Ms. Cipriano for the offer, but indicated she was only asking because there was a huge amount of information to study. While reading through the presentations and the FY 2017 Recommended Budget document, she noted different figures through her calculations.

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She questioned which calculations (PowerPoint presentations or FY 2017 Recommended Budget book) should City Council consider. Ms. Cipriano replied, for the sake of simplicity, the numbers in the PowerPoint presentations were the most understandable. The accurate numbers were in the FY 2017 Recommended Budget document.

Councilwoman Cherry inquired how the numbers added up correctly if the FY 2017 Recommended Budget document had \$1.8 million and the difference, by her calculation, was \$1.9 million. Ms. Cipriano replied that the difference could have been \$1.875 million versus rounding-up to \$1.9 million.

Councilwoman Cherry advised that the PowerPoint presentation provided at the March 22, 2016 Work Session noted that the Schools would receive \$119.3 million, which was a difference of \$1 million; however, \$118.3 million was shown in other documents that she received. She questioned what happened to the \$1 million. City Manager Bourey replied that the \$1 million was budgeted separately due to the City using the NNPS fiber optic cable or the City having to purchase fiber optic cable from the Schools. NNPS had indicated that they wanted the City to pay for the use of the Schools' fiber optic cable. The City would use the \$1 million to purchase some of the fiber optic cable that existed.

Councilwoman Cherry recalled that the City Manager had indicated that the Schools' would receive an additional \$1 million and there was no contingency attached to the funding. She was now hearing that there was a contingency attached to the \$1 million. City Manager Bourey replied that there were two separate matters. He stated the funding was shown in two places in the budget. He reminded about discussion held in December 2015, regarding that staff would attempt to find an additional \$1 million in additional Capital Improvement Plan (CIP) funding to provide revenue to the Schools for the FY 2017 CIP, because it was noted that the Schools did not receive sufficient funding. That was separate from the FY 2017 operating budget.

Councilwoman Cherry advised that throughout the budget documents she received the \$118.3 million was noted. She asked where the additional \$1 million was located in the budget. Ms. Cipriano replied the additional \$1 million was reserved in Non-Departmental in the FY 2017 Recommended Budget. Councilwoman Cherry wanted to make sure that the funding was included as she did not see it. Ms. Cipriano replied that Councilwoman Cherry would not see it in the Budget document, as the FY 2017 Recommended Budget was not a line item detailed budget; however, a balanced budget could not have been achieved without including the \$1 million. City Manager Bourey replied that he and Ms. Cipriano noted where the funding was listed.

Councilwoman Cherry advised that was the reason for her questions because some of the calculations were not accurate when she compared some of the budget figures. City Manager Bourey advised that details were not posted in the overall budget.

Councilman Bateman inquired about the \$1.5 million increase for NNPS's VRS Retirement Hybrid plan listed on page 84 (see attached copy) of the FY 2017 School Board's Adopted Operating Budget. Ms. Cipriano replied that the VRS Hybrid plan was added in 2014 as a third plan offered to NNPS. The \$1.5 million increase was a mixture of the contribution between the employer and employee into a 457 plan. The employee had the benefit of going up to three times their contribution rate into the plan. She believed NNPS was budgeting for the additional employee contribution into the 457 plan. City Manager Bourey explained that VRS recognized that defined benefit plans were difficult to fund overtime. He believed this was the start of transition from a defined benefit plan to a defined contribution plan. A Hybrid plan was part defined and part contribution wherein an employee received a match of their donation. The City operated different retirement plans as well, to include the NNERF plan, the regular VRS plan, and the Hybrid VRS plan. Ms. Cipriano advised that all NNPS employees hired after January 1, 2014 were included in the VRS Hybrid plan.

Councilman Bateman inquired whether the City had the same type appropriation and, if so, where it was listed in the FY 2017 Recommended Operating Budget. Ms. Cipriano replied yes, and it was listed in the City's FY 2017 Recommended Operating Budget under Non-Departmental. She advised that the City experienced an increase of approximately \$233,000 in FY 2017.

Councilman Bateman inquired about the 140.5% increase for NNPS's Insurance listed on page 85 (see attached) of the FY 2017 School Board's Adopted Operating Budget. Ms. Cipriano replied that the 140.5% increase was due to the increased cost for School's auto self-insurance for their buses and driver education vehicles.

Councilman Bateman inquired whether the increase was because the Schools were getting more buses. Ms. Cipriano replied no; the increase was due to a change in how the City calculated the funding in the current fiscal year and the onetime break the Schools received in FY 2016.

II. Tourism Zone and Technology Zone Boundary Amendment Briefing

City Manager Bourey introduced Ms. Florence Kingston, Director, Department of Development, to provide the briefing.

1. Tourism Zone

Ms. Kingston advised that the Tourism Zone program was an important tool used to incent tourism-related economic development which had the potential to further diversify the City's tax base and build upon existing quality of life amenities. The program was available to small and large businesses, and existing and new businesses, and was accessible to companies making varying levels of investment that met qualification criteria. There were four Tourism Zones throughout the City that were

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in need of amendments. She noted the four Tourism Zones throughout the City (a copy of the presentation, "Tourism Zone Boundary Amendments, City Council Work Session, April 12, 2016," is attached and made a part of these minutes):

- Upper Warwick Boulevard/Denbigh Tourism Zone
- Greater Hilton Tourism Zone
- Southeast Community Tourism Zone
- Patrick Henry Tourism Zone

Councilwoman Woodbury asked for several examples that explained what Tourism Zones did for economic development. Ms. Kingston replied that local incentives were provided to businesses who located in a Tourism zone.

Councilwoman Woodbury inquired whether the City was responsible to provide the incentives. Ms. Kingston replied yes; there was a state gap financing program that required the City to develop its own local tourism plan and incentives.

Ms. Kingston advised that the Upper Warwick Boulevard/Denbigh Tourism Zone covered the Warwick Boulevard corridor, from Oyster Point Road to Fort Eustis Boulevard. She stated the proposed amendment would include Oriana Road, along Denbigh Boulevard and the Warwick Boulevard corridor. The Greater Hilton Zone would be amended to include 70th Street to Main Street along Warwick Boulevard, and 79th Street to Aberthaw Avenue, along Jefferson Avenue, without including residential areas along the corridors. Proposed amendments to the Southeast Community Tourism Zone would add the downtown area from 23rd Street and West Avenue to 39th Street and Warwick Boulevard, and the downtown waterfront from Nelms Avenue to 14th Street between Terminal and Marshall Avenues. The proposed amendment to the Patrick Henry Tourism Zone would include City Center Boulevard to Oak Circle, between Rock Landing Drive and Jefferson Avenue (see boundary maps in the presentation attached to these minutes).

2. Technology Zone

Ms. Kingston stated staff had identified a need to adjust the boundary of the existing Newport News Technology Zone to include additional research and development properties located near the Thomas Jefferson National Laboratory. The amendment would expand the availability of the Newport News Technology Zone Program to new properties and businesses which could assist in further development and growth of technology-related businesses in Newport News (a copy of the presentation, "Technology Zone Boundary Amendment, City Council Work Session, April 12, 2016," is attached and made a part of these minutes).

Councilwoman Cherry questioned who benefitted from a Technology Zone Boundary Amendment. Ms. Kingston replied the occupants of the buildings that were located in Technology Zones

would benefit. Businesses would receive a reimbursement of their business license fee and/or some technical assistance. The Technology Zone created and fostered a more entrepreneurial environment. The State allowed the City to create incentive programs and offered tools to craft and promote the type of business activity that was needed.

Councilwoman Vick believed the biggest advantage for such incentive programs was that the State allowed the City to adopt their own ideas in what they wanted in certain areas. Ms. Kingston agreed. She indicated that such programs would not impede upon the City's current budget base, but would encourage new investment.

Councilwoman Cherry understood that staff was proposing an amendment to the Technology Zone to allow additional buildings in the Tech Center project. City Manager Bourey replied no; the proposed amendment would allow additional buildings to be included in the Technology Zone. Ms. Kingston explained the amendment would cover new companies that located in the Technology Zone to be able to gain incentives.

III. Comment/Ideas/Suggestions

City Manager Bourey thanked all for their participation at the preview and media tour of Jim's Local Market (3101 Jefferson Avenue), held on Monday, April 11, 2016. He stated the project was happening due to City Councils' unanimous support to address a need in the Southeast Community. He thanked City Council for their support as the project could not have happened or in such a short timeframe without them. The Grand Opening Ceremony of Jim's Local Market was scheduled for Tuesday, May 10, 2016, at 2:00 p.m. The store would open to the public immediately following the grand opening celebration.

City Manager Bourey advised, in response to questions raised by Councilwoman Woodbury and others about the reconciliation of the costs associated with the 2016 One City Marathon, since the reconciliation of bills had not been finalized, he was not in a position to state the actual amount of funding that would be awarded to the charities. He hoped to plan an event for Tuesday, April 19, 2016, to announce the information. The cost of the 2015 One City Marathon totaled approximately \$187,000, including the celebration. The cost of the 2016 One City Marathon totaled approximately \$82,331.37, including the celebration. Staff was able to save more than \$100,000, which he knew was a desire of City Council. Most of the cost went to the celebration. There were some minor costs (\$30,000) associated with the event. The goal was to build sponsorships in order to cover the entire cost of the 2017 One City Marathon.

Councilwoman Scott inquired how the charities were chosen. City Manager Bourey replied that the One City Marathon Committee chose the charities. The theme of the 2016 One City

Marathon was based on helping those who had been subject to violence and domestic abuse. A Request for Proposal (RFP) was submitted, to which a number of charities applied. The committee then made a decision based on what seemed appropriate.

Councilwoman Scott questioned who the RFP went out to. Dr. Telly Whitfield, Assistant to the City Manager and the 2016 One City Marathon Coordinator, replied the RFP was submitted through Community Support Assistance and went to charities that applied in the past and was posted at various locations. Approximately, 40 applications were received. City Manager Bourey advised that he would ensure that future information would be forwarded to members of City Council, should they have charities that they wanted to recommend and/or make aware of the process.

Councilwoman Scott stated she would like to be included in the process to be able to answer questions of individuals who questioned the reason that they did not receive a solicitation. She did not want to tell people that she was not sure of the process. She believed it was important to share information with members of City Council so that they could understand processes that they were responsible for.

Councilman Bateman thanked City Manager Bourey, Assistant City Manager Rohlf, and staff, for their assistance in getting Dominion Virginia Power to replace blown-out street lights along the J. Clyde Morris and Warwick Boulevard corridors. He also thanked staff for their responsiveness to clearing up the graffiti on Route 17 under the I-64 overpass.

Councilwoman Cherry thanked City Manager Bourey and staff for the new trees planted along Jefferson Avenue. The area looked much better.

Councilwoman Cherry advised that she received several calls from residents of the City of Hampton who indicated they were receiving the "Newport News Now" daily e-mail blog, but were not interested. She inquired how they could opt-out of receiving the blog. City Manager Bourey advised that they could opt-out of receiving further e-mails by following the unsubscribe prompt at the bottom of the e-mail they received. They could also contact 311 if they had difficulty in unsubscribing.

Councilwoman Cherry inquired whether a presentation would be held at a City Council meeting before the Public Hearing to approve the rezoning request for Wegman's. City Manager Bourey replied he did not see a need for discussion of a rezoning issue at a Work Session since a Public Hearing was scheduled. He could not remember discussion of a rezoning issue at a Work Session.

Councilwoman Cherry advised that she would like to have a Work Session presentation about the store in general, not the rezoning issue. City Manager Bourey advised that there had been approximately five discussions about the store in Closed Session.

Councilwoman Cherry advised that she would then have to hold her questions to ask at the Regular City Council meeting when the matter is presented; however, she preferred to ask questions in a Work Session.

Councilwoman Scott agreed with Councilwoman Cherry that it would be beneficial to have a Work Session discussion because there were many questions being asked throughout the community that members of City Council could not answer. It was a volatile and very controversial issue. She understood that the matter had gone through the Planning Commission; however, something that controversial should be discussed at a Work Session.

City Manager Bourey stated he was totally in support of having a Work Session discussion; however, he did not recall such matters being discussed in a Work Session, since becoming the City Manager. He stated he would schedule the matter to be discussed at the April 26, 2016 Work Session.

Vice Mayor Coleman stated he did not believe that it would be anything different from the neighborhood meetings that they were having in Kiln Creek with the developers, Wegman's, and the representatives. Councilwoman Scott advised that she was not privy to the Kiln Creek meetings. Vice Mayor Coleman advised that he did not attend either, but felt it would be the same information. City Manager Bourey stated a conversation could certainly be held in a Work Session.

Vice Mayor Coleman inquired whether City Attorney Collins Owens had any precedence about the matter being discussed at a Work Session. City Attorney Owens replied that land use changes and rezoning's had previously been discussed in Work Sessions. Public hearings were scheduled at Regular meetings to allow public comment. There was nothing that prevented the discussion to be held at a Work Session.

City Clerk Mabel Washington Jenkins asked members of City Council to review their "Calendar of Events" as there were a number of events scheduled, most importantly, the Budget Public Hearing scheduled for Thursday, April 14, 2016, 7:00 p.m., at the Denbigh Community Center.

Mayor Price stated he appreciated the City Manager's comments about the tour of Jim's Local Market. He indicated that he took the tour and was "blown away" by the quality of the store and the plans. He felt it would be a tremendous asset to the community. He commended the City Manager and staff for finding a way to finance the facility. It was a joint effort between City Council and City staff in making the store a reality.

Councilwoman Scott agreed with the Mayor that the store was awesome. She was impressed by the tour.

Councilwoman Scott inquired about future streetscape upgrades or improvements planned from Oyster Point Road to Fort Eustis Boulevard. She had received a question about the matter. City Manager Bourey replied that he would look into the matter, but was not aware of any pending projects for the area.

Councilwoman Scott inquired whether the Department of Codes Compliance could do a better job with checking businesses to ensure that they maintained and kept their properties in good condition. She advised that the gentleman who purchased the Burlington Shopping Center property at Denbigh and Warwick Boulevards had pointed out blighted conditions in the area, such as the SunTrust Bank at the corner of Oriana Road and Warwick Boulevard. She recalled voicing concern about the area and it was continuing to deteriorate. Businesses were not keeping up with their landscaping, etc. Councilwoman Scott stated that she would like the Department of Codes Compliance to do a better job. City Manager Bourey stated he would have staff look into the matter. He indicated that the City operated mostly by complaint.

Councilwoman Vick voiced concern about the Newsome House not receiving adequate funding to function as an organization. Ms. Cipriano replied that the Newsome House did not receive any additional funding this year.

Councilwoman Woodbury stated she received several calls about two streets that had the same name in the same zip code. She did not know whether such matters could be fixed. She would forward the information to the City Manager.

Councilwoman Woodbury advised that she received a request from a new resident of the City who suggested that the trash pick-up schedule be added to one's Water bill. City Manager Bourey stated he would look into the matter.

Councilwoman Woodbury presented a letter from Mr. Curtis Harris of the "Original Brothers" to the City Manager. She advised that Mr. Harris indicated that he had forwarded the letter to the City Manager and City Council; however, she did not recall ever receiving a copy of the letter. She stated on two separate visits to the Original Brothers location, during spring break, she witnessed the children that Mr. Harris mentored. He provided afterschool computer access to the children to do their homework; however, there was not internet service available on one particular day that she visited because Mr. Harris could not pay the bill. She had spoken to Assistant Manager Alan Archer to inquire about a grant from the Youth and Gang Violence initiative, as she felt Mr. Harris offered a positive program for youth of the community. She inquired whether the City Council could appropriate funding to the organization. City Manager Bourey advised that there was funding available in the City Council

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Contingency budget, but it was up to City Council. City staff was evaluating funding available in the Youth and Gang Violence Initiative. He reminded that the STEP initiative was upgraded to cover 600 youth, which would be a huge price tag. He stated \$50,000 was still available in City Council Contingency. Councilwoman Woodbury asked for support of City Council to allocate \$10,000 to the "Original Brothers" organization.

Mayor Price voiced concern in that there were several 501-C (3) organizations that asked for assistance from the City. He suggested that the "Original Brothers" become a part of the Youth and Gang Violence Initiative and communicate with Ms. MaRhonda Echols who operated the STEP program. It became difficult to offer them individual funding if they were not willing to do that.

Councilwoman Cherry advised that Mr. Harris did not like to play in other people's "sand boxes". She indicated that she had spoken to Mr. Harris about the matter. As was required of other organizations to report sustainability issues, so was required by the "Original Brothers." Mr. Harris did not want to partner with the City. The City provided him with \$10,000 in FY 2015 – FY 2016.

Councilwoman Woodbury inquired about the accountability that Mr. Harris needed to report to the City. Councilwoman Cherry replied that he needed to show sustainability in what he was doing. Mayor Price replied that Mr. Harris could join the City's initiative, as he did good work with the youth of our community. Councilwoman Cherry agreed that Mr. Harris did good work; however, it was difficult to get Mr. Harris to work with the City.

Councilwoman Woodbury stated she saw a room full of children and felt the City needed to assist with the program. Mayor Price indicated there were many programs throughout the City that assisted children. He felt Mr. Harris should become a part of the City's initiative. Councilwoman Woodbury agreed and did not have a problem with accountability. Councilwoman Cherry indicated, from her own experience, it was difficult to get Mr. Harris to partner or do programs with the City. He had been invited to work with Ms. Echols, but had not taken advantage of the matter.

Councilwoman Cherry questioned what was done with the funding provided to Mr. Harris over the past several years. She stated that was the accountability piece.

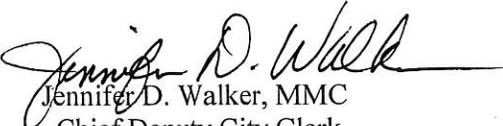
Councilwoman Scott noted that unfortunately, sometimes small organizations did good work, but were poorly managed and could not sustain themselves. Councilwoman Woodbury agreed and indicated that they did not know how to be sustainable.

