AGENDA

NEWPORT NEWS CITY COUNCIL
REGULAR CITY COUNCIL MEETING

MAY 14, 2019

City Council Chambers

7:00 p.m.

A. Call to Order

B. Invocation
   • Reverend Terry Edwards, St. Augustine’s Episcopal Church

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

D. Presentations
   1. Proclamation: Older Americans Month - May 2019
   2. Proclamation: Emergency Medical Services (EMS) Week - May 19-25, 2019

E. Public Hearings
   1. Public Comments on the Effective Real Property Tax Rate Related to the Recommended Fiscal Year 2020 Operating Budget

F. Consent Agenda
   1. Minutes of the Special Joint Meeting of the Newport News City Council and the Newport News School Board for April 16, 2019
   2. Minutes of the Work Session for April 23, 2019
   3. Minutes of the Regular Meeting for April 23, 2019
   4. Resolution of Recognition: Pastor Ivan T. Harris - 31st Pastoral Anniversary and Retirement

G. Other City Council Actions
1. City Code Related Ordinances to Enact the City Manager's Fiscal Year 2020 Operating Budget
   1. Ordinance Amending City Code, Chapter 40, Taxation; Article II., Real Estate Taxes; Division 1., Generally; Section 40-12, Levied; Amount

   2. Ordinance Amending City Code, Chapter 37.1, Stormwater Management, Article II., Service Charge, Section 37.1-14. Service Charge

   3. Ordinance Amending City Code, Chapter 33, Sewers and Sewage Disposal; Article II., Connections to Public Sewer; Sections 33-19, Charges

   4. Ordinance Providing for the Adoption of a Classification and Pay Plan for Employees of the City of Newport News

   5. Ordinance Adopting the Budget and Appropriating Funds to Operate the City of Newport News for Fiscal Year Beginning July 1, 2019 and Ending June 30, 2020

2. Ordinance to Amend and Reordain City Code, Chapter 31, Pensions and Retirement, By Adding Thereto a New Article, Namely: Article IV., Line of Duty Act

H. Appropriations
   1. None Submitted

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

J. *New Business and Councilmember Comments
   1. City Manager
   2. City Attorney
   3. City Clerk
   4. Price
   5. Scott
   6. Vick
   7. Woodbury
   8. Cherry
   9. Harris
   10. Jenkins

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 – Reverend Terry Edwards, St. Augustine’s Episcopal Church

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

D. Presentations
E. Public Hearings

1. Public Comments on the Effective Real Property Tax Rate Related to the Recommended Fiscal Year 2020 Operating Budget

**ACTION:** A REQUEST FOR CITY COUNCIL TO RECEIVE PUBLIC COMMENTS ON THE EFFECTIVE REAL PROPERTY TAX RATE AS IT RELATES TO THE RECOMMENDED FISCAL YEAR 2020 OPERATING BUDGET, AND THEN CLOSE THIS PUBLIC HEARING AND TAKE NO FURTHER ACTIONS. (*An Action to set the Real Estate Tax Rate for FY 2020 appears under "Other City Council Actions"*)

**BACKGROUND:**
- This public hearing is required by State Code when a locality estimates an increase in property tax levies greater than one percent for the upcoming fiscal year.
- The current tax rate is $1.22 per $100 of assessed value of real property.
- The lowered tax rate necessary to offset the increased assessments would be $1.1879 per $100 of assessed value.
- The difference between the 'lowered tax rate' and the proposed tax rate is $0.0321 per $100.
- This difference is 2.7% and will be known as the 'effective tax rate increase.'
- The City Manager recommends approval.

**FISCAL IMPACT:** N/A

**ATTACHMENTS:**

<table>
<thead>
<tr>
<th>Description</th>
</tr>
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<tbody>
<tr>
<td>FY 2020 Effective Tax Rate Legal Advertisement</td>
</tr>
</tbody>
</table>
NOTICE OF PROPOSED REAL PROPERTY TAX INCREASE

In accordance with Section §58.1-3321 of the Code of Virginia, the following is provided:

The City of Newport News, Virginia proposes to increase property tax levies.

1. Assessment Increase: Total assessed value of real property, excluding additional assessments due to new construction or improvements to property, exceeds last year’s total assessed value of real property by 2.70 percent.

2. Lowered Rate Necessary to Offset Increased Assessment: The tax rate which would levy the same amount of real estate tax as last year, when multiplied by the new total assessed value of real estate with the exclusions mentioned above, would be $1.1879 per $100 of assessed value. This rate will be known as the “lowered tax rate.”