DRAFT

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Minutes of Work Session
April 12, 2016

Vice Mayor Coleman voiced excitement about the opening of Jim's Local Market although he missed the tour held on Monday, April 11, 2016. He voiced excitement about the opening on May 10. He felt Brook's Crossing would be a rising tide in the Community. He voiced concern about established businesses in the area of Brook's Crossing that had maintained their occupancy. He asked the City Manager and staff to be mindful of their commitment. He did not want them to get lost in the mix. He felt the City needed to look into incentives to allow help small businesses in the area and suggested that the City offer an educational proponent to explain how to apply for the incentives. Overall, he was excited about all that was happening in the Southeast Community.

THERE BEING NO FURTHER BUSINESS
ON MOTION, COUNCIL ADJOURNED AT 5:10 P.M.


Jennifer D. Walker, MMC
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 April 12, 2016

ACTION: • N/A

BACKGROUND: • N/A

FISCAL IMPACT: • N/A

ATTACHMENTS:

Description

Minutes of the Special Meeting of April 12, 2016

MINUTES OF SPECIAL MEETING
OF THE NEWPORT NEWS CITY COUNCIL
HELD IN THE 10TH FLOOR CONFERENCE ROOM
2400 WASHINGTON AVENUE
APRIL 12, 2016
5:15 P.M.

PRESENT: Dr. Patricia P. Woodbury; Herbert H. Bateman, Jr.; Sandra N. Cherry, D. Min.;
Robert S. Coleman; McKinley L. Price; DDS; Sharon P. Scott; and Tina L. Vick-
-----7

ABSENT: None-----0

OTHERS PRESENT: James M. Bourey; Collins L. Owens, Jr.; Cynthia Rohlf; Mabel
Washington Jenkins; Darlene Bradberry; Florence Kingston; Derek Perry; 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, the subjects of which are a discussion or consideration of prospective candidates for appointments to boards and commissions and evaluation of Council appointees; (3) a discussion or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City, the subject of which is the acquisition of real property in the southern, central, and northern sections of the City; (5) a discussion of a prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating a facility in the community, the subject of which is a prospective new business in the southern, central and northern sections of the City; and (7) a consultation with legal counsel pertaining to actual and probable litigation, where such consultation in open meeting would adversely affect the negotiating posture of the public body, the subjects of which are cases involving allegations of civil rights violations, contractual claims and tort claims.
- (2) To make appointments to fill vacancies on the City's various boards, commissions, and committees.

Vice Mayor Coleman moved for a closed meeting under sections and reasons cited above; seconded by Councilwoman Vick.

Vote on Roll Call:

Ayes: Woodbury, Bateman, Cherry, Coleman, Price, Scott, Vick

Nays: None

(Closed Session 5:15 p.m. – 6:11 p.m.)

City Council engaged in a discussion to make appointments to fill vacancies on the following boards:

1. Board of Appeals – Ms. Nosuk P. Kim (Member – Specific Qualifications) for appointment to serve a five-year term of office.
2. Hampton-Newport News Community Criminal Justice Board – Ms. Polly Chong (General Public Representative) for reappointment to serve a two-year term of office.
3. Hampton-Newport News Community Services Board – Ms. Mary L. Stewart (General Public Representative), and Ms. June R. Owens (General Public Representative), each for reappointment to serve a three-year term of office. Ms. Venerria Thomas (General Public Representative) for appointment to serve a three-year term of office.
4. Insight Enterprises, Inc. Peninsula Center for Independent Living Board of Directors – Mr. Wendell Barbour (General Public Representative) for reappointment to serve a one-year term of office.
5. Newport News Occasions, Inc. – Mr. Frederick Tench (General Public Representative) for reappointment to serve a three-year term of office.
6. Peninsula Airport Commission – Mr. James M. Bourey (General Public Representative) for reappointment to serve a four-year term of office. The Honorable Sharon Scott (General Public Representative) for appointment to serve a four-year term of office.
7. Towing Advisory Board – Ms. Kyle Lynne Medlin (Towing and Recovery Industry Representative), Mr. Carl H. Coleman (Towing and Recovery Industry Representative), and Mr. George A. Orphanidys, Jr. (General Public Representative) each for reappointment to serve a two-year term of office. Lieutenant Richard T. Rilee (Fire Chief Designee) for appointment to serve an indefinite term of office, replacing Lieutenant Stacie Carroll.
8. USS Newport News Liaison Committee – Ms. Amanda Wroten (General Public Representative) for appointment to serve an unexpired term of Ms. Jennifer Dellapenta, term will expire July 31, 2016. One appointment (General Public Representative) deferred.
9. Virginia Alcohol Safety Action Program Board – The Honorable Sandra Cherry, D. Min. (Citizen Representative) for appointment to serve an unexpired three-year term of office, term will expire June 30, 2018.
10. Cultural Alliance of Greater Hampton Roads – Ms. Shelly Ezanno (City Council Representative Designee) for appointment to serve an indefinite term of office.

After reconvening in open session, Vice Mayor 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: Woodbury, Bateman, Cherry, Coleman, Price, Scott, Vick

Nays: None

Councilwoman Vick moved that appointments discussed in the closed meeting be ratified pursuant to receipt of notification that a favorable background check was conducted; seconded by Councilwoman Scott.

Vote on Roll Call:

Ayes: Woodbury, Bateman, Cherry, Coleman, Price, Scott, Vick

Nays: None

THERE BEING NO FURTHER BUSINESS,
ON MOTION, COUNCIL ADJOURNED AT 6:11 P.M.



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: April 12, 2016
MOTION: Vice Mayor 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: Woodbury, Bateman, Cherry, Coleman, Price, Scott, Vick
NAYS: None
ABSTENTION: None

ABSENT DURING VOTE: None

ABSENT DURING MEETING: None

ATTEST:



Mabel Washington Jenkins, MMC
City Clerk

F. Consent Agenda

3. Minutes of the Regular Meeting of April 12, 2016

ACTION: • N/A

BACKGROUND: • N/A

FISCAL IMPACT: • N/A

ATTACHMENTS:

Description

Minutes of the Regular Meeting of April 12, 2016

**MINUTES OF REGULAR MEETING
OF THE NEWPORT NEWS CITY COUNCIL
HELD IN THE CITY COUNCIL CHAMBERS
2400 WASHINGTON AVENUE
APRIL 12, 2016
7:00 P.M.**

PRESENT: Dr. Patricia P. Woodbury; Herbert H. Bateman, Jr.; Sandra N. Cherry, D. Min.; Robert S. Coleman; McKinley L. Price; DDS; Sharon P. Scott; and Tina L. Vick-----7

ABSENT: None-----0

A. Call to Order

Mayor Price called the meeting to order and welcomed all. He 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

In the absence of Reverend Synetheia Newby, who was unable to attend (as shown on the agenda), Mayor Price rendered the invocation.

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 Councilwoman Patricia Woodbury.

D. Presentations

None

E. Public Hearings

1. City Manager’s Recommended Fiscal Year 2017 Operating Budget

Mayor Price announced that this was the first of two public hearings that City Council would conduct on the FY 2017 Recommended Operating Budget. The second public hearing was scheduled for Thursday, April 14, 2016, at 7:00 p.m. in Room 113 of the Denbigh Community Center, 15198 Warwick Boulevard. He advised, by State Code, each locality was required to hold one public hearing on the budget. Due to the unique geography of the City of Newport News, there were two public hearings for the ease and benefit of traveling for the citizens. This helped ensure that City Council heard from all citizens on their budget issues.

E. Public Hearings Continued

1. City Manager's Fiscal Year 2017 Recommended Operating Budget Continued

Mayor Price stated, on March 22, 2016, the City Manager presented the FY 2017 Recommended Operating Budget to City Council. Two work sessions, had been held by City Council to hear detailed presentations on the Recommended Budget. On April 26, 2016, there would be a third work session in which City Council would continue discussion on the Recommended Budget, and communicate its desires to the City Manager, after having heard from the public. On Tuesday, May 10, 2016, City Council planned to adopt the Newport News Public Schools (NNPS) Operating Budget, and hopefully adopt the City's Operating Budget as scheduled. By State Code, the last legal adoption date for the NNPS budget was May 15, 2016, and June 15, 2016 for the City Manager's Operating Budget. Mayor Price advised that the budget hearings were carried live on the City's Cable Channel Cox 48 and Verizon Cable Channel 19, as well as on the City's website – www.nnva.gov. The Proposed FY 2017 Operating Budget was also available for viewing online on the City's web page and in the local libraries. Mayor Price asked City Manager, James Bourey, to provide an overview of the budget as presented to City Council.

City Manager Bourey stated the FY 2017 Recommended Operating Budget was driven by City Council priorities and addressed many of the City's major challenges.

City Manager Bourey reported a projected increase in General Fund revenue of three percent (3%). He further reported an increase of 4.2% in property tax revenues. The overall Recommended Operating Budget totaled \$858 million, a 3.5% increase. The General Fund Recommended Budget was \$478 million, which was a 3% increase. He indicated that Real Estate Assessments would experience an increase for the second consecutive year. Although very few residential properties would see increases, there would be a significant increase in commercial and industrial properties.

The City achieved a balanced budget without any Real Estate tax rate increase, or any tax rate increases for a third consecutive year. There were basic operating increases in enterprise funds - utility funds – established in FY 2015. The City was fortunate to have a second year of a steady increase in revenues to work with going into the FY 2017 budget. Years of tough budgets and low revenues called for significant cut-backs. Past difficult financial years forced certain actions to be addressed, i.e. actions used to help balance the budget, such as high attrition credits, and continue pushing employee salaries that lagged during the recession years. A three percent (3%) salary increase would be added to the salary line item to fund merit-based raises. Once again, nearly one million dollars would be included to fund the merit increases. City Manager Bourey added that the City needed to fund its contractual obligations for supporting investments in technology, to meet federal and state mandates for a range of programs that included correction staffing and stormwater and wastewater environment directives.

City Manager Bourey advised that tremendous progress had been made on the virtual war on youth and gang violence. The Summer Training and Enrichment Program

E. Public Hearings Continued

1. City Manager's Fiscal Year 2017 Recommended Operating Budget Continued

(STEP) had proven to be a valuable tool to make inroads in this effort. The Street Outreach workers had been "ears and eyes" in the community – helping to reach youth one by one, and were making a difference. The FY 2017 Recommended Operating Budget included a \$400,000 increase to fund the expanded program and continue work in the Department of Human Services, started by the expiring Office of Juvenile Justice and Delinquency Prevention (OJJDP) grant.

The FY 2017 Recommended Operating Budget would include the ramp-up to fully fund the City's retirement system obligation in the Newport News Employee Retirement Fund (NNERF). City Manager Bourey reported that the NNERF was fully funded.

City Manager Bourey advised that during the past challenging budget years, the City's investment in Information Technology languished, but were making strides to reverse that. He announced, in October, the City would have an operational on-line development permitting system. This would greatly enhance the City's internal efficiency and effectiveness to facilitate the private sector to do business with the City. He advised that the City was moving forward to automate systems and operate in a paperless mode to allow citizens to interact electronically with the City.

Transit was an important community service which had struggled. The City would look at key routes to better time transfers among routes. This was in addition to helping Hampton Roads Transit (HRT) leverage state and federal funding to purchase critically needed new buses. These buses would not only provide reliable service, but would help reduce maintenance costs in the long-term.

Support to the School Division was also important. The local required match was approximately \$56 million, which was not enough. City Manager Bourey advised that the City would provide \$118 million, plus another million (\$119 million), which was important to the NNPS (Newport News Public School system), who did an outstanding job to educate our children. The NNPS was also helped by an extra \$1.3 million from the State, which was a positive for the NNPS.

City Manager Bourey shared that he, once again, had asked City departments to prepare budgets based on less money than they received in 2016. This was to "stretch" everyone to examine further potential savings. Staff came up with an additional \$651,000.00 of savings that was used to help balance the budget. He advised that 21 new positions would be added to the General Fund in FY 2017, many in important positions that would help enhance the City's overall performance. Twelve of the positions were not new. Six were Police Officers and would be absorbed into public safety to compliment, and six would be shifted from the City's pension fund to allow for better service delivery of employee benefits. The only service reduction that citizens would see would be in the Main Street Library branch, where the Virginians Room collection

E. Public Hearings Continued

1. City Manager's Fiscal Year 2017 Recommended Operating Budget Continued

would be open by appointment on Sundays, with other minor adjustments, in order to reduce one full-time staffing position.

City Manager Bourey stated that the City would continue with outcome based performance measures, which were a fundamental element of the Annual Operating Budget. He stated that all of the demands for money were aided by increases in revenue. Combined with this year's capital budget, the overall City budget would exceed one billion dollars.

City Manager Bourey indicated the FY 2017 Recommended Operating Budget was in sync with City Council goals and aspirations for the City of Newport News (a copy of Mr. Bourey's remarks are attached in full and made a part of these minutes).

Mr. Philip Hatchett, 17 Museum Drive, Newport News (did not wish to speak when name called. He yielded his time to Mr. Alonzo Bell on Thursday, April 14, 2016).

Ms. Vilencia Gross, President of the Newport News Council of PTAs (Parent Teacher Associations), 103 Meadowlark Lane, Newport News, advised that there were nearly 10,000 members of the PTA in Newport News. Ms. Gross shared that the Council of PTAs cared deeply about NNPS teachers, students, and facilities and they supplied a supportive presence each day in the lives of 29,000 students in the NNPS. As PTA President, as well as a teacher in the NNPS, she expressed pride and thanks for the work done by the workers in Newport News, i.e. volunteering, helping teachers, reading to students, and raising funds for special projects. She stated it was hard to imagine life without the Newport News PTA, an organization which exemplified community spirit. The PTA fostered and provided family support through special events at school, a caring school climate through volunteers at school, a positive structure for parents to become active in schools, and was an organization of adults that served as role models for children. They also served as advocates for students and their needs. Ms. Gross advised that she advocated for keeping the schools well maintained, and up-to-date. She urged City Council to fully fund the School Board's FY 2016-2017 Proposed Operating Budget. It was correct the NNPS would receive extra money, but advised that total School funding was still more than \$10 million behind funding of 2008. During those lean years, the NNPS had to cut more than 500 positions. Ms. Gross stated that the City would receive more than \$14 million in new revenue, which was a much larger increase than the NNPS. She advised that the NNPS and teachers had suffered due to shrinking funds for several years, even with additional funding. She further advised that many needs remained, such as expanding extended learning to more students, updating classroom computers, purchasing replacement buses for those that were beyond their useful life, renovating aging school facilities, and additional salary adjustments for certain staff. As a PTA volunteer and advocate, Ms. Gross urged City leaders to be an advocate for public education in Newport News, and find the funds needed to ensure that every student had the resources to become college, career, and citizen ready.

E. Public Hearings Continued

1. City Manager's Fiscal Year 2017 Recommended Operating Budget Continued

Mr. Jeff Stodghill, Chairman, Newport News School Board, 231 Palen Avenue, Newport News, expressed support for, and sought City Council support of the proposed FY 2016-2017 School Board Budget. He stated the NNPS had the luxury of having a Governor and General Assembly that worked together to increase educational funding statewide, which resulted in an \$8.8 million in additional funding for NNPS. NNPS top priorities included making adjustments to introduce a more equitable pay scale among teachers, as well as addressing a non-competitive pay scale among bus drivers. The NNPS would be able to lower the student:teacher ratio in the fourth and fifth grades, to expand the STEM (Science, Technology, Engineering, and Math) and Health/Sciences Academy structure at both Warwick High and Heritage High Schools. Using a state grant, the SPARK (Summer Program for Arts, Recreation and Knowledge) would be expanded citywide. Mr. Stodghill advised that the additional request for \$1 million from the City would be dedicated to dealing with some capital projects and felt they were in a good position and did not need to make as large a request as was previously discussed. He indicated that members of the Newport News School Board looked forward to working with the City Council and urged their support of the FY 2016-2017 Proposed School Board Budget.

Mr. V. L. Porter, Jr., 79 Jefferys Drive, Newport News, asked the following questions regarding the FY 2017 Recommended Operating Budget: (1) Regarding a clothing allowance, Mr. Porter inquired whether this was for protective equipment for public safety, or for work uniforms for other City employees; (2) Public Works officers, Mr. Porter stated the amount was \$492,968.00, which was a new item. He indicated the description was not clear and asked for clarification; (3) Regarding Temporary Pay, Mr. Porter inquired whether this was different from part-time. Part-time meant they would work less than 40 hours, and the City would not be required to pay benefits. He was surprised that temporary pay would be that large; and (4) Interns. He thought interns did not receive pay. The amount was \$111,691.00.

City Manager Bourey responded to Mr. Porter's questions as follows: (1) Regarding the clothing allowance, this could be a wide gamut – police, fire, and in some cases, Public Works employees, and encompassed all departments in the City; (2) Regarding the Public Works officers, referred to the correctional workers who were taken out into the field to do work, which was previously budgeted elsewhere; i.e., those under the City Farm, but were transferred to the Department of Public Works; and (4) The City had interns, some which were paid, and some not. To get professional people, at a significant college level, some moderate level of pay was offered.

Councilwoman Scott moved closure of the public hearing; seconded by Vice Mayor Coleman.

Vote on Roll Call:

Ayes: Woodbury, Bateman, Cherry, Coleman, Price, Scott, Vick

Nays: None

E. Public Hearings Continued

1. City Manager's Fiscal Year 2017 Recommended Operating Budget Continued

Mayor Price provided a summary of the highlights of the Fiscal Year 2017 Recommended Operating Budget:

The Total Budget was 3.6% higher.

The Operating Budget was 3.1% higher, with no tax rate increase.

The City had begun to see results of its Wellness Program, with only a 3% increase in the cost of health care.

Other taxes included Machinery and Tools Taxes, Personal Property Taxes, Sales and Meals Taxes, and Business Professional and Occupational (BPOL) taxes. These taxes totaled \$3,153.00 in increased revenue.

The City met its Annual Required Contribution one year earlier on an eight year plan.

The City's Debt Service was 1.05% lower.

Mayor Price thanked City Manager Bourey, Ms. Lisa Cipriano, Director, Department of Budget and Evaluation, and her staff, for a good budget (a copy of the Mayor's full remarks are attached and made a part of these minutes).

F. Consent Agenda

Councilwoman Scott moved adoption of the Consent Agenda, Items 1 through 6, both inclusive, as shown below; seconded by Councilman Bateman.

1. Minutes of the Special Meeting of March 22, 2016

(No registered speakers)

Vote on Roll Call:

Ayes: Woodbury, Bateman, Cherry, Coleman, Price, Scott, Vick

Nays: None

2. Minutes of the Work Session of March 22, 2016

(No registered speakers)

F. Consent Agenda Continued

2. Minutes of the Work Session of March 22, 2016 Continued

Vote on Roll Call:

Ayes: Woodbury, Bateman, Cherry, Coleman, Price, Scott, Vick

Nays: None

3. Minutes of the Regular Meeting of March 22, 2016

(No registered speakers)

Vote on Roll Call:

Ayes: Woodbury, Bateman, Cherry, Coleman, Price, Scott, Vick

Nays: None

4. Resolution in Memoriam: The Honorable John C. Miller

A RESOLUTION IN MEMORIAM for the Honorable John C. Miller, Virginia State Senator. Senator John Miller died unexpectedly on April 4, 2016. Senator Miller spent 18 years at WVEC-TV, reporting the news, spent six years as a top aide to then United States Senator, Paul S. Trible, Jr., and served as an administrator at WHRO, a public broadcasting station, and Christopher Newport University (CNU). Senator Miller was first elected to the Senate of Virginia in 2007, and was re-elected in 2011 and 2015. In the Senate, Senator Miller served on a number of committees, was a dedicated public servant, and was an active member of the local community, participating in a number of organizations, agencies, and boards. He also served for two decades as an umpire in the Warwick Little League. This Resolution in Memoriam expressed, on behalf of the Newport News City Council, its sincere condolences to the family of Senator Miller, and showed its appreciation and respect for the life and legacy of service by the Honorable John C. Miller. The City Manager recommended approval.

(No registered speakers)

Vote on Roll Call:

Ayes: Woodbury, Bateman, Cherry, Coleman, Price, Scott, Vick

Nays: None

5. Resolution in Memoriam: Virginia State Police Trooper Chad P. Dermeyer

A RESOLUTION IN MEMORIAM for Virginia State Police Trooper Chad P. Dermeyer. Trooper Dermeyer died on March 31, 2016, as a result of gunshot wounds received in the line-of-duty. A native of Jackson, Michigan, Trooper Dermeyer served as an officer with the Newport News Police Department (NNPD) from 2003 until 2007. Trooper Dermeyer then returned to Michigan to serve with the Jackson, Michigan Police Department. He returned to the Commonwealth of Virginia and graduated from the Virginia State Police Academy in November, 2014. Trooper Dermeyer's original patrol assignment with the Virginia State Police encompassed

F. Consent Agenda Continued

5. Resolution in Memoriam: Virginia State Police Trooper Chad P. Dermyer Continued

the cities of Newport News and Hampton. In early 2016, he transferred to the State Police Terrorism and Criminal Interdiction Unit. He also spent four years as a member of the U. S. Marine Corps, serving his country. Trooper Dermyer was an outstanding law enforcement officer, having been recognized as “Officer of the Month” on five occasions during his tenure with the NNPD. This Resolution in Memoriam recognized and honored Trooper Chad P. Dermyer as a dedicated law enforcement officer and a well-regarded member of the community. The City Manager recommended approval.

(No registered speakers)

Vote on Roll Call:

Ayes: Woodbury, Bateman, Cherry, Coleman, Price, Scott, Vick

Nays: None

6. Resolution of Recognition: Paul S. Tribble, Jr., on his 20th Anniversary as President of Christopher Newport University (CNU)

A RESOLUTION OF RECOGNITION FOR PAUL S. TRIBBLE, JR. This resolution recognized Mr. Paul S. Tribble, Jr. for twenty (20) years of distinguished serve as President of Christopher Newport University (CNU). Mr. Paul S. Tribble, Jr. was appointed President of CNU on January 2, 1996. Under his leadership, CNU had undergone dramatic physical and academic transformations. Mr. Tribble helped the University secure funding to proceed with approximately one billion dollars in capital improvements, resulting in the construction of numerous buildings, and the expansion of CNU. Mr. Tribble’s commitment to providing a first-rate liberal arts education led to significant changes and improvements in CNU’s academic programs and reputation. CNU was nationally recognized for the quality of its liberal arts curriculum. This resolution recognized Mr. Tribble’s valuable contributions to CNU, the City, the Hampton Roads region, and the Commonwealth of Virginia. The City Manager recommended approval.

(No registered speakers)

Vote on Roll Call:

Ayes: Woodbury, Bateman, Cherry, Coleman, Price, Scott, Vick

Nays: None

G. Other City Council Actions

1. Ordinance Authorizing a Boundary Amendment to the Newport News Technology Zone and Adopting Amended Technology Zone Map

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NEWPORT NEWS, VIRGINIA AUTHORIZING A BOUNDARY AMENDMENT TO THE TECHNOLOGY ZONE AND ADOPTING AMENDED TECHNOLOGY ZONE MAPS. This ordinance authorized a Boundary Amendment to the Newport News Technology Zone, and accepted the amended Technology Zone Map. The staff had identified a need to adjust the boundary of the existing Newport News Technology Zone in order to include additional research and development properties located near Jefferson Lab. City Council approval of the ordinance was the only action needed to accomplish the boundary adjustment. This action would expand the availability of the Newport News Technology Zone Program to new properties and businesses which could assist in further development and growth of technology-related businesses in Newport News. The City Manager recommended approval.

(No registered speakers)

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

Vote on Roll Call:

Ayes: Woodbury, Bateman, Cherry, Coleman, Price, Scott, Vick

Nays: None

2. Ordinance Authorizing Boundary Amendments to the Southeast Community Tourism Zone, Patrick Henry Tourism Zone and Greater Hilton Tourism Zone and Adopting Amended Tourism Zone Maps

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NEWPORT NEWS, VIRGINIA AUTHORIZING BOUNDARY AMENDMENTS TO THE TOURISM ZONES AND ADOPTING AMENDED TOURISM ZONE MAPS. This ordinance authorized Boundary Amendments to the Southeast Community Tourism Zone, Patrick Henry Tourism Zone, and Greater Hilton Tourism Zone, and accepted amended Tourism Zone Maps. Staff had identified a need to adjust the boundaries of existing Newport News Tourism Zones in order to include additional commercial properties and businesses that may benefit from the Tourism Zone Program. City Council approval of the Ordinance was the only action needed to accomplish the Tourism Zone boundary adjustments. This action would expand the availability and reach of the Newport News Tourism Zone Program to new properties and businesses which could assist in further development and growth of tourism-related businesses in Newport News. The City Manager recommended approval.

(No registered speakers)

G. Other City Council Actions Continued

2. Ordinance Authorizing Boundary Amendments to the Southeast Community Tourism Zone, Patrick Henry Tourism Zone and Greater Hilton Tourism Zone and Adopting Amended Tourism Zone Maps Continued

Vice Mayor Coleman moved adoption of the above ordinance; seconded by Councilwoman Scott.

Vote on Roll Call:

Ayes: Woodbury, Bateman, Cherry, Coleman, Price, Scott, Vick

Nays: None

3. Resolution Authorizing the City Manager to Execute All Contracts and Memoranda of Agreement (MOA) with Any Governmental Entities or Public Utilities to Facilitate the Completion of the Newport News Transportation Center (NNTC) Project

A RESOLUTION OF THE COUNCIL OF THE CITY OF NEWPORT NEWS, VIRGINIA, AUTHORIZING THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO ATTEST, ON BEHALF OF THE CITY OF NEWPORT NEWS, VIRGINIA, FOLLOWING REVIEW AND APPROVAL BY THE CITY ATTORNEY, ALL CONTRACTS AND MEMORANDA OF AGREEMENT WITH CSXT, THE UNITED STATES ARMY CORPS OF ENGINEERS, THE NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK), THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION, THE VIRGINIA DEPARTMENT OF TRANSPORTATION, HAMPTON ROADS SANITATION DISTRICT AND ANY OTHER GOVERNMENTAL ENTITY OR PUBLIC ENTITY TO FACILITATE THE COMPLETION OF THE NEWPORT NEWS TRANSPORTATION CENTER. This resolution authorized the City Manager to execute all contracts and memoranda of Agreement (MOA) with CSXT, the U. S. Corps of Engineers, AMTRAK, VDOT, HRSD, and any other governmental or public entity to facilitate the completion of the NNTC Project. The project consisted of a new multi-modal transportation center at 500 Bland Boulevard with train turning track, and a maintenance facility located at Sluice Mill. The proposed Transportation Center was critical to the public rail transportation needs of Newport News and the region. On May 8, 2012, City Council approved a resolution granting authorization to the City Manager to execute all agreements with the Department of Rail and Public Transportation (DRPT). It was also necessary to enter into agreements with Amtrak, VDOT, HRSD, and other agencies. The City Manager recommended approval.

(No registered speakers)

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

Councilwoman Scott inquired whether this resolution granted the City Manager authority to sign contracts and not discuss the issue with members of City Council.

G. Other City Council Actions Continued

3. Resolution Authorizing the City Manager to Execute All Contracts and Memoranda of Agreement (MOA) with Any Governmental Entities or Public Utilities to Facilitate the Completion of the Newport News Transportation Center (NNTC) Project Continued

City Manager Bourey replied the contracts in question were specific contracts for Amtrak, VDOT, and HRSD to effectuate the project which would be brought back before City Council for discussion. The agreements did not necessarily need to be discussed, but only to effectuate the project. Councilwoman Scott inquired whether he would discuss the contracts with City Council prior to signing them. City Manager Bourey stated the terms of the agreements would not be talked about, but he could bring them to City Council.

City Attorney Owens advised that real estate acquisitions would need to come before City Council, but the contracts being discussed, were small contracts and proforma and were done on many projects.

Councilwoman Scott did not want the City Manager to do anything on behalf of City Council of which they were not aware.

Councilwoman Woodbury echoed the comments made by Councilwoman Scott. She stated it was important that Council members be informed if there is any agreement which would cost the City money. She asked that City Manager Bourey report to City Council on those contracts that he signs, and the impact, if any, to the citizens. City Manager Bourey agreed to notify members of City Council on those contracts in which he signs that may have an impact on Newport News citizens.

Vote on Roll Call:

Ayes: Woodbury, Bateman, Cherry, Coleman, Price, Scott, Vick

Nays: None

4. Resolution Accepting Conveyance of Newport News Redevelopment and Housing Authority-Owned (NNRHA) Properties at 4514 Huntington and 236-23rd Street to the City

A RESOLUTION ACCEPTING CONVEYANCE OF NEWPORT NEWS REDEVELOPMENT AND HOUSING AUTHORITY-OWNED (NNRHA) PROPERTIES AT 4514 HUNTINGTON AVENUE AND 236-23RD STREET TO THE CITY. The City received a request by the NNRHA to transfer two NNRHA-owned properties to the City. The first parcel, 4514 Huntington Avenue, was located adjacent to City-owned property in the parking lot at the former Jackson School site, and the second parcel, 236-23rd Street, was located behind City Hall in the overflow parking area. Both properties were exclusively used for parking immediately abutting the other City-owned parking facilities, and transferring ownership in the name of the City was more appropriate for administrative purposes. The City Manager recommended approval.

G. Other City Council Actions Continued

4. Resolution Accepting Conveyance of Newport News Redevelopment and Housing Authority-Owned (NNRHA) Properties at 4514 Huntington and 236-23rd Street to the City Continued

(No registered speakers)

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

Councilwoman Woodbury inquired whether these properties would continue to be used as parking. City Manager Bourey replied that it was anticipated that the properties would continue to be used as parking. Councilwoman Woodbury inquired whether the City would receive any money as a result.

City Attorney Owens advised that the 23rd Street parcel was used for City Hall parking. The other parcel would become a part of what was to be leased to the Newport News Shipyard for their parking. He indicated the City renewed the Lease for the Jackson School Site annually. Councilwoman Woodbury questioned whether the City received some funds from that. City Attorney Owens responded yes, the City would receive some funds.

Vote on Roll Call:

Ayes: Woodbury, Bateman, Cherry, Coleman, Price, Scott, Vick

Nays: None

H. Appropriations

Councilman Bateman moved adoption of Appropriations, Item 1, as shown below; seconded by Councilwoman Scott.

1. Department of Engineering – FY 2016 Bond Authorization, Stormwater Drainage Category: Citywide Drainage Stormwater Management Program

A RESOLUTION APPROPRIATING FUNDS FROM BONDS AUTHORIZED AND UNISSUED (\$581,250.00) TO CITYWIDE DRAINAGE STORMWATER MANAGEMENT PROGRAM (\$581,250.00). This resolution appropriated \$581,250.00 from the FY 2016 Bond Authorization, Stormwater Drainage Category for the Citywide Drainage Stormwater management program. The Citywide Drainage Program initiative provided City staff the ability to address specific drainage and flooding issues in a timely manner related to permits, regulations, and design standards, along with citizens' concerns. The funding would be used to address the Newmarket Drainage Improvements, Phase 2, Government Ditch Improvements, and the Country Club Road Drainage Improvements projects. The City Manager recommended approval.

H. Appropriations Continued

1. Department of Engineering – FY 2016 Bond Authorization, Stormwater Drainage Category: Citywide Drainage Stormwater Management Program Continued

(No registered speakers)

Vote on Roll Call:

Ayes: Woodbury, Bateman, Cherry, Coleman, Price, Scott, Vick

Nays: None

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

Mr. Antonio Thompson, 1211-25th Street, Newport News, addressed City Council on the topic of the City's treasury enrichment, public safety and security, as well as the importance of recycling. He discussed the legalization of marijuana and prostitution in an effort to help build up the City's treasury.

Mr. Thompson encouraged citizens to support the Newport News Police Foundation. Checks should be made payable to the Newport News Police Foundation and mailed to P. O. Box 11092, Newport News, VA 23602. He advised that the Police Foundation had reserved finances to help support the work of the Newport News Police Department, and that of the Newport News community, which they would have to do collaboratively in the new era of terrorism and terrorist threats on the horizon.

Mr. Thompson commented on the "Green Revolution," hoping for a record flow of aluminum, iron, and steel.

Mayor Price clarified that Mr. Thompson encouraged financial donations to be sent to the Newport News Police Foundation as opposed to Mr. Thompson's personal address.

Mr. Doug Peterson, 5 Quail Place, Newport News, commented about the proposed Wegman's Grocery Store project. He asked, why locate a Wegman's near the Airport. He stated there were already one dozen grocery stores within one mile of the proposed Wegman's location. Mr. Peterson advised that he lived within two miles of the proposed site, and there were 10 traffic lights between his house and the proposed Wegman's site. He lived four miles from the Farm Fresh on Route 17 in Yorktown, where there were only two traffic lights between his house and that Farm Fresh. He chose to shop there because there was no traffic congestion. Adding another grocery store near the Newport News-Williamsburg International Airport would not improve the current condition. Mr. Peterson questioned adding a new shopping center anchored by a grocery store, with competition from two European chains within two miles. He questioned whether there had been a population explosion in the City which would create the demand for the extra food. He stated that sales at existing grocery stores would more than likely diminish as people migrated to new stores; some of which may close. There would be no net increase in the

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

amount of groceries available, and there would be no additional revenue for the City. Shifting grocery stores around would not increase the number of people employed.

Ms. Christine Teece, 929 Willow Point, Newport News, commented about the proposed Wegman's Grocery Store project. A single woman and small business owner in the area of the proposed site for a Wegman's grocery store, Ms. Teece advised, over the course of the past 18 years, development had built up and increased around her. Traffic had grown, and had become a huge problem in the past five years. The entire area was gridlocked on most days. She called the City's Traffic Engineers frequently. Customers would not frequent her salon, causing her to renovate it twice, and ultimately selling it, taking a huge loss. Ms. Teece advised that she had downsized and relocated to another location. Clients refused to visit the salon between the hours of 3:00 and 6:00 p.m. The traffic study performed approximately one year previously showed 80,000 vehicles per day in the area of Jefferson Avenue between Denbigh and Oyster Point Road. Traffic Engineers had done what they could to fix the flow of traffic on Bland Boulevard. Traffic blocks the intersection of Jefferson Avenue and Bland Boulevard so badly that emergency vehicles could not get through at certain times of the day. The traffic study was old – having been done before the 400-unit apartment building was constructed, and prior to the Tech Center, and before the SCOT Center was relocated off of Bland, which meant the real traffic numbers would be in excess of 80,000 vehicles per day. The proposed project would draw an additional 8,000 vehicles per day in a 10-12 hour timeframe, which was a 10% increase in traffic based on inaccurate numbers. Ms. Teece referenced a letter written to City Council, from Mr. David Peebles, of Ferguson Enterprises, which referenced the activity in the proposed corridor, which would be “devastating.” Ms. Teece further referenced a letter written to City Council, from Mr. Al Riutort, the former Director of Planning, who also referenced similar traffic issues to Mr. Peebles. Ms. Teece felt the proposed project had been misconstrued in presentation. She had attended three public meetings with the Kiln Creek Homeowners, and indicated that she had been told three different scenarios. She also requested a copy of the traffic study. The Attorney, Mr. Timothy Trant, offered Ms. Teece an incentivized location for her salon in the Shopping Center.