3. Effective Rate Increase: The City of Newport News proposes to adopt a tax rate of $1.22 per $100 of assessed value. The difference between the “lowered tax rate” and the proposed rate would be $0.0321 per $100 or 2.70 percent. This difference will be known as the “effective tax rate increase.”

Individual property taxes may, however, increase at a percentage greater than or less than the above percentage.

4. Proposed Total Budget Increase: Based on the proposed real property tax rate and changes in other revenues, the total budget of the City of Newport News will exceed last year’s by 2.2 percent.

A public hearing on the increase will be held in the City Council Chambers, 2400 Washington Avenue, Newport News, Virginia, on May 14, 2019 at 7:00 P.M., or as soon thereafter as the item may be heard.

City Council encourages interested persons to attend the meeting and hearing, and to express their views on this issue. Questions concerning this matter may be directed to the Office of the City Manager at (757) 926-8411. If you are disabled and require an accommodation in order to participate in the meeting, please call the City Clerk at (757) 926-8634 at least three (3) days in advance of the meeting.

Mabel Washington Jenkins, MMC
City Clerk
F. Consent Agenda

1. Minutes of the Special Joint Meeting of the Newport News City Council and the Newport News School Board for April 16, 2019

ACTION: ● N/A

BACKGROUND: ● N/A

FISCAL IMPACT: ● N/A

ATTACHMENTS:
Description
Minutes of Special Joint Meeting of the Newport News City Council and the Newport News School Board for April 16, 2019
MINUTES OF SPECIAL JOINT MEETING
OF THE NEWPORT NEWS CITY COUNCIL
AND THE NEWPORT NEWS SCHOOL BOARD
HELD IN JAMES ROOM AT CITY CENTER
700 Town Center Drive
April 16, 2019
4:00 P.M.

PRESENT: McKinley L. Price, DDS; Sharon P. Scott, MPA; Dr. Patricia P. Woodbury; Saundra N. Cherry, D. Min. (Arrived 5:15 p.m.); Marcellus L. Harris III; and David H. Jenkins—6

ABSENT: Tina L. Vick—1

SCHOOL BOARD MEMBERS PRESENT: Dr. Terri L. Best; Douglas Brown; John Eley; Marvin L. Harris; Gary B. Hunter; Shelly Simonds; and Lisa Surles-Law—7

OTHERS PRESENT: Dr. George Parker, III; Cynthia Rohlf; Collins Owens; Mabel Washington Jenkins; David Freeman; Lyn Spratley; Leonard Wallin; Mary Lou Rouseau; Tiffany Moore-Buffaloe; Brian Nichols; Lisa Cipriano; Cory Cloud; Constantinos Velissarios; Maria Abilar; Keith Ferguson; Keith Webb; Venerria Thomas; Elaine Johnson; Darlene Bradberry; Rashard Wright; Tracy Brooks; Catina Bullard-Clark; Patrik Finneran; John McMillan; Billie Hart; Stephanie Hautoz; Michelle Price; Angela Rhett; Nancy Sweat; Joseph Ellis; Felicia Barnett; Florence Kingston; Matthew Johnson; Eoghan Miller; Chief Steve Drew; Assistant Chief Michael Grinstead; Officer Brandon Maynard; Zina Middleton; Jane Hammond; and Josh Reyes

Call to Order

Mayor McKinley Price called the Special Joint Work Session of the Newport News City Council (and Newport News School Board) to order. He welcomed the members of the School Board. He thanked the City Council and School Board for the opportunity to meet.

MOTION MADE BY COUNCILWOMAN SCOTT; SECONDED BY COUNCILMAN HARRIS; AND CARRIED UNANIMOUSLY TO EXCUSE VICE MAYOR VICK FROM THIS MEETING.

Mayor Price advised that Councilwoman Cherry would arrive late due to a previous commitment.

Councilman Marcellus L. Harris, III, a member of the Newport News City Council, filed a declaration in accord with Section 2.2-3115H of the Virginia Code. He declared, pursuant to subdivision A.3 of §2.2-3112.B and §2.2-3115.H of the Virginia Conflict of Interest Act, that for discussion at the City Council Work Session Agenda of April 16, 2019 (i) the City Manager recommended to the Newport News City Council adoption of a City Operating Budget for FY 2020 (the transaction); (ii) the said Operating Budget includes, in small part, funds to pay the salaries of persons employed by the Newport News School Board, which was a group of three or more persons the members of which were affected by the transaction; (iii) that he was employed as a Counselor for the Newport News School Board; (iv) that he was on the board of directors of Hampton Roads Community Action Program (HRCAP), which was a charitable
organization providing services to Newport News residents, for which he received no remuneration, and which would be a recipient of monies designated to it in the City Operating Budget for FY 2020; (v) that his wife was on the board of directors for the Peninsula Agency on Aging, which was a charitable organization and for which she received no remuneration, and which would be a recipient of monies designated to it in the City Operating Budget for FY 2020; and (vi) that he was able to participate in the transactions fairly, objectively, and in the public interest (a signed written declaration was filed with the City Clerk prior to the City Council meetings at which time the transaction was considered – April 9, 2019; and is attached and made a part of these minutes).