J. New Business and Councilmember Comments

City Manager Bourey referenced the proposed re-zoning at Brick Kiln Boulevard and Jefferson Avenue, on airport-owned property, and announced that there had been a request for deferral until the May 10, 2016 Regular Meeting of City Council (a copy of the letter requesting a deferral is attached and made a part of these minutes). He further announced there would be a City Council Work Session to discuss the re-zoning issue and the land-use change, scheduled for April 26, 2016.

City Manager Bourey advised that there was a Hard Hat Construction Tour of Jim's Local Market (3101 Jefferson Avenue) on Monday, April 11, 2016. The store would officially open on Tuesday, May 10, 2016, beginning with a celebration at 2:00 p.m., followed by the official opening of the grocery store in the Southeast Community. City Manager Bourey

J. New Business and Councilmember Comments Continued

thanked members of City Council for their incredible support – the unanimous financial support, and support by staff, for making it happen in such a short period of time.

City Manager Bourey had Chief Richard Myers, Newport News Police Department (NNPD), to stand and be acknowledged. City Manager Bourey announced that the NNPD received an accreditation for not only the law enforcement operations, but also for the Training Academy, and the communications systems (9-1-1). This was three separate systems of law enforcement. City Manager Bourey stated that it was very rare for an agency to hit this gold standard for three different areas. He congratulated Chief Myers and commended him and the members of the NNPD, who had done a great job, not only with the accreditation process, but in everything they do.

Councilwoman Woodbury advised that she had received complaints from some of her constituents about members of City Council reiterating their schedules and events attended during the New Business and Councilmember Comments item of the Regular Meetings.

Councilwoman Woodbury indicated that she participated in the Hard Hat Construction Tour for Jim's Local Market, as she had been very supportive of the project. She advised that Jim's Local Market was wonderful, and may have to bypass grocery stores in her area, to shop at Jim's Local Market. She too advised that she wanted to be added to those being notified of "Specials" at Jim's Local Market. She announced that Jim's Local Market was not only a "gem" for the Southeast Community, but for the entire City – anything that happened in one part of the City was an integral part of the whole City.

Councilman Bateman congratulated City Manager Bourey and his colleagues on City Council as it was no small task to accomplish all that was done to lay the ground work to bring Jim's Local Market to the Southeast Community. A grocery store was needed in the Southeast Community, and it was accomplished.

Councilwoman Cherry thanked all of the citizens for their attendance and participation at the meeting to express their points of view. She reiterated that their voices mattered. She stated that City Council was committed and they did care.

Addressing complaints received by Councilwoman Woodbury, Councilwoman Cherry stated City Council received pay to do their jobs, and she felt it was important for the citizens to realize that the Newport News City Council was busy, and was a working Council. She advised the citizens that City Council was available for the citizens and were doing what they were called to do, and what citizens elected them to do.

Councilwoman Cherry thanked all of the citizens that contributed to the Easter Basket Give-a-way on Saturday, March 26, 2016, 1:00 – 3:00 p.m., at 617-27th Street. The goal was to give away 250 Easter baskets, which was met. She expressed appreciation for the NNPD and everyone that participated, including the German teacher from Menchville High School, and

J. New Business and Councilmember Comments

members of the German delegation from Griefswald, Germany, who assisted in making Easter baskets. She specifically thanked Officer Donald Greathouse and Captain Eric Randall of the NNPD for their assistance and support.

Councilwoman Cherry extended condolences to the family of Senator John C. Miller. Senator Miller died unexpectedly on April 4, 2016, but left a legacy of service to the City of Newport News, and the Commonwealth of Virginia.

Councilwoman Cherry extended condolences to the family of Virginia State Police Trooper Chad P. Dermeyer. Trooper Dermeyer, also a former Newport News Police Officer, died unexpectedly on March 31, 2016, as a result of gunshot wounds received in the line-of-duty.

Councilwoman Cherry extended condolences to Mrs. Roberta McMillan, on the untimely death of her husband, Mr. Willie Joe, on April 11, 2016. Mr. McMillan was a friend of the James A. Fields House, a Virginia Landmark and National Historic Site, located at 617-27th Street.

Councilwoman Cherry stated it was exciting to be at the Hard Hat Construction Tour at Jim's Local Market (3101 Jefferson Avenue), on Monday, April 11, 2016 to witness the great work that could be accomplished when City officials collaborated and worked together. She stated Jim's Local Market would be a "working grocery store." She extended thanks to Mr. Jim Scanlon for coming into the Southeast Community. She further expressed thanks to Bayport Credit Union for coming into Jim's Local Market in an effort to provide financial literacy, and to the Foodbank of the Virginia Peninsula, who would come in and provide nutritional training. She hoped the citizens would join in the excitement. Mr. Scanlon's vision was to hire workers from within the Southeast Community. Councilwoman Cherry announced that there was a great turnout for candidates interested in being interviewed.

Councilwoman Cherry announced that April was National Child Abuse Prevention Month. The Newport News Healthy Families Initiative's Community Advisory Board would sponsor the 6th Annual Silent Children's Garden to raise awareness and support prevention of child abuse. Once again, silhouettes and pinweels would adorn the corner of J. Clyde Morris Boulevard, also known as the Avenue of the Arts, and Warwick Boulevard at Boulevard Park. The Opening Ceremony for the Silent Children's Garden would be held on Wednesday, April 13, 2016, at 6:00 p.m. Citizens were invited to join Newport News Healthy Families Initiative's Community Advisory Board and the Blue Ribbon Committee, to recognize Child Abuse Prevention Month and the opening of the Silent Children's Garden.

Councilwoman Cherry and colleagues participated in the Newport News Child Advocacy Team's Annual Celebrity Night, to benefit Child Abuse Prevention, on Thursday, April 7, 2016, 5:00 – 10:00 p.m., at Salsa's Mexican Grill, 704 Mariner's Row, Newport News. Funds raised allowed the Child Advocacy Team to support projects that advocate for children's rights, parenting support programs, programs for at-risk families, and supported self-help groups for parents.

J. New Business and Councilmember Comments

Councilwoman Cherry announced that the South District “Your Voice Matters” Town Hall Meeting usually held on the second Thursday of every month would be held at the Denbigh Community Center (15198 Warwick Boulevard), 7:00 p.m. She reminded that their voice still mattered, even at the Budget Public Hearing.

Councilwoman Cherry reminded residents in the South District, that the South District “Your Voice Matters” Town Hall Meetings would be held on Thursday, April 21, 2016, 6:00 – 7:30 p.m., at the Downing-Gross Cultural Arts Center (2410 Wickham Avenue) for residents from Mercury Boulevard South to the waterfront. All residents were invited to attend. She reminded that these meetings were a collaborative effort of the Newport News Police Department, the Newport News School Board, and the Newport News City Council.

Vice Mayor Coleman thanked everyone that attended the funeral services for Virginia State Police Trooper Chad P. Dermeyer, on Tuesday, April 5, 2016; at Liberty Baptist Church (1021 Big Bethel Road, Hampton); and that of Senator John Miller, on Friday, April 8, 2016, at First Baptist Church Denbigh (3628 Campbell Road). He stated it was a tough week, not only for the City of Newport News, but for the Commonwealth of Virginia. He thanked the NNPD for their show of support for Trooper Dermeyer and his family. It was an amazing show of support with law enforcement from all over the country in attendance. Vice Mayor Coleman reiterated that not only was Senator Miller a great Senator; but was a good friend to many. Senator Miller was a true public servant. His life was cut short too early. He felt the past 2016 General Assembly Session was probably Senator Miller’s most successful session, getting true education reform done, and our children, for years to come, would benefit from Senator Miller’s hard work. Vice Mayor Coleman extended appreciation to First Baptist Church Denbigh, and to Pastor and Mrs. Ivan Harris, for the services performed in the Homegoing Celebration for Senator John Miller.

Vice Mayor Coleman and his colleagues attended the Annual Service Awards Receptions for City employees that had worked for the City between 5 and 40 years. The Reception for the employees working five to ten years, was held on Thursday, March 31, 2016, 2:00 p.m., at the Downing-Gross Cultural Arts Center (2410 Wickham Avenue). The Reception for the employees working fifteen plus years, was held on Thursday, April 7, 2016, 2:00 p.m., at the Downing-Gross Cultural Arts Center (2410 Wickham Avenue). He expressed a sincere thank you to City employees and City staff for everything they do, making City Council look great in their day-to-day interaction with the citizens.

Vice Mayor Coleman visited the Communications Center (9-1-1) to wish a Happy Telecommunications Week to the City’s Dispatchers. He indicated that Dispatchers had a tough and thankless job. The Dispatchers kept the First Responders in check and safe, and took care of the citizens. He urged citizens to thank Dispatchers for the job they did each and every day.

Vice Mayor Coleman congratulated Sheriff Gabriel Morgan. Sheriff Morgan was recognized as the Role Model of the Year by the 100 Black Men of the Virginia Peninsula, at the

J. New Business and Councilmember Comments

24th Annual Black Tie Gala, held Saturday, April 9, 2016, at the Marriott at City Center (740 Town Center Drive). Sheriff Morgan was a true public servant who has dedicated his life not only to the citizens, but the children, trying to bring them up through mentoring programs. This was a great honor, and well deserved. He commended Sheriff Morgan for the inspirational speech given at the Gala.

Vice Mayor Coleman bid farewell to Mr. Elliott Gruber, President of the Mariners' Museum, who was moving on to another chapter in his life. Vice Mayor Coleman commended Mr. Gruber for his fantastic job in bringing the Museum out to the community, getting away from the Country Club feel and increasing participation. He wished Mr. Gruber and his wife Elinor the best in their future endeavors. They jumped into the community and became a part of the City of Newport News.

Mayor Price extended condolences to Sharron and the Miller family on the passing of Senator John Miller. Senator Miller died unexpectedly on April 4, 2016, but left a legacy of service to the City of Newport News, and the Commonwealth of Virginia.

Mayor Price also extended condolences to the family of Virginia State Police Trooper Chad P. Dermeyer. Trooper Dermeyer, also a former Newport News Police Officer, died unexpectedly on March 31, 2016, as a result of gunshot wounds received in the line-of-duty.

Mayor Price also expressed his excitement, having attended the Hard Hat Construction Tour at Jim's Local Market (3101 Jefferson Avenue), on Monday, April 11, 2016. He felt Jim's Local Market would be a great asset to the Southeast Community.

Mayor Price also congratulated Sheriff Gabriel Morgan. Sheriff Morgan was recognized as the Role Model of the Year by the 100 Black Men of the Virginia Peninsula, at the 24th Annual Black Tie Gala, held Saturday, April 9, 2016, at the Marriott at City Center (740 Town Center Drive). He commended Sheriff Morgan for the emotional and very inspirational speech given at the 24th Annual Black Tie Gala.

Councilwoman Scott extended condolences to Sharron and the Miller family on the passing of Senator John Miller. Senator Miller died unexpectedly on April 4, 2016. Councilwoman Scott mentioned how their lives paralleled – both were journalists prior to becoming elected officials. She would keep the family in her prayers.

In an effort to take a bite out of hunger in the North District, the monthly Zumbathon would be held on Friday, April 15, 2016, at 6:30 p.m., at the Denbigh Community Center (15198 Warwick Boulevard). All citizens were invited to attend and bring non-perishable food items to support the efforts of the food pantries in the North District, and the Food Bank of the Virginia Peninsula. The monthly Zumbathon was headed by Ms. Candice Alexander, and other colleagues, who have a great deal of fun. The event was scheduled monthly, on the third Friday, 6:30 - 8:00 p.m.

J. New Business and Councilmember Comments Continued

Councilwoman Scott announced the next North District Town Hall Meeting was scheduled for on Monday, April 25, 2016, 7:00 p.m., at the Denbigh Community Center (15198 Warwick Boulevard). Mr. Harold Roach, Director, Department of Codes Compliance, would be the Guest Speaker.

Councilwoman Scott advised that she also thoroughly enjoyed the Hard Hat Construction Tour at Jim's Local Market (3101 Jefferson Avenue), on Monday, April 11, 2016. The way the store was configured would create an awesome experience for the citizens in the South District. Opening a grocery store in the Southeast Community went along with the City's theme of being "One City." Every district in the City would have a grocery store once Jim's opened on May 10th. She was in awe of what had been done, and expressed appreciation to City Manager Bourey and City staff for their leadership and all that was done to bring Jim's Local Market to the Southeast Community.

Councilwoman Vick expressed her excitement, having attended the Hard Hat Construction Tour at Jim's Local Market (3101 Jefferson Avenue), on Monday, April 11, 2016. She felt Jim's Local Market would be a great asset to the Southeast Community.

Councilwoman Vick stated that she could not thank Budget Director Lisa Cipriano enough for her hard work over the years on the City's Operating Budget, particularly during the economically challenging years. Ms. Cipriano was instrumental in helping the City of Newport News weather the storm by keeping a balanced budget. Councilwoman Vick reiterated her appreciation for Ms. Cipriano and staff. She recalled when first elected in 1998, when there was an unfunded pension, and the struggle of learning about it and what was needed to fund it, City Council did not have to make the commitment to add an annual \$38 million to fund the pension; but now it was funded and she expressed excitement that City Council was able to do so.

Councilwoman Vick thanked her colleagues on City Council for their hard work and support to bring Jim's Local Market to the Southeast Community. She recalled Mayor Price saying that Council's passion about the City could create conversations and make things happen. She thanked City Manager Bourey for his hard work and thoughts. She would be shopping at Jim's Local Market on May 10, 2016.

Mayor Price reminded citizens of the Budget Public Hearing scheduled for Thursday, April 14, 2016, 7:00 p.m., at the Denbigh Community Center (15198 Warwick Boulevard).

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."

DRAFT

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Minutes of Regular Meeting
April 12, 2016

THERE BEING NO FURTHER BUSINESS,
ON MOTION, COUNCIL ADJOURNED AT 8:03 P.M.

Mabel Washington Jenkins

Mabel Washington Jenkins, MMC
City Clerk

McKinley L. Price, DDS
Mayor
Presiding Officer

A true copy, teste:

City Clerk

F. Consent Agenda

4. Resolution of Recognition: Newport News Park on its 50th Anniversary

ACTION: A REQUEST TO APPROVE A RESOLUTION OF RECOGNITION IN HONOR OF THE 50TH ANNIVERSARY OF NEWPORT NEWS PARK

BACKGROUND:

- Newport News Park, at 7,711 acres and one of the largest municipal parks east of the Mississippi River, was dedicated on May 28, 1966.
- Joseph C. Biggins, Newport News City Manager from 1925 to 1965, is credited with the idea of the creation of the park.
- In 1962, the City's Department of Planning proposed the development of the area that now comprises Newport News Park as a recreational facility.
- In 1964, City Council made the first appropriation to implement this plan and authorized commencement of the first phase of development of the proposed park.
- On May 28, 1966, the park was "dedicated to the citizens of Newport News, their Peninsula friends, neighbors and visitors for a permanent year-round recreation and enjoyment" location.
- This Resolution of the City Council recognizes Newport News on the 50th Anniversary of its dedication.
- The City Manager recommends approval.

FISCAL IMPACT: • N/A

ATTACHMENTS:

Description

sdm14287(2) Recognition re Newport News Park (50th Anniversary)

RESOLUTION NO. _____

RESOLUTION OF RECOGNITION

WHEREAS, Newport News Park was dedicated on May 28, 1966 and celebrates the 50th anniversary of its dedication in 2016; and

WHEREAS, at 7,711 acres, Newport News Park is one of the largest municipal parks east of the Mississippi River; and

WHEREAS, Joseph C. Biggins, Newport News City Manager from 1925 to 1965, is credited with the idea of the creation of the park; and

WHEREAS, in 1962, the City's Department of Planning proposed the development of the area that now comprises Newport News Park as a recreational facility; and

WHEREAS, in 1964, City Council made the first appropriation to implement this plan and authorized commencement of the first phase of development of the proposed park; and

WHEREAS, on May 28, 1966, the park was "dedicated to the citizens of Newport News, their Peninsula friends, neighbors and visitors, for permanent year-round recreation and enjoyment" at a ceremony that was presided over by Mayor Donald M. Hyatt and the dedication address given by U.S. Senator A. Willis Robertson; and

WHEREAS, Newport News Park offers over 30 miles of hiking, biking, and horseback riding trails, an arboretum with seasonal flora, playgrounds and 18 picnic shelters, a 30-acre aeromodel flying field, 188 campsites, an all-terrain mountain bike trail, archery range, a Discovery Center with nature and history exhibits, two 18 hole public golf courses with Pro Shop and driving range, an 18 hole disc golf course, and a Japanese Peace Garden that contains an authentic Japanese Tea House; and

WHEREAS, Newport News Park comprises a diverse ecosystem of forests, meadows, wetlands, and lakes; combined with the park's recreational opportunities, the natural beauty and tranquility serve to enhance the quality of life for residents of and visitors to the Virginia Peninsula; and

WHEREAS, Newport News Park is home to variety of plants and animals, including more than 31 species of mammals, 284 species of birds, 35 species of reptiles, 25 species of amphibians, 17 species of freshwater game fish, 250 species of wildflowers, 16 species of ferns, and 103 species of trees and shrubs; and

WHEREAS, in 1862, part of the area that became Newport News Park served as the site of The Battle of Dam Number One, the first major battle of the 1862 Peninsula Campaign of the Civil War. The Dam Number One battlefield site is listed in the National Register of Historic

Places and visitors to the park can view the well-preserved original earthen fortifications; and

WHEREAS, Newport News Park hosts several special events throughout the years including the Fall Festival of Folklife, the Children's Festival of Friends and the Celebration of Lights, which was Virginia's first drive-through holiday light display, and the park has also served as the starting line for the One City Marathon for the past two years;

WHEREAS, the Council for the City of Newport News wishes to recognize Newport News Park on the 50th Anniversary of its dedication and Council acknowledges the many civic leaders, city employees and volunteers who have supported the park in its commitment to provide "permanent year-round recreation and enjoyment" to the citizens of the City of Newport News and visitors.

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

1. That it hereby recognizes Newport News Park on the 50th Anniversary of its dedication.
2. That it congratulates the civic leaders, city employees, and volunteers of Newport News Park for their dedicated service to the citizens of City of Newport News, and extends its best wishes for the continued success of Newport News Park into the future.
3. That a copy of the resolution be spread upon the records of this body and that a copy be placed in the Visitor's Center at Newport News Park.
4. That this resolution shall be in effect on and after the date of its adoption, April 26, 2016.

G. Other City Council Actions

1. Receipt of Bids for Granting a 20-foot Easement Across City-owned Property Located at 15402 Warwick Boulevard

ACTION: A REQUEST TO CITY COUNCIL TO RECEIVE AND OPEN BIDS FOR AUTHORIZING A 20-FOOT EASEMENT ACROSS CITY-OWNED PROPERTY LOCATED AT 15402 WARWICK BOULEVARD

(After the receipt and opening of the bids, City Council is requested to refer the bids to the City Manager for review and the presentation of a recommendation at Council's May 10, 2016 regular meeting).

- BACKGROUND:**
- A request to receive bids for a utility easement over City-owned property at 15402 Warwick Boulevard was properly advertised in the *Daily Press* on April 11 and April 18, 2016.
 - The easement request accommodates improvements as part of a larger project to provide the Atkinson Boulevard and Bridge Project.
 - A public hearing has been advertised for the May 10, 2016 City Council meeting for consideration of the Ordinance which will grant the easement to the successful bidder.
 - The City Manager recommends approval.

FISCAL IMPACT: • N/A

ATTACHMENTS:

Description

CM Memo re Receipt of Bids-15402 Warwick Blvd

Attachment-Location Map Utility Easement at 15402 Warwick Blvd

sdm14270 Authorizing re Deed of Easement (15402 Warwick Blvd)

CITY OF NEWPORT NEWS

OFFICE OF THE CITY MANAGER

April 20, 2016

TO: The Honorable City Council
FROM: City Manager
SUBJECT: Receipt of Bids for Easement at 15402 Warwick Boulevard

The proposed easement is 1,250 square-feet and is located at 15402 Warwick Boulevard, on City-owned property. The easement lies at the intersection of Atkinson Way and Warwick Boulevard.

As part of the project the City has requested utility companies underground and relocate their equipment in support of the Atkinson Boulevard and Bridge Project.

A Public Hearing has been advertised in the *Daily Press* for City Council's May 10, 2016 meeting for consideration of the Ordinance that will grant the easement to the successful bidder.

I recommend City Council approve the resolution.


James M. Bourey

JMB:DEM:wjr

Attachment

cc: Everett Skipper, Director, Department of Engineering



APPROXIMATE LOCATION OF ATKINSON BOULEVARD EXTENSION

EASEMENT

CITY OF NEWPORT NEWS, VIRGINIA



EASEMENT FOR 15402 WARWICK BOULEVARD



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 DEED OF EASEMENT BY AND BETWEEN THE CITY OF NEWPORT NEWS, VIRGINIA, AND _____, DATED THE 10TH DAY OF MAY, 2016, FOR AN EASEMENT ACROSS CITY-OWNED PROPERTY LOCATED AT 15402 WARWICK BOULEVARD, NEWPORT NEWS, VIRGINIA.

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

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 Deed of Easement by and between the City of Newport News, Virginia, and _____, dated the 10th day of May, 2016, for an easement across City-owned property located at 15402 Warwick Boulevard, Newport News, Virginia.
2. That a copy of the said Deed of Easement is attached hereto and made a part hereof.
3. That this ordinance shall be in effect on and after the date of its adoption, May 10, 2016.

PREPARED BY:
Newport News City Attorney
2400 Washington Avenue, 9th Floor
Newport News, Virginia 23607

Easement Across Portion of
Parcel #078.0004-01
15402 Warwick Boulevard

THIS DEED OF EASEMENT, made this 10th day of May, 2016, between the **CITY OF NEWPORT NEWS**, a municipal corporation of the Commonwealth of Virginia, hereinafter called "GRANTOR" and _____, hereinafter called "GRANTEE."

NOTICE TO LANDOWNER: YOU ARE CONVEYING RIGHTS TO A PUBLIC SERVICE CORPORATION. A PUBLIC SERVICE CORPORATION MAY HAVE THE RIGHT TO OBTAIN SOME OR ALL OF THESE RIGHTS THROUGH EXERCISE OF EMINENT DOMAIN. TO THE EXTENT THAT ANY OF THE RIGHTS BEING CONVEYED ARE NOT SUBJECT TO EMINENT DOMAIN, YOU HAVE THE RIGHT TO CHOOSE NOT TO CONVEY THOSE RIGHTS AND YOU COULD NOT BE COMPELLED TO DO SO. YOU HAVE THE RIGHT TO NEGOTIATE COMPENSATION FOR ANY RIGHTS THAT YOU ARE VOLUNTARILY CONVEYING.

WITNESSETH:

That for the sum of One Dollar (\$1.00), cash in hand paid, and other valuable consideration, the receipt whereof is hereby acknowledged, GRANTOR grants unto GRANTEE, its successors and assigns, for a period of forty (40) years from the date of recordation of this deed of easement, the non-exclusive right, privilege and easement, approximately twenty (20) feet in width, to construct, operate and maintain one or more underground lines, and one or more lighting supports and lighting fixtures, as GRANTEE may from time to time deem expedient or advisable, located on the easement hereinafter described, for the purpose of transmitting and distributing electric power by one or more circuits to Grantor, for provision of electric power to its facilities and for lighting and such other purposes as requested by Grantor; together with all wires, cables, transformers, transformer

enclosures, concrete pads, manholes, handholes, connection boxes, ground connections, meters, attachments, equipment, accessories and appurtenances desirable in connection therewith (hereinafter referred to as "facilities").

The said rights, privilege and easement extends over, under, through and across certain lands of GRANTOR, situated in the City of Newport News, Virginia, as shown on Plat No. 22-16-0032 attached hereto and made a part of this Deed of Easement; the location of said easement being shown in broken lines on said Plat, to which plat reference is made for a more particular and accurate description of the easement.

The facilities constructed hereunder shall remain the property of GRANTEE. GRANTEE shall have the right to inspect, rebuild, remove, repair, improve, relocate on the easement, and make such changes, alterations, substitutions, additions to or extensions of its facilities as GRANTEE may from time to time deem advisable.

GRANTEE shall at all times have the right to keep the easement clear of all buildings, structures, and other obstructions (except fences), trees, roots and undergrowth. All trees and limbs cut by GRANTEE shall, except as hereinafter provided, remain the property of GRANTOR. Trees cut by GRANTEE with merchantable trunks six (6) inches or more in diameter will be cut into lengths of not less than four (4) feet when requested by GRANTOR and will be placed in piles separate from other trees, limbs, and undergrowth cut by GRANTEE. All trees, limbs, roots and other growth removed during the periodic maintenance of the easement by GRANTEE shall be disposed of by GRANTEE, and after which GRANTEE shall restore the surface area affected by the removal to a level grade safe for pedestrian travel.

For the purpose of constructing, inspecting, maintaining or operating its facilities on the easement on the property of GRANTOR or on its easement on any other property, GRANTEE shall have the right of ingress and egress over, upon and along such easement. If GRANTEE is unable reasonably to exercise the right of ingress and egress over, upon and along the easement on the property of GRANTOR, GRANTEE shall have such right of ingress and egress over the property of GRANTOR adjacent to the easement. GRANTEE shall have the further right of ingress to and egress from the easement over such private roads as may now or hereafter exist on the property of GRANTOR. The right, however, is reserved to GRANTOR to shift, relocate, close or abandon such private roads at any time. If there are no public or private roads reasonably convenient to the easement, GRANTEE shall have such right of ingress and egress over the lands of GRANTOR adjacent to the easement and lying between public and private roads and the easement in such manner as shall occasion the least practicable damage and inconvenience to GRANTOR.

GRANTEE shall repair damage to roads, fences or other improvements and shall pay GRANTOR for other damage done in the process of the construction, inspection, or maintenance of GRANTEE's facilities, or in the exercise of its right of ingress and egress; GRANTEE shall be liable for all damages resulting from its exercise of the right of ingress and egress across such adjacent lands, provided GRANTOR gives written notice thereof to GRANTEE within sixty (60) days after any property damage occurs.

GRANTOR, its successors and assigns, may use the easement for any purpose not inconsistent with the rights hereby granted, provided such use does not interfere with or endanger the construction, operation and maintenance of GRANTEE's facilities and provided that no buildings, structures or other obstructions (except fences) may be constructed on the easement.

In the event that GRANTOR sells or conveys the property on which the easement is located, GRANTOR shall provide that such sale or conveyance be conditioned upon the purchaser granting to GRANTEE a suitable easement across such property for GRANTEE's facilities.

In the event that GRANTEE fails or ceases to use the entire easement for a continuous period of two (2) or more years, then all rights and privileges hereby granted to GRANTEE shall forever cease and revert to GRANTOR by operation of law.

The rights, privileges, and easement conveyed pursuant to this Deed of Easement are in addition to, and not in substitution of, any other rights which may be available to GRANTEE to install its facilities on the property.

GRANTOR covenants that it is seized of and has the right to convey the said easement, rights and privileges; that GRANTEE shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges; and that GRANTOR shall execute such further assurances thereof as may be required.

IN WITNESS WHEREOF, GRANTOR has caused its corporate name to be signed hereto by its City Manager and its corporate seal to be hereunto affixed and attested by its City Clerk.

CITY OF NEWPORT NEWS

ATTEST:

By: _____
City Manager

By: _____
City Clerk

COMMONWEALTH OF VIRGINIA
City of Newport News, to wit:

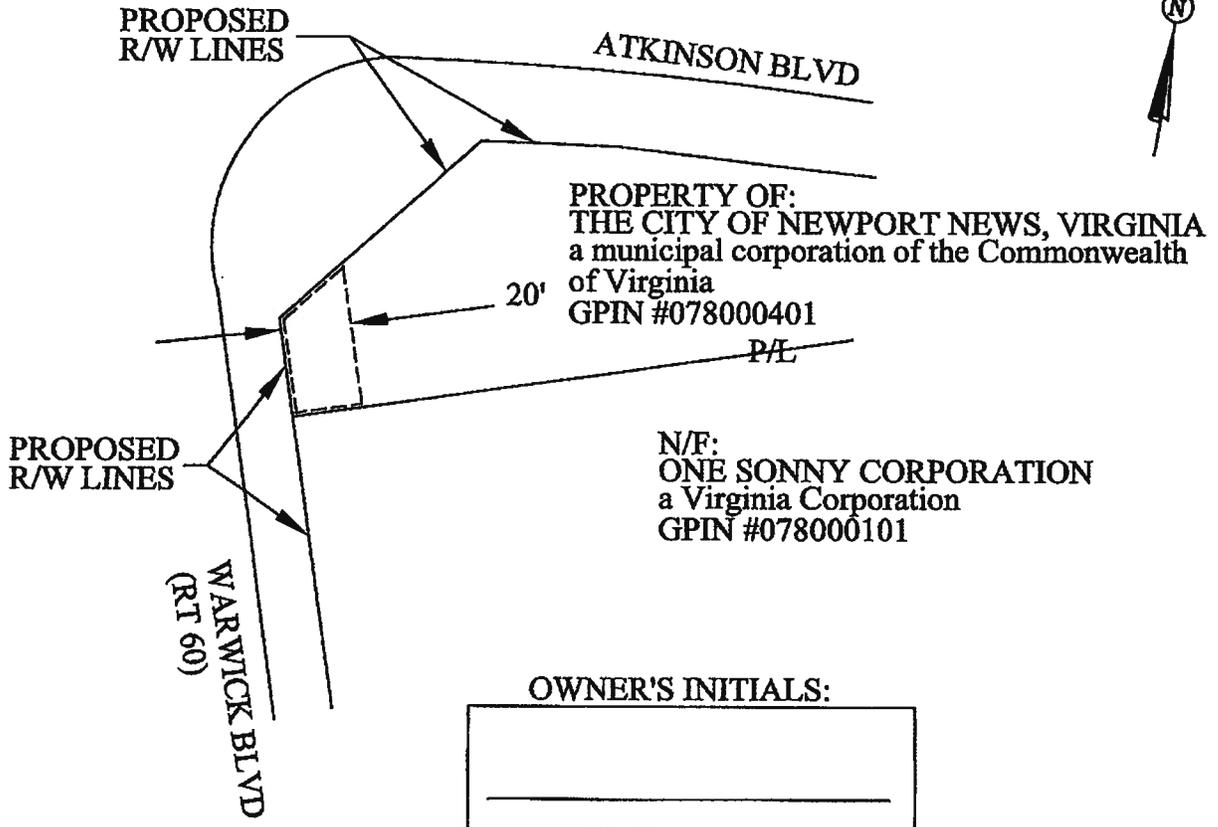
I, _____, a Notary Public in and for the City and Commonwealth
aforesaid, whose commission expires on the ___ day of _____, _____, do hereby
certify that the CITY OF NEWPORT NEWS, by James M. Bourey, its City Manager, and attested
by Mabel Washington Jenkins, its City Clerk, whose names are signed to the foregoing writing,
hereto annexed, have each acknowledged the same before me in my City and Commonwealth
aforesaid.

GIVEN under my hand this ___ day of _____, 2016.

Notary Public
Registration No.: _____

sdm14269

VDOT PROJECT:U000-121-V11 ATKINSON BLVD AND BRIDGE



Legend

- Location of Boundary Lines of Easement
WIDTH AS SHOWN
- ==|== Indicates Property Line is Easement
Boundary

<i>Plat to Accompany</i>			
DEED OF EASEMENT			
District PENINSULA			
District-Township-Borough	County-City	State	
	NEWPORT NEWS	VA	
Office	Plat Number		
EASTERN REGION	22-16-0032		
Estimate Number	Grid Number		
10022263	M2231		
Date	By		
1-20-16	O'Beirne/Rountree		

G. Other City Council Actions

2. Receipt of Bids for Granting a 30-foot Easement Across City-owned Property Located at 13141 Jefferson Avenue

ACTION: A REQUEST TO CITY COUNCIL TO RECEIVE AND OPEN BIDS FOR GRANTING A 30-FOOT EASEMENT ACROSS CITY-OWNED PROPERTY LOCATED AT 13141 JEFFERSON AVENUE.

(After the receipt and opening of the bids, City Council is requested to refer the bids to the City Manager for review and the presentation of a recommendation at Council's May 10, 2016 regular meeting).

- BACKGROUND:**
- A request to receive bids for a utility easement over City owned property at 13141 Jefferson Avenue was properly advertised in the *Daily Press* on April 11 and April 18, 2016.
 - The easement request accommodates improvements as part of a larger project to provide the Atkinson Boulevard and Bridge Project.
 - A public hearing has been advertised for the May 10, 2016 City Council meeting for consideration of the Ordinance which will grant the easement to the successful bidder.
 - The City Manager recommends approval.

FISCAL IMPACT: • N/A

ATTACHMENTS:

Description

CM Memo re Receipt of Bids-13141 Jeff Ave.

Attachment-Location Map Utility Easement 13141 Jefferson Avenue

sdm14268 Authorizing re Deed of Easement (13141 Jefferson Ave)

CITY OF NEWPORT NEWS

OFFICE OF THE CITY MANAGER

April 20, 2016

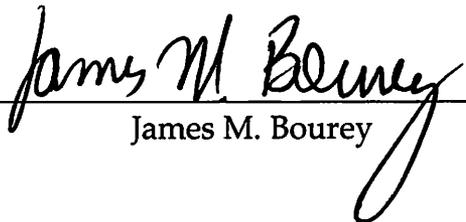
TO: The Honorable City Council
FROM: City Manager
SUBJECT: Receipt of Bids for Easement at 13141 Jefferson Avenue

The proposed easement is 4,950 square-feet and is located at 13141 Jefferson Avenue, on City-owned property. The easement lies between CSX Railroad and Interstate 64 right-of-way.

As part of the project the City has requested utility companies underground and relocate their equipment in support of the Atkinson Boulevard and Bridge Project.

A Public Hearing has been advertised in the *Daily Press* for City Council's May 10, 2016 meeting for consideration of the Ordinance that will grant the easement to the successful bidder.

I recommend City Council approve the resolution.


James M. Bourey

JMB:DEM:wjr

Attachment

cc: Everett Skipper, Director, Department of Engineering



CITY OF NEWPORT NEWS, VIRGINIA



EASEMENT FOR 13141 JEFFERSON AVENUE



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 DEED OF EASEMENT BY AND BETWEEN THE CITY OF NEWPORT NEWS, VIRGINIA, AND _____, DATED THE 10TH DAY OF MAY, 2016, FOR AN EASEMENT ACROSS CITY-OWNED PROPERTY LOCATED AT 13141 JEFFERSON AVENUE, NEWPORT NEWS, VIRGINIA.

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

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 Deed of Easement by and between the City of Newport News, Virginia, and _____, dated the 10th day of May, 2016, for an easement across City-owned property located at 13141 Jefferson Avenue, Newport News, Virginia.
2. That a copy of the said Deed of Easement is attached hereto and made a part hereof.
3. That this ordinance shall be in effect on and after the date of its adoption, May 10, 2016.