Mr. Gary Hunter, Chair, Newport News School Board, called the Special Joint Meeting of the Newport News School Board (and Newport News City Council) to order. He thanked the members of the City Council and School Board and for the willingness to provide an opportunity to meet. The members of the School Board were appreciative of the opportunity for further discussion and collaboration, and believed that the children and families in the community deserved support and leadership. He was encouraged whenever the opportunity arose to discuss and resolve any issues that impacted the success of the Newport News Public Schools (NNPS).

Chairman Hunter advised, that the School Board set a realistic expectation on what may be able to be accomplished. The School Board’s goals were obtainable. They provided City Council with feedback and supporting information regarding the two proposals provided relating to the NNPS revenue shortfall of $2.4 million. The School Board also provided City Council with potential options for moving forward. Chairman Hunter indicated there were pros and cons. He felt that better decisions were made when there was an understanding of the issues.

Chairman Hunter asked Dr. George Parker, Superintendent, NNPS, to provide the School Board’s response to both proposals provided relating to the NNPS revenue shortfall of $2.4 million as suggested at the April 9, 2019 Regular Meeting of City Council.

School Board’s Response

Dr. Parker distributed a folder to members of the School Board and City Council, which included the two proposals suggested by the City and the School Board’s thoughts about each option. Included were the Pros and Concerns for both options, and options recommended by the School Board for City Council consideration, as well as justification for each (a copy of the options are attached and made a part of these minutes).

City Proposal #1 – NNPS to return $2.4 million from FY 2019 Operating Budget to City and City will use that to fully fund FY 2020 request. Pros of Proposal #1: This was a more formal revenue agreement, which allowed all unencumbered revenue, by June 30th, to return to the School Division as one-time dollars for cash capital, technology or instructional needs which could be a benefit to the School Division. Dr. Parker advised that having a formal articulated revenue reversion process would be of benefit to the NNPS and the City. He would support this in future years.
Concerns of Proposal #1: The amount of unencumbered revenue varies from year to year; therefore, this was not a long-term strategy for accounting for the increase in obligated revenue (Compensation/Benefits/Staffing, etc.) that would be added to the current Operating Budget.

A Reversion Process did not account for repairs or projects that must be scheduled while schools were unoccupied.

Reversion funds may be returned with restrictions or not returned at all. Since 2007, there were three years where reversion dollars were returned and requested as follows:

2009 ($2.8 million returned to schools because it was federal impact aid)
2013 ($621,000 returned with a stipulations that the funds were to be used on DSA (Discovery STEM Academy furniture).
2014 ($23,910 was not returned by the City).

Both options increased the portion of the NNPS Operating Budget spent on salaries/benefits.

Both options did not account for potential State Revenue shortfalls. Since 2008, there had been four years when student enrollment was less than budgeted, which meant that the State revenue was significantly less than budgeted, and one year where sales tax was lower than budget. Revenue was lost during the fourth quarter (see table below).

<table>
<thead>
<tr>
<th>Year</th>
<th>State Revenue Shortfall</th>
<th>Average Daily Membership (ADM) Shortfall</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>- $3.9 million</td>
<td>- $400</td>
</tr>
<tr>
<td>2015</td>
<td>- $2.7 million</td>
<td>- 404</td>
</tr>
<tr>
<td>2012</td>
<td>- $2.3 million</td>
<td>- 250</td>
</tr>
<tr>
<td>2009</td>
<td>- $2.0 million</td>
<td>Sales tax lower</td>
</tr>
<tr>
<td>2008</td>
<td>- $2.6 million</td>
<td>- 612</td>
</tr>
</tbody>
</table>

Reversion did not meet well with the timeline of school occupancy.

City Proposal #2 – NNPS to reduce FY 2020 Operating Budget request by $2.4 million and City would increase CIP by $2.4 million for FY 2020. Pros of Proposal #2: This was the better of the two (One-Year) Options. Provided the appropriation of the dollars for the capital projects were done in a timely manner, the identified technology, security and capital projects would be completed during the fiscal year as planned. This option provided for further dialogue regarding how minor and major Capital, Technology, and Security needs may be met in the future.