PREPARED BY:
Newport News City Attorney
2400 Washington Avenue, 9th Floor
Newport News, Virginia 23607

**Easement Across Portion of
Parcel #064.0001-05
13141 Jefferson Avenue**

THIS DEED OF EASEMENT, made this 10th day of May, 2016, between the **CITY OF NEWPORT NEWS**, a municipal corporation of the Commonwealth of Virginia, hereinafter called "GRANTOR" and _____, hereinafter called "GRANTEE."

NOTICE TO LANDOWNER: YOU ARE CONVEYING RIGHTS TO A PUBLIC SERVICE CORPORATION. A PUBLIC SERVICE CORPORATION MAY HAVE THE RIGHT TO OBTAIN SOME OR ALL OF THESE RIGHTS THROUGH EXERCISE OF EMINENT DOMAIN. TO THE EXTENT THAT ANY OF THE RIGHTS BEING CONVEYED ARE NOT SUBJECT TO EMINENT DOMAIN, YOU HAVE THE RIGHT TO CHOOSE NOT TO CONVEY THOSE RIGHTS AND YOU COULD NOT BE COMPELLED TO DO SO. YOU HAVE THE RIGHT TO NEGOTIATE COMPENSATION FOR ANY RIGHTS THAT YOU ARE VOLUNTARILY CONVEYING.

WITNESSETH:

That for the sum of One Dollar (\$1.00), cash in hand paid, and other valuable consideration, the receipt whereof is hereby acknowledged, GRANTOR grants unto GRANTEE, its successors and assigns, for a period of forty (40) years from the date of recordation of this deed of easement, the non-exclusive right, privilege and easement, approximately thirty (30) feet in width, to construct, operate and maintain one or more underground lines, and one or more lighting supports and lighting fixtures, as GRANTEE may from time to time deem expedient or advisable, located on the easement hereinafter described, for the purpose of transmitting and distributing electric power by one or more circuits to Grantor, for provision of electric power to its facilities and for lighting and such other purposes as requested by Grantor; together with all wires, cables, transformers, transformer

enclosures, concrete pads, manholes, handholes, connection boxes, ground connections, meters, attachments, equipment, accessories and appurtenances desirable in connection therewith (hereinafter referred to as "facilities").

The said rights, privilege and easement extends over, under, through and across certain lands of GRANTOR, situated in the City of Newport News, Virginia, as shown on Plat No. 22-16-0037 attached hereto and made a part of this Deed of Easement; the location of said easement being shown in broken lines on said Plat, to which plat reference is made for a more particular and accurate description of the easement.

The facilities constructed hereunder shall remain the property of GRANTEE. GRANTEE shall have the right to inspect, rebuild, remove, repair, improve, relocate on the easement, and make such changes, alterations, substitutions, additions to or extensions of its facilities as GRANTEE may from time to time deem advisable.

GRANTEE shall at all times have the right to keep the easement clear of all buildings, structures, and other obstructions (except fences), trees, roots and undergrowth. All trees and limbs cut by GRANTEE shall, except as hereinafter provided, remain the property of GRANTOR. Trees cut by GRANTEE with merchantable trunks six (6) inches or more in diameter will be cut into lengths of not less than four (4) feet when requested by GRANTOR and will be placed in piles separate from other trees, limbs, and undergrowth cut by GRANTEE. All trees, limbs, roots and other growth removed during the periodic maintenance of the easement by GRANTEE shall be disposed of by GRANTEE, and after which GRANTEE shall restore the surface area affected by the removal to a level grade safe for pedestrian travel.

For the purpose of constructing, inspecting, maintaining or operating its facilities on the easement on the property of GRANTOR or on its easement on any other property, GRANTEE shall have the right of ingress and egress over, upon and along such easement. If GRANTEE is unable reasonably to exercise the right of ingress and egress over, upon and along the easement on the property of GRANTOR, GRANTEE shall have such right of ingress and egress over the property of GRANTOR adjacent to the easement. GRANTEE shall have the further right of ingress to and egress from the easement over such private roads as may now or hereafter exist on the property of GRANTOR. The right, however, is reserved to GRANTOR to shift, relocate, close or abandon such private roads at any time. If there are no public or private roads reasonably convenient to the easement, GRANTEE shall have such right of ingress and egress over the lands of GRANTOR adjacent to the easement and lying between public and private roads and the easement in such manner as shall occasion the least practicable damage and inconvenience to GRANTOR.

GRANTEE shall repair damage to roads, fences or other improvements and shall pay GRANTOR for other damage done in the process of the construction, inspection, or maintenance of GRANTEE's facilities, or in the exercise of its right of ingress and egress; GRANTEE shall be liable for all damages resulting from its exercise of the right of ingress and egress across such adjacent lands, provided GRANTOR gives written notice thereof to GRANTEE within sixty (60) days after any property damage occurs.

GRANTOR, its successors and assigns, may use the easement for any purpose not inconsistent with the rights hereby granted, provided such use does not interfere with or endanger the construction, operation and maintenance of GRANTEE's facilities and provided that no buildings, structures or other obstructions (except fences) may be constructed on the easement.

In the event that GRANTOR sells or conveys the property on which the easement is located, GRANTOR shall provide that such sale or conveyance be conditioned upon the purchaser granting to GRANTEE a suitable easement across such property for GRANTEE's facilities.

In the event that GRANTEE fails or ceases to use the entire easement for a continuous period of two (2) or more years, then all rights and privileges hereby granted to GRANTEE shall forever cease and revert to GRANTOR by operation of law.

The rights, privileges, and easement conveyed pursuant to this Deed of Easement are in addition to, and not in substitution of, any other rights which may be available to GRANTEE to install its facilities on the property.

GRANTOR covenants that it is seized of and has the right to convey the said easement, rights and privileges; that GRANTEE shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges; and that GRANTOR shall execute such further assurances thereof as may be required.

IN WITNESS WHEREOF, GRANTOR has caused its corporate name to be signed hereto by its City Manager and its corporate seal to be hereunto affixed and attested by its City Clerk.

CITY OF NEWPORT NEWS

ATTEST:

By: _____
City Manager

By: _____
City Clerk

COMMONWEALTH OF VIRGINIA
City of Newport News, to wit:

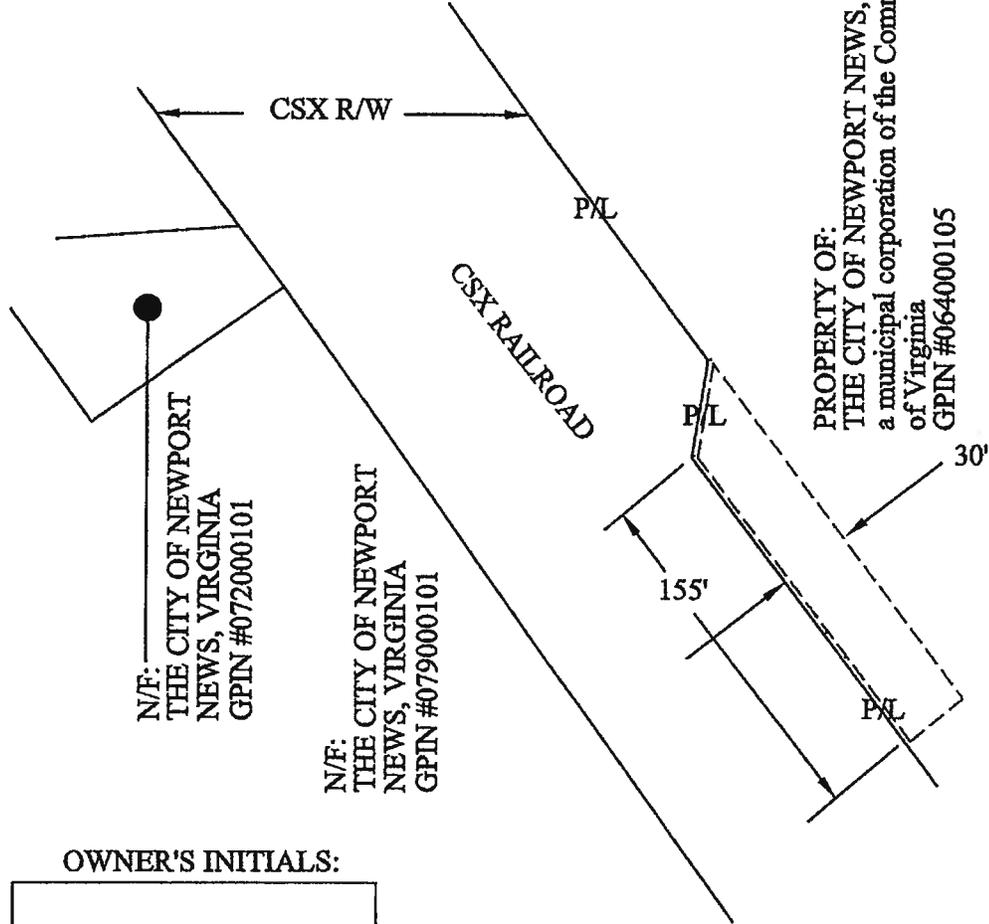
I, _____, a Notary Public in and for the City and Commonwealth aforesaid, whose commission expires on the ___ day of _____, _____, do hereby certify that the CITY OF NEWPORT NEWS, by James M. Bourey, its City Manager, and attested by Mabel Washington Jenkins, its City Clerk, whose names are signed to the foregoing writing, hereto annexed, have each acknowledged the same before me in my City and Commonwealth aforesaid.

GIVEN under my hand this ___ day of _____, 2016.

Notary Public
Registration No.: _____

sdm14267

VDOT PROJECT: U000-121-V11
 ATKINSON BLVD AND BRIDGE



OWNER'S INITIALS:

Legend

- Location of Boundary Lines of Easement
- WIDTHS AS SHOWN
- ==■== Indicates Property Line is Easement Boundary

Plat to Accompany		
DEED OF EASEMENT		
OH/UG		
District PENINSULA		
District-Township-Borough DENBIGH	County-City CITY OF NEWPORT NEWS	State
Office EASTERN REGION	Plat Number 22-16-0037	
Estimate Number 7548721	Grid Number M2331	
Date 4-11-16	By O'berne/Rountree	

G. Other City Council Actions

3. Resolution Approving the Consolidated Plan for Housing and Community Development - Annual Action Plan FY 2016-2017

ACTION: A REQUEST TO APPROVE A RESOLUTION APPROVING THE CONSOLIDATED PLAN FOR HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN FOR THE CITY INCLUDING THE PROPOSED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME FUNDS AND CERTIFICATIONS FOR FISCAL YEAR 2016-2017 AND AUTHORIZING SUBMISSION OF THIS PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).

BACKGROUND:

- The Consolidated Plan for Housing and Community Development Annual Action Plan identifies the City's needs for housing and community development, the resources available to meet the needs and the priorities for directing those resources and requires the approval of City Council.
- This document is required by HUD, and must be submitted to and approved by HUD for the City to receive its allocation of CDBG and HOME funds each year.
- The Annual Action Plan includes the proposed use of funds for upcoming FY 2016-2017 and includes HUD entitlement funding and program income for both CDBG and HOME in an aggregate amount of \$2,187,056.
- The City Manager recommends approval.

FISCAL IMPACT: • N/A

ATTACHMENTS:

Description

CM Memo re Consolidated Plan for Housing & Community

Attachment 1

Attachment 2

Attachment 3

sdm14281 Approving Consolidated Plan for Housing and CDBG

CITY OF NEWPORT NEWS

OFFICE OF THE CITY MANAGER

April 20, 2016

TO: The Honorable City Council

FROM: City Manager

SUBJECT: Consolidated Plan for Housing & Community Development - Annual Action Plan FY 2016-2017

The 2016-2017 update to the Consolidated Plan for Housing and Community Development requires the approval of City Council. This document will be submitted to the U. S. Department of Housing and Urban Development (HUD) to identify the City's needs for housing and community development, the resources available to meet the needs and the priorities for directing the resources. HUD's approval of this document enables the City to receive its annual entitlement grants of Community Development Block Grant (CDBG) and the HOME Investment Partnership (HOME).

HUD requires that a five-year strategy document be developed and submitted on a regular basis; the latest five-year plan covered fiscal years 2016-2020 and was approved by City Council on April 28, 2015. For each year between the five-year cycles only an update, referred to as the Annual Action Plan (Action Plan) is required to be submitted to HUD. The current Action Plan includes the proposed use of funds for the upcoming fiscal years 2016-2017 for CDBG and HOME.

The recommendations were derived from the CDBG Application Committee. Nineteen proposals were received this year, totaling over \$1.8 million in requests. Of those received, two were not recommended for funding and many of the requests to be funded were at a lower funding level than what was requested. The total CDBG budget for FY 2016-2017 is \$1,429,017, which includes an entitlement grant amount of \$1,139,017, \$50,000 in prior year's unbudgeted income and \$240,000 in general program income.

The Honorable City Council

Page 2

Consolidated Plan for Housing and Community Development - Annual
Action Plan FY 2016-2017

April 20, 2016

The HOME Program description includes an initiative for rehabilitation of low-income owner-occupied homes, an initiative for acquisition and rehabilitation of rental housing units and an initiative for down payment assistance for first-time homebuyers. Also included is the required set-aside for use by nonprofit affordable housing providers called Community Housing Development Organizations (CHDOs) and administrative funds. Funds designated for CHDOs are normally available to qualifying nonprofit groups on a competitive basis. The HOME budget is comprised of the entitlement grant amount of \$568,039, coupled with estimated program income of \$190,000, which gives a total of \$758,039 available for recommended activities. The required local match is normally realized through in-kind sources and an annual cash contribution from the City's budget.

The total amount of funding formulating the FY 2016-2017 HUD-related Community Development Program budget is \$2,187,056 for both programs. To recap, this includes \$1,429,017 in CDBG-related funds and \$758,039 in HOME-related funds.

Two public meetings regarding the Action Plan were held. The first meeting was December 9, 2015 at the Downing-Gross Cultural Arts Center and the second meeting was April 7, 2016, also at the Downing-Gross Cultural Arts Center. The third and final public meeting and opportunity for citizen input or comment is City Council's April 26, 2016 meeting. The required 30-day public comment period started on March 25, 2016 and will run through April 26, 2016. As is customary, HUD will be apprised of comments received.

For your convenience, attached are an Executive Summary of the Action Plan, prepared by Newport News Redevelopment and Housing Authority (NNRHA) staff, and charts reflecting the CDBG projects and HOME initiatives recommended for the upcoming FY 2016-2017. The full Action Plan is posted on the NNRHA's website at www.nnrha.com and there is a link to the document from the City's website as well.

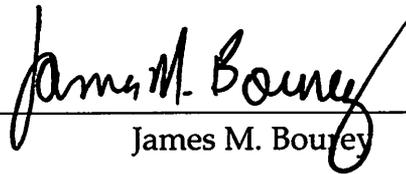
The Honorable City Council

Page 3

Consolidated Plan for Housing and Community Development - Annual
Action Plan FY 2016-2017

April 20, 2016

As the Action Plan meets required HUD objectives and includes the proposed use of funds for FY 2016-2017, I recommend that City Council approve the Resolution, prepared and provided by the City Attorney's Office, approving the Action Plan and authorizing me to execute any necessary documents for the City's receipt of and compliance with HUD-approved CDBG and HOME entitlement funds for FY 2016-2017.


James M. Bourey

JMB:tfw

Attachments: 3

cc: Karen R. Wilds, Executive Director, NNRHA
Florence G. Kingston, Director, Department of Development

Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

In 2015, the City of Newport News prepared a 5 year Consolidated Plan for federal fiscal years 2015-2019 that identified its housing, community and economic development needs. That plan described the priorities and multiyear strategic goals based on an assessment of housing and community development needs, an analysis of housing and economic market conditions and available resources.

The Annual Action Plan for the period July 1, 2016 to June 30, 2017 described herein reflects proposed activities in the Second Program Year of the 2015-2019 Consolidated Plan. The following information details projects proposed to be undertaken in the City of Newport News with Community Development Block Grant (CDBG) and Home Investment Partnership Program (HOME) entitlement funds awarded from the U.S. Department of Housing and Urban Development (HUD).

The Federal Fiscal Year (FFY) 2016 budget for the Department of Housing and Urban Development (HUD) has been enacted. The City of Newport News' allocations for CDBG and HOME are listed below. These entitlement amounts are supplemented by projected Program Income and Reprogrammed Prior Year Funds.

CDBG

Entitlement Allocation	\$1,139,017
Prior Year's Unbudgeted Funds	\$50,000
Projected Program Income FY16	\$240,000
Total Program Budget for FY16	\$1,429,017

HOME

Entitlement Allocation	\$568,039
Projected Program Income	\$190,000
Total Program Budget for FY16	\$758,039

Please note: In the event that Community Development Block Grant (CDBG) and/or HOME funded programs receive an increase in unanticipated program income during the year, the following program activities will utilize the additional funds.

- CDBG – Public Facilities & Improvements, Public Services & Administration
- HOME – HOMEvestor Program, Administration & CHDO

2. Summarize the objectives and outcomes identified in the Plan

The Annual Action Plan for the period July 1, 2016 to June 30, 2017 continues the goals of the Five-Year Consolidated Plan which focused on providing safe, decent and affordable housing and creating economic opportunities for its citizens. The goals and objectives of the Annual Action Plan as formulated by the Five-Year Consolidated Plan are summarized below:

Goal 1: Housing Preservation and Neighborhood Revitalization – Housing preservation and neighborhood revitalization priorities consist of the elimination of slums and blight, codes enforcement, the acquisition and rehabilitation of properties, owner occupied housing rehabilitation and development activities.

Goal 2: Expand Economic Development - Economic development activities consisting of loans and grants, to establish and strengthen businesses in the City thereby generating jobs

Goal 3: Homeless Intervention and Special Populations Housing - CDBG funds will continue to support certain homeless intervention programs over the next five years identified as high priorities in the Consolidated Plan

Goal 4: Increase Affordable Housing Units - Promote homeownership opportunities and the retention of owner-occupied housing units; Development of Affordable Rental Units

Goal 5: To Reduce Homelessness - Increase community services programming

Goal 6: Enhance Youth Development - Increase youth enrichment programming

Anticipated outcome over the next year in support of the Five-Year Consolidated Plan are as follows:

- Continue to fund activities for the elimination of slums and blight through codes enforcement and acquisition of unsafe structures
- Acquisition and rehabilitation of owner occupied housing and rental development

- Expand economic development activities to establish and strengthen businesses in the City thereby generating jobs
- Continue to support certain homeless intervention programs
- Increase affordable rental and homeownership housing opportunities
- Continue to fund community service programs such as meals assistance, crisis intervention, alternative education and recreation for youth and transitional shelter for victims of physical abuse

3. Evaluation of past performance

The City of Newport News has been very successful in meeting many of the goals established in the prior year's plan. Detailed accomplishments during the past reporting period can be found in the FY 2014-2015 Consolidated Annual Performance and Evaluation Report (CAPER). In summary:

- 77.17 % of the locality's expenditures for 2014-2015 for the CDBG Program were used for low and moderate income beneficiaries.
- Program activities were undertaken in a timely manner as reported by HUD in its timeliness report dated May 2, 2015.
- 14.15 % of the locality's CDBG allocation was used for public service activities
- 11 % of the City's HOME funds were disbursed for the preservation of affordable rental units

4. Summary of Citizen Participation Process and consultation process

In November 2015, the City of Newport News advertised a notice in the Daily Press for a public meeting to allow citizens the opportunity to review program performance, identify housing needs and to offer their views regarding the use of CDBG and HOME funds for the upcoming year. The notices were also posted on the City and the Newport News Redevelopment and Housing Authority's (NNRHA) websites, throughout various City libraries and other departments and in all of the Authority's public housing communities.

The City and NNRHA held a citizen participation meeting Wednesday, December 9, 2015 at Downing-Gross Cultural Arts Center to discuss the Consolidated Housing and Community Development funds for fiscal year 2016-2017.

The notice also advertised that the City would be accepting funding requests for the upcoming program year. City staff provided technical assistance to prospective applicants wishing to apply

for funding during the meeting as well as contact information should the applicant(s) need further assistance. Application proposals were due on Friday, January 15, 2016.

The City received nineteen (19) applications requesting funding from the 2016-2017 CDBG allocation. On February 4, 2016, the CDBG Application Review Committee held an open meeting in City Council chambers to allow each applicant the opportunity to give a presentation on the proposal(s). Committee funding recommendations are included in this draft Annual Action Plan. The citizen review and comment period for the draft plan is from Friday, March 25, 2016 through Tuesday, April 26, 2016.

On Thursday, April 7, 2016, the City and the Authority will hold a public meeting to discuss the draft plan at the Downing-Gross Cultural Arts Center at 6:00 p.m.

City Council will hold a second public meeting on Tuesday, April 26, 2016 to consider the final version of the plan. All citizen comments will be included in the Plan.

5. Summary of public comments

N/A at this time.

6. Summary of comments or views not accepted and the reasons for not accepting them

The City of Newport News responds to all comments received throughout the Annual Plan process.

7. Summary

All public comments and concerns will be considered.

FISCAL YEAR 2016-2017 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTIVITIES

Program	Recipient	Eligibility	Activity Summary	Funding
CDBG	City of Newport News – Codes Compliance	Clearance Activity	Demolition of unsafe structures in the southeast area.	\$238,900
CDBG	City of Newport News Development Department	Administration	Administrative budget for monitoring and oversight responsibilities by the City's Department of Development.	\$22,712
CDBG	City of Newport News Development Department	Special Economic Development activities	Continuation of the Newport News Urban Development Action Grant Program (NUDAG) which provides loans to for-profit entities in order to facilitate the creation of jobs for low and moderate income persons.	\$190,000
CDBG	Newport News Redevelopment and Housing Authority	Administration/Planning	Oversight, management, monitoring and coordination of the CDBG program.	\$241,688
CDBG	Newport News Redevelopment and Housing Authority	Public Facility and Improvement	Marshall Courts Community Center Renovations.	\$58,542
CDBG	Newport News Redevelopment and Housing Authority	Rehabilitation: Open House and Emergency Assistance Repair Programs	CD Rehabilitation and Preservation activities including continuation of the Emergency Assistance Repair Program, Open House Program, and program delivery costs associated with these programs.	\$465,175

FISCAL YEAR 2016-2017 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTIVITIES

Program	Recipient	Eligibility	Activity Summary	Funding
CDBG	Hampton Roads Community Action Program, Inc. formerly known as Office of Human Affairs	Public Service Operating Funds	Clean Comfort Program provides supportive services for the homeless population (showering facilities, clean clothing and referral services).	\$16,500
CDBG	Hampton Roads Community Action Program, Inc. formerly known as Office of Human Affairs	Program Administrative Costs - Fair Housing	Fair Housing Counseling and Education, complaint hot-line and resolution.	\$8,000
CDBG	Hampton Roads Community Action Program, Inc. formerly known as Office of Human Affairs	Public Service Housing Counseling Operating Funds	Offers clients a full range of counseling services in the areas of pre-occupancy, pre-purchase, pre-rental, mortgage default, rental delinquency and home equity conversion.	\$12,000
CDBG	Boys and Girls Clubs of the Virginia Peninsula	Public Service Operating Funds	Funds provided to assist this non-profit organization with operating expenses	\$76,000
CDBG	Freedom Outreach Center	Public Service Operating Funds	Crisis Intervention, Counseling, Hunger, Training, Referrals Support for a neighborhood outreach center's ongoing activities and service delivery to former inmates or "at risk" young adults to include youth, adults and families.	\$11,000

FISCAL YEAR 2016-2017 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTIVITIES

Program	Recipient	Eligibility	Activity Summary	Funding
CDBG	Good Seed Good Ground	Public Service Operating Funds	Funds to assist this non-profit organization with operating funds for implementation of employment programs for adults and at-risk youth.	\$8,000
CDBG	In-Agape Family Life and Educational Center, Inc.	Public Service Operating Funds	“One More Chance” educational program (for youth on school suspension for 10 days and longer). “Stay Up While You Are Out” educational program (for youth on school suspension for 10 days or less).	\$19,000
CDBG	LINK of Hampton Roads	Public Service Operating Funds	Emergency Winter Shelter Program for the Homeless. People Offering Resources Together (PORT)	\$20,000
CDBG	Menchville House Ministries	Public Service Operating Funds	Funds to assist this non-profit organization with operating funds for a facility to be utilized as a shelter providing housing to approximately 100 adults and children in crisis situations.	\$5,000
CDBG	Peninsula Agency on Aging	Public Service Operating Funds	Funds provided to assist this non-profit organization with operating funds to provide Meals on Wheels to approximately 15 at-risk seniors living in 5 Newport News income-based housing facilities.	\$15,000
CDBG	Transitions Family Violence Services	Public Service Operating Funds	Emergency and short-term shelter and services for victims of family violence	\$21,500

FISCAL YEAR 2016-2017 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTIVITIES

Program	Recipient	Eligibility	Activity Summary	Funding
Total Amount				\$1,429,017

The City of Newport News Primary Initiatives and the breakdown of these funds are listed below:					
PROGRAM DESCRIPTIONS	HOME 2016-17 (Entitlement)	PROGRAM INCOME (Anticipated)	Total Funds	UNITS	
HOME DPA -Provide down payment & closing cost assistance to first time homebuyers citywide	\$40,000		\$40,000	5	
HOMEcare - Low-interest loan program for owner occupied rehabilitation	\$25,000		\$25,000	1	
HOMEvestor II – Acquisition, Development rehabilitation and preservation of multi-family rental housing	\$361,029	\$190,000	551,029	104	
Community Housing Development Organizations (CHDOs) - Assists qualified CHDOs with the acquisition, development or sponsorship of affordable housing.	\$85,206		\$85,206	2	
HOME Administration - Provides for HOME program's planning, marketing and monitoring costs.	\$56,804		\$56,804	N/A	
Total Funds Available	\$568,039	\$190,000	\$758,039		
Total Number of Units				112	

RESOLUTION NO. _____

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 2016-2017 AND AUTHORIZING SUBMISSION OF THIS PLAN TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

WHEREAS, the United States Department of Housing and Urban Development (HUD) requires the City of Newport News to prepare and submit an Annual Action Plan Update (“Action Plan”) to the Five-Year Consolidated Housing and Community Development Plan for the City of Newport News; and

WHEREAS, the Five-Year Plan approved by City Council on April 28, 2015 identifies the City’s overall needs for community development and affordable and supportive housing and outlines the strategies to address those needs over a five-year time frame; and

WHEREAS, the Action Plan includes the Projected Use of Community Development Block Grant and HOME Grant Funds for FY 2016-2017, Certifications and other HUD requirements; and

WHEREAS, the Department of Housing and Urban Development is anticipated to provide the City of Newport News Community Development Block Grant funds in the amount of \$1,139,017 and HOME funds in the amount of \$568,039 for the fiscal year ending June 30, 2017 to carry out eligible Community Development Block Grant and HOME activities; and

WHEREAS, it is anticipated that additional funds in the amount of \$240,000 will be available as general program income as part of the Community Development Block Grant program; and

WHEREAS, funds in the amount of \$50,000 will be available as other program funds not previously budgeted to be utilized as part of the Community Development Block Grant Program; and

WHEREAS, funds in the amount of \$190,000 are anticipated to be available as program income to be utilized as part of the HOME Program; and

WHEREAS, the City has budgeted \$100,000 in local funds to be combined with other funds to meet the HOME match obligation for FY 2016-2017; and

WHEREAS, the Council of the City of Newport News has received an Executive Summary of the Action Plan, had the opportunity to review the complete document, and has confirmed that said Plan has been available for public review and that required public meetings were held to assure citizens an opportunity to comment on the Plan.

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

1. The City Manager is authorized to file with the United States Department of Housing and Urban Development the Action Plan that includes the projected use of Community Development Block Grant and HOME funds and Certifications for FY 2016-2017 as required by the Guidelines for Preparing a Consolidated Strategy and Plan Submission for Housing and Community Development Programs.

2. The City Manager is hereby designated as the authorized representative of the City and is directed to act as such representative in connection with the Action Plan, to provide such additional information as may be required, and to execute any and all documents required in conjunction therewith, subject to review and approval by the City Attorney.

3. The City Manager is authorized to execute sub-recipient and administrative contracts with the Newport News Redevelopment and Housing Authority to administer the Community Development Block Grant and HOME programs as approved for FY 2016-2017 subject to funding approval by HUD and contract review and approval by the City Attorney.

4. The City Manager is authorized to execute a contract(s) with the Newport News Redevelopment and Housing Authority and/or any of its subsidiaries as an owner/developer of single family homes under the first-time home buyer program or for multi-family developments if such developments are deemed appropriate for such ownership and agreed upon by the City Manager, Director of Development and Executive Director of the Newport News Redevelopment and Housing Authority, after contract review and approval by the City Attorney.

5. The City Manager is authorized to execute an extension of existing contracts with the Newport News Redevelopment and Housing Authority to continue to administer and undertake FY 2015-2016 activities should FY 2016-2016 activities remain open after July 1, 2016, subject to review and approval by the City Attorney.

6. The City Manager is authorized to execute an extension agreement with the Newport News Redevelopment and Housing Authority for the administration of the Newport News Urban Development Action Grant Loan Program for FY 2016-2017, subject to review and approval by the City Attorney.

7. This resolution shall be in effect on and after the date of its adoption, April 26, 2016.

G. Other City Council Actions

4. Ordinance Repealing City Code, Chapter 29, Parks, Squares and Recreational Facilities; Article II., General Regulations Governing Parks; Section 29-53.1, Flying of Model Aircraft Prohibited

ACTION: A REQUEST TO ADOPT AN ORDINANCE REPEALING CITY CODE, CHAPTER 29, PARKS, SQUARES AND RECREATIONAL FACILITIES; ARTICLE II., GENERAL REGULATIONS GOVERNING PARKS; SECTION 29-53.1, FLYING OF MODEL AIRCRAFT PROHIBITED, TO ADHERE TO NEW STATE REGULATIONS.

BACKGROUND:

- In the 2016 General Assembly, a House Bill was passed and signed into law by the Governor pertaining to localities regulating the use of privately owned, unmanned aircraft systems.
- As adopted, the new state law will prohibit localities from regulating the use of privately owned, unmanned aircraft systems within its boundaries.
- Currently, City Code, Section 29-53.1 prohibits the flying of unmanned aircraft in City parks, squares and recreational facilities.
- This Ordinance amendment will align City Code with the new state law.
- The City Manager recommends approval.

FISCAL IMPACT: • N/A

ATTACHMENTS:

Description

CM Memo re Ordinance Repealing Chapt 29-53.1

sdm14240 Ord Repealing Sec. 29-53.1, Flying of model aircraft prohibited

CITY OF NEWPORT NEWS

OFFICE OF THE CITY MANAGER

April 20, 2016

TO: The Honorable City Council
FROM: City Manager
SUBJECT: Ordinance Repealing City Code, Section 29-53.1, Flying of Model Aircraft

The Governor of Virginia has approved House Bill 412, which was passed by the House of Delegates and Senate of Virginia. This Bill amends the *Code of Virginia* by adding in Article 1 of Chapter 9 of Title 15.2, a section number 15.2-926.3. The new section includes the provision that:

“No locality may regulate the use of privately owned, unmanned aircraft systems as defined in §19.2-60.1 within its boundaries.”

The provisions of this bill shall expire on July 1, 2019.

Section 19.2-60.1 defines “unmanned aircraft system” as “an unmanned aircraft and associated elements, including communication links, sensing devices, and the components that control the unmanned aircraft.” Section 19.2-60.1 defines “unmanned aircraft” as “an aircraft that is operated without the possibility of human intervention from within or on the aircraft”.

Model aircraft would fall under these definitions and therefore our current City Ordinance (Section 29.53.1) which regulates model aircraft in parks would not be allowed under the new state law.

I recommend approval of the ordinance.


James M. Bourey

JMB:sdm

cc: Michael Poplawski, Director of Parks, Recreation and Tourism

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 29, PARKS, SQUARES AND RECREATIONAL FACILITIES, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE II, GENERAL REGULATIONS GOVERNING PARKS, SQUARES, BEACHES, GOLF COURSES, ETC., BY REPEALING SECTION 29-53.1, FLYING OF MODEL AIRCRAFT PROHIBITED.

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

1. That Chapter 29, Parks, Squares and Recreational Facilities, of the Code of the City of Newport News, Virginia, Article II, General Regulations Governing Parks, Squares, Beaches, Golf Courses, Etc., is hereby amended and reordained by repealing Section 29-53.1, Flying of model aircraft prohibited.

2. That this ordinance shall be in effect on and after July 1, 2016.

H. Appropriations

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

1. Department of Engineering - The Virginia Department of Environmental Quality (DEQ) Stormwater Local Assistance Fund (SLAF) (\$2,275,200) and The Water Quality Banking Program Fund (\$400,000): Construction of the Stoney Run Regional BMP Retrofit; Stream Restoration and Lake Dredging Project - \$2,675,200
2. Department of Engineering - State Revenue Sharing Program (\$7,075,000); FY 2016 Bond Authorization, Streets and Bridges Category (\$4,325,000); and FY 2016 Bond Authorization, Community Development Category (\$2,750,000): Various Roadway Projects - \$14,150,000

H. Appropriations

1. Department of Engineering – The Virginia Department of Environmental Quality (DEQ) Stormwater Local Assistance Fund (SLAF) (\$2,275,200) and The Water Quality Banking Program Fund (\$400,000): Construction of the Stoney Run Regional Best Management Practice (BMP) Retrofit; Stream Restoration and Lake Dredging Project – \$2,675,200

ACTION: A REQUEST TO APPROVE A RESOLUTION APPROPRIATING \$2,675,200 FROM THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) STORMWATER LOCAL ASSISTANCE FUND (SLAF) (\$2,275,200) AND THE WATER QUALITY BANKING PROGRAM FUND (\$400,000) FOR THE CONSTRUCTION OF THE STONEY RUN REGIONAL BMP RETROFIT; STREAM RESTORATION AND LAKE DREDGING PROJECT.

BACKGROUND:

- The existing drainage channel is experiencing severe embankment erosion and degradation throughout the majority of its reach and the lakes are not fully utilized as stormwater management facilities.
- The proposed retrofit, stream restoration and lake dredging project is intended to expand the capacity of the existing Stoney Run BMP to meet current, more stringent Stormwater regulations associated with pollutant reductions required through the Total Maximum Daily Load (TMDL) limit set by the Virginia Department of Environmental Quality (DEQ) delegated from the EPA.

FISCAL IMPACT:

- The total cost of the project is estimated at \$4,550,400.
- In addition to the requested funds of this appropriation, \$1,875,200 is available from previously appropriated project funds.
- The City Manager recommends approval.

ATTACHMENTS:

Description

CM Memo re Stoney Run Regional BMP Retrofit Proj
Attachment Location MJan Stoney Run Regional BMP Retrofit
sdm14291 Appropriation re Stoney Run Regional BMP Retrofit

CITY OF NEWPORT NEWS

OFFICE OF THE CITY MANAGER

April 20, 2016

TO: The Honorable City Council

FROM: City Manager

SUBJECT: Stoney Run Regional Best Management Practice (BMP) Retrofit; Stream Restoration and Lake Dredging Project

City Council is requested to approve a resolution appropriating funds in the amount of \$2,675,200 for the Stoney Run Regional BMP Retrofit; Stream Restoration and Lake Dredging Project. The project is located within the Stoney Run drainage basin, northeast of Warwick Boulevard in an area formerly known as the Stoney Run Sand Pits.