Concerns of Proposal #2: This was not a long-range solution for addressing the increasing (recurring obligations) of the School Division Operating Budget (Salaries, Benefits, increased Staffing, etc.)
This would continue to increase the portion of the School Division’s budget that was spent on salaries and benefits, which limited the funds available for other purposes.

The FY 2020 CIP Budget identified more capital needs for FY 2020 than could be funded. There would need to be some level of assurance that identified NNPS CIP projects would receive funding.

What would be the timing of this appropriation?

Any Borrowed Debt had been considered as school funding by the City.

The maintenance needs that had been met with these funds were vital to keeping aging school buildings in good repair for students and staff. The graph reflected maintenance related work completed between 2014 – 2018 (see chart below)
### EFFORTS TO KEEP AGING BUILDINGS AND INFRASTRUCTURE FUNCTIONAL

<table>
<thead>
<tr>
<th>Expenditure Category</th>
<th>Cost (in millions)</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>HVAC</td>
<td>$ 4.3</td>
<td>Units, Boilers, Cooling Towers, RTUs Environment safety, Ceilings, Flooring, casework, doors, lockers, water and gas lines</td>
</tr>
<tr>
<td>Aging Building Infrastructure</td>
<td>$ 4.1</td>
<td>Water and mold damage</td>
</tr>
<tr>
<td>Equipment failure</td>
<td>$ 2.0</td>
<td>Water heaters, fuel tanks, sewer lift pumps, lighting &amp; fixtures, main electrical switch gear</td>
</tr>
<tr>
<td>Paving</td>
<td>$ 1.7</td>
<td>Parking lots and tennis courts</td>
</tr>
<tr>
<td>Learning Cottages</td>
<td>$ 1.3</td>
<td>Replacement of units beyond repair</td>
</tr>
<tr>
<td>NN City Ord Compliance</td>
<td>$ 1.2</td>
<td>Inside &amp; Outside grease trap replacement</td>
</tr>
<tr>
<td>Safety &amp; ADA Compliance</td>
<td>$ 0.7</td>
<td>Stage Rigging, Chair Lifts</td>
</tr>
<tr>
<td>SCOT Relocation</td>
<td>$ 0.7</td>
<td>Bus Wash not funded as part of the relocation</td>
</tr>
<tr>
<td>Roof Replacement</td>
<td>$ 0.7</td>
<td>Yates: Emcy Replacement, Imminent failure, metal joints rusted, roof saturated with water</td>
</tr>
<tr>
<td>Green initiative</td>
<td>$ 0.4</td>
<td>Discontinued use of dangerous chemicals harmful to works or building occupants</td>
</tr>
<tr>
<td>NFPA Code &amp; Stds</td>
<td>$ 0.3</td>
<td>Arc Flash Studies</td>
</tr>
<tr>
<td>Huntington Feasibility Study</td>
<td>$ 0.2</td>
<td>Basis for Superintendent Recommendation for future use of building and site</td>
</tr>
<tr>
<td>State Mandated Water Testing</td>
<td>$ 0.1</td>
<td>Drinking water testing</td>
</tr>
<tr>
<td>Grand Total</td>
<td>$ 17.6</td>
<td></td>
</tr>
</tbody>
</table>
School Board Suggestions for Moving Forward (presented in the order of preference):

**Option #1:** Fund full budget request for FY 2020 by adding $2.4 million to the School Division Operating Budget and begin development of a revenue sharing formula for FY 2021, which enabled both the City and the NNPS to project revenue for the next fiscal cycle.

**Option #2:** Use a combination of revenue increase to the NNPS Operating Budget and One-time funding through the City’s Cash Capital to meet the FY 2020 request. Option (A) requests no additional cuts to the NNPS Proposed budget. Option (B-D) required the school division to cut the proposed operating budget (See Chart Below).

<table>
<thead>
<tr>
<th></th>
<th>Total Request</th>
<th>Increase NNPS Operating Budget</th>
<th>Increase City Cash Capital</th>
<th>NNPS $$ Cuts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Option (A)</td>
<td>$2.4</td>
<td>$1.6</td>
<td>$0.8</td>
<td>$0.0</td>
</tr>
<tr>
<td>Option (B)</td>
<td>$2.4</td>
<td>$1.5</td>
<td>$0.5</td>
<td>-$0.4</td>
</tr>
<tr>
<td>Option (C)</td>
<td>$2.4</td>
<td>$1.5</td>
<td>$0.25</td>
<td>-$0.65</td>
</tr>
<tr>
<td>Option (D)</td>
<td>$2.4</td>
<td>$1.4</td>
<td>$0.3</td>
<td>-$0.7</td>
</tr>
</tbody>
</table>

**Option #3:** City proposed Option #2 (NNPS to reduce FY 2020 Operating Budget request by $2.4 million and the City would increase the CIP or Cash Capital by $2.4 million for FY 2020 and appropriate funds in FY 2020. This option could garner School Board support under the following conditions:

- A long-range plan developed for the funding of City and School Division Capital needs.
- A commitment made to fund 80% of the cost of compensation increases (not funded by the State) over the next Biennium – FY 2021 and FY 2022 (See Table below).
- A revenue sharing agreement was considered which would allow both the City and Schools to share in an appropriate percentage of existing and new City revenue.
- A commitment was made to adequately fund the school division CIP needs in addition to funding a replacement for Huntington Middle School.

The following data supported either of the options mentioned above:

The State budget provided funding for a 5% salary increase for SOQ funded positions over the 2-year period 2019-2020. The maximum credit for raises provided in 2019 was 3%. To receive the full State funding in FY 2020 of $5.9 million, NNPS was to provide at least a 2% raise by September 1, 2019. The following graph indicated the commitment of State, City and NNPS to meet the State required 5% salary increase for school employees (based on City Manager Proposed Budget). The amount that was not funded by the State or City had to be absorbed in the NNPS budget, and displaced other non-compensation needs from being included in the budget.
$ in millions

<table>
<thead>
<tr>
<th>5% Raise</th>
<th>TOTAL over (2 Yrs)</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Cost</td>
<td>$10.7</td>
<td>100%</td>
</tr>
<tr>
<td>State Contribution</td>
<td>$5.9</td>
<td>55%</td>
</tr>
<tr>
<td>City Contribution</td>
<td>$0.7</td>
<td>7%</td>
</tr>
<tr>
<td>NNPS Budget</td>
<td>$4.1</td>
<td>38%</td>
</tr>
</tbody>
</table>

Closing Comments

Mayor Price proposed that City Council and City Manager Rohlff review the information presented by Dr. Parker, and have City Manager Rohlff meet with Dr. Parker regarding the City's suggestion. Related to the NNPS Option 3, i.e., the long-range plan developed for the funding of City and School Division Capital needs, Mayor Price was of the belief that the future needs of NNPS would not be met using the current budget method. He suggested the formation of a committee, comprised of an agreed upon composition, to look at the future needs of the City and the way it was funded, the needs of the school division, how the resources were available and how they would be funded, in an effort to avoid the prior funding problems. Mayor Price suggested City Council evaluate the proposal provided by the School Board, commit to the fact, moving in a new direction, with an agreed upon committee, to look at the future needs of the schools. The current funding source would not be of help. Mayor Price suggested some type of formula or resource that would project how the City would pay for the things that were needed for the School division and the City.

Councilwoman Scott asked the City Manager to explain the reason for her proposal of zero funding for NNPS so that everyone would have the same information. She advised the budget was distributed on March 26, 2019, and was concerned that the conversation about how the NNPS budget would be negotiated was on the table weeks later. Councilwoman Scott advised that she had spoken with Dr. Parker about the budget, and had to agree to disagree on some things. She understood his role was to do what was best for the schools, as did she, but City Council had to do what was best for the entire City. She inquired about the date for adoption of the School Board’s Proposed Operating Budget. City Attorney Owens responded that the School Board’s Proposed Operating Budget must be adopted by June 15, 2019. She and Dr. Parker spoke about percentage funding. She asked Dr. Parker if the City and the Schools were sharing revenue, what would happen if revenue were to drop, and his response was that the NNPS would return to the City and request additional funding. Councilwoman Scott advised that both bodies should be mindful of how both boards (City and NNPS) were impacted when discussing money.

City Manager Rohlff advised that she and Dr. Parker were in complete agreement that the option that was provided were not long-term solutions. It was her job to take a look at all of the needs of the City, not the schools alone, and to take into account those needs to benefit all across the board. Her intent was to fully fund the NNPS. The best option available to do that was to use two different funds. She understood there were facility and maintenance needs with the
schools, which was a different conversation which should be had outside of the budget process. There were policy implications on how to move forward. And there were revenue allocation and resource issues of how to move forward. That was a conversation that City Council should have internally, and