In 1997, City Council adopted a Regional BMP Water Quality (WQ) Banking Program Policy which was later revised in 1999. As part of the WQ Banking Program, Stoney Run was established as a regional BMP site. This site afforded water quality credits or offsets (i.e., nutrient load reductions) required for private development projects in the City and to meet anticipated future stormwater regulation load reduction goals. The existing Stoney Run BMP (before improvements) was evaluated and determined to have a pollutant load removed of approximately 369 pounds per year.

The proposed retrofit, stream restoration and lake dredging project is intended to expand the capacity of the existing Stoney Run BMP to meet current, more stringent Stormwater regulations associated with pollutant reductions required through the Total Maximum Daily Load (TMDL) limit set by the Virginia Department of Environmental Quality (DEQ) delegated from the EPA. It is anticipated that these improvements will increase pollutant load removal by 950 pounds per year. The improvements will enhance the structural integrity of the channel, increase floodplain connectivity and connection between the lakes providing additional stormwater attenuation. Dredging of the lakes will

The Honorable City Council

Page 2

Stoney Run Regional BMP Retrofit; Stream Restoration and Lake

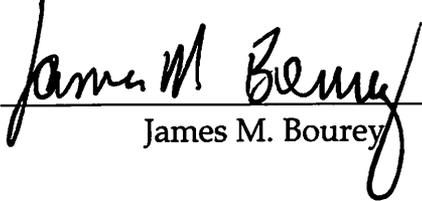
Dredging Project

April 20, 2016

remove accumulated sediment as well as increase the volumes of the lakes providing improved storage volume and water quality.

Based on the reduction of pollutant loading, the City was successful in obtaining a Stormwater Local Assistance Fund (SLAF) matching grant from DEQ. The total cost of the project is estimated at \$4,550,400. Funding in the amount of \$2,275,200 is available from the Virginia Department of Environmental Quality Stormwater Local Assistance Fund (SLAF), and \$400,000 is available from the Water Quality Banking Program Fund. An amount of \$1,875,200 is available from previously appropriated project funds and will be added to the grant funding to satisfy the total estimated cost of the project.

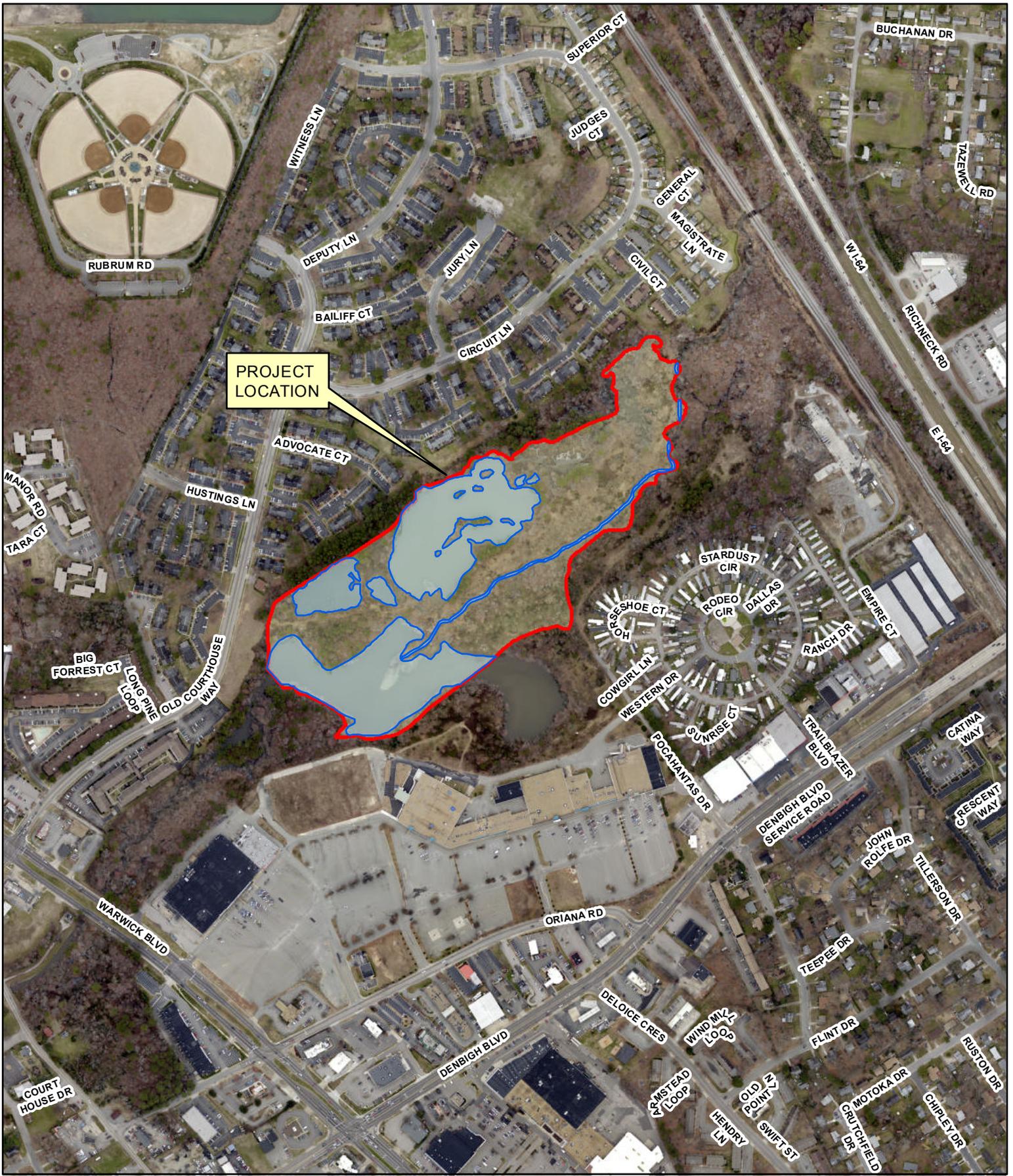
I recommend approval of the resolution.


James M. Bourey

JMB:JAC:plw

Attachment

cc: Everett Skipper, Director, Department of Engineering



CITY OF NEWPORT NEWS, VIRGINIA

STONEY RUN REGIONAL BMP - STREAM RESTORATION AND LAKE DREDGING



RESOLUTION NO. _____

A RESOLUTION APPROPRIATING FUNDS FROM STATE REVENUE AND WATER QUALITY BANKING PROGRAM FUND TO STONEY RUN REGIONAL BMP RETROFIT; STREAM RESTORATION AND LAKE DREDGING PROJECT.

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

That it hereby appropriates funds from State Revenue and Water Quality Banking Program Fund to Stoney Run Regional BMP Retrofit; Stream Restoration and Lake Dredging Project, as follows:

Appropriation From:

State Revenue 4300-000-00-0000-482010-000000-0000- N5026-N5026	\$ 2,275,200.00
Water Quality Banking Program Fund 2542-000-30-3082-490000-000000- 0000-00000	\$ 400,000.00

Appropriation To:

Stoney Run Regional BMP Retrofit; Stream Restoration and Lake Dredging Project 4300-250-70-700N-579420-000000-0000- N5026-N5026	\$ 2,275,200.00
2542-000-30-3080-579420-000000-0000- 00000-N5026	\$ 400,000.00

H. Appropriations

2. Department of Engineering – State Revenue Sharing Program (\$7,075,000); FY 2016 Bond Authorization, Streets and Bridges Category (\$4,325,000); and FY 2016 Bond Authorization, Community Development Category (\$2,750,000): Various Roadway Projects – \$14,150,000

ACTION: A REQUEST TO APPROVE A RESOLUTION APPROPRIATING \$14,150,000 FROM THE STATE REVENUE SHARING PROGRAM (\$7,075,000), FROM THE FY 2016 BOND AUTHORIZATION, STREETS AND BRIDGES CATEGORY (\$4,325,000) AND FROM THE FY 2016 BOND AUTHORIZATION, COMMUNITY DEVELOPMENT CATEGORY (\$2,750,000) FOR VARIOUS CITY ROADWAY PROJECTS.

BACKGROUND:

- The State Revenue Sharing Program provides funding for use by the City to construct or improve highway systems within the City.
- The program requires at least a 50/50 City/State Match.
- The funds will be used for the following:
 - Atkinson Boulevard Project
 - ADA Citywide Sidewalk Project
 - ADA Citywide Sidewalk Maintenance Replacement Project
 - Patrick Henry Drive Extension Project
 - Huntington Avenue Bridge Replacement Project, and
 - Harpersville Road Extension Project.
- The City Manager recommends approval.

FISCAL IMPACT: • N/A

ATTACHMENTS:

Description

CM Memo re VDOT Revenue Sharing Program

Attachment Location Map VDOT Revenue Sharing Program

sdm14292 Appropriation re VDOT Revenue Sharing

CITY OF NEWPORT NEWS

OFFICE OF THE CITY MANAGER

April 20, 2016

TO: The Honorable City Council

FROM: City Manager

SUBJECT: Virginia Department of Transportation (VDOT) Revenue Sharing Program

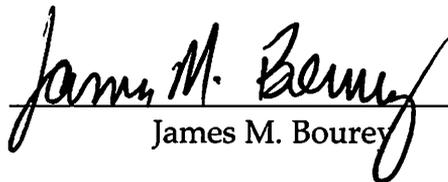
The State Revenue Sharing Program provides funding for use by the City to construct or improve highway systems within the City. Applications are due annually in October and approved program funds are available in July of the following year. The City has applied in the past with success and has several Revenue Sharing Program projects underway. The program requires at least a 50/50 City/State match. The projects listed below represent Revenue Sharing Program projects that are currently proposed for appropriation.

Project	Description	Total Revenue Sharing Funds & Required City Match
Atkinson Boulevard (Warwick Boulevard to Jefferson Avenue) UPC# 004483	Provides additional right of way and construction monies to augment the existing Regional Surface Transportation Program funds	\$5,500,000
ADA Citywide Sidewalk Construction UPC# 107279	Citywide, locations to be determined.	\$150,000
ADA Citywide Sidewalk Maintenance Replacement UPC# 107280	Citywide, locations to be determined.	\$100,000
Patrick Henry Drive Extension UPC# 107271	Extend Roadway from Turnberry to Bland Boulevard	\$5,500,000

Project	Description	Total Revenue Sharing Funds & Required City Match
Huntington Avenue Bridge Replacement UPC# 094832	Provides additional revenue sharing construction funds	\$2,500,000
Harpersville Road Extension UPC# 107276	Design funds to reconstruct road from Government Ditch to Groome Road.	\$400,000

The total appropriation request for these projects is \$14,150,000; \$7,075,000 from the State Revenue Sharing Program, \$4,325,000 from the FY 2016 Bond Authorization, Streets and Bridges category, and \$2,750,000 from the FY 2016 Bond Authorization, Community Development category.

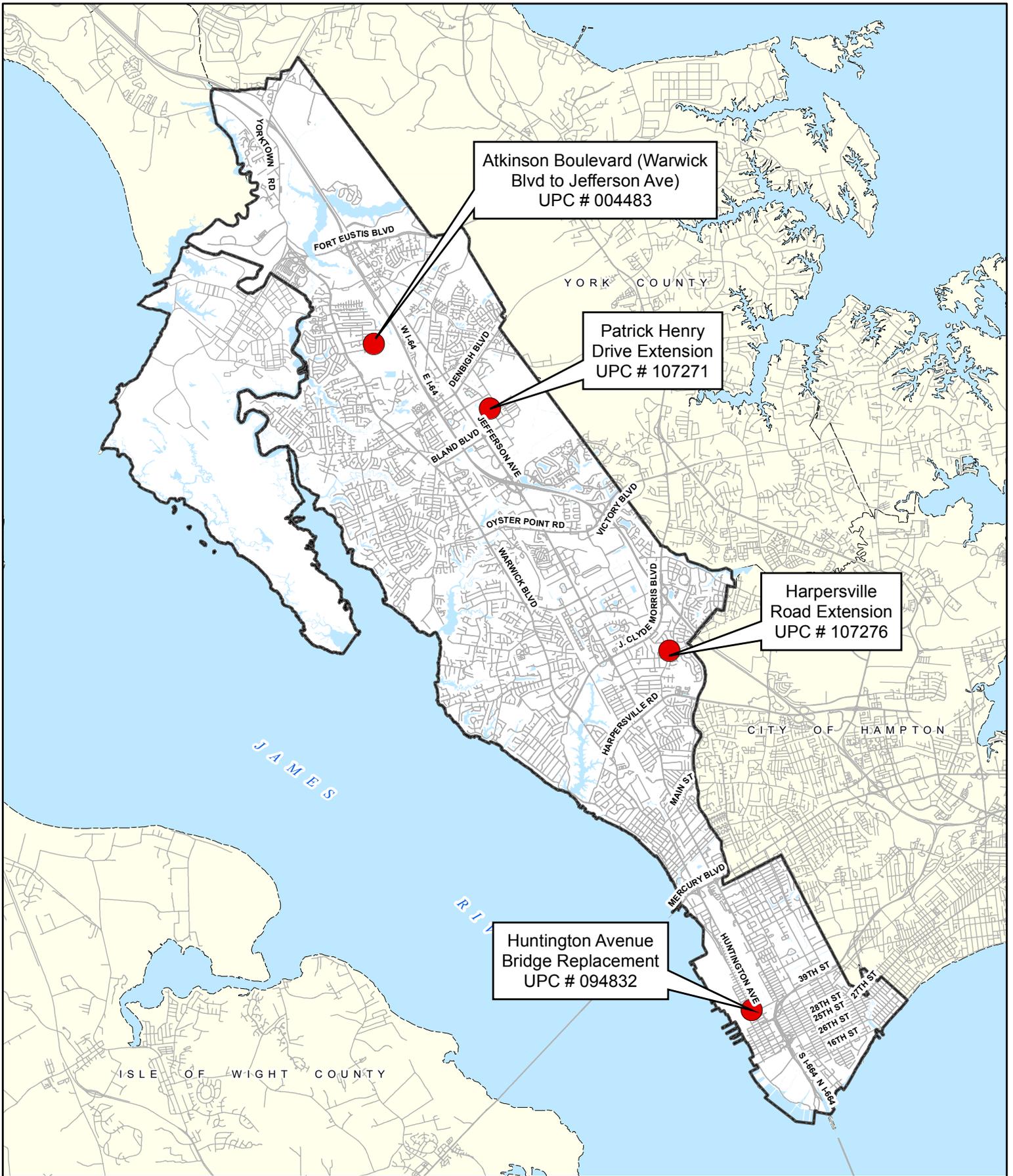
I recommend approval of the resolution.


James M. Bourey

JMB:SMG:mjd

Attachment

cc: Everett Skipper, Director, Department of Engineering



CITY OF NEWPORT NEWS, VIRGINIA

VDOT REVENUE SHARING PROGRAM



RESOLUTION NO. _____

A RESOLUTION APPROPRIATING FUNDS FROM BONDS AUTHORIZED AND UNISSUED AND STATE REVENUE TO ATKINSON BOULEVARD UPC #004483, ADA CITYWIDE SIDEWALK MAINTENANCE REPLACEMENT UPC #107279, ADA CITYWIDE SIDEWALK MAINTENANCE REPLACEMENT UPC #107280, PATRICK HENRY DRIVE EXTENSION UPC # 107271, HUNTINGTON AVENUE BRIDGE REPLACEMENT UPC #094832 AND HARPERSVILLE ROAD EXTENSION UPC #107276.

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

That it hereby appropriates funds from Bonds Authorized and Unissued and State Revenue to Atkinson Boulevard UPC #004483, ADA Citywide Sidewalk Construction UPC #107279, ADA Citywide Sidewalk Maintenance Replacement UPC #107280, Patrick Henry Drive Extension UPC # 107271, Huntington Avenue Bridge Replacement UPC #094832 and Harpersville Road Extension UPC #107276, as follows:

Appropriation From:

Bonds Authorized and Unissued	
4104-250-70-700J-579000-000000-2016-00000-J0000	\$ 4,325,000.00
4104-400-70-700A-579000-000000-2016-00000-A0000	\$ 2,750,000.00
State Revenue	
4300-000-00-0000-482000-000000-0000-00000-00000	\$ 7,075,000.00

Appropriation To:

Atkinson Boulevard UPC #004483	
4104-250-70-700J-579400-302401-2016-00000-J3024	\$ 2,750,000.00
4300-250-70-700J-579400-302401-0000-J3024-J3024	\$ 2,750,000.00

ADA Citywide Sidewalk Construction UPC #107279 4104-250-70-700J-579420-107279-2016- 00000-J3033	\$	75,000.00
4300-250-70-700J-579420-107279-0000- J3033-J3033	\$	75,000.00
ADA Citywide Sidewalk Maintenance Replacement UPC #107280 4104-250-70-700J-579420-107280-2016- 00000-J3033	\$	50,000.00
4300-250-70-700J-579420-107280-0000- J3033-J3033	\$	50,000.00
Patrick Henry Drive Extension UPC # 107271 4104-250-70-700A-579400-107271-2016- 00000-A6427	\$	2,750,000.00
4300-250-70-700A-579400-107271-0000- A6427-A6427	\$	2,750,000.00
Huntington Avenue Bridge Replacement UPC #094832 4104-250-70-700J-579420-000000-2016- 00000-J3018	\$	1,250,000.00
4300-250-70-700J-579420-000000-0000- J3018-J3018	\$	1,250,000.00
Harpersville Road Extension UPC #107276 4104-250-70-700J-579400-000000-2016- 00000-J3046	\$	200,000.00
4300-250-70-700J-579400-000000-0000- J3046-J3046	\$	200,000.00

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

J. New Business and Councilmember Comments

City Manager
City Attorney
City Clerk

Bateman
Cherry
Coleman
Price
Scott
Vick
Woodbury

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."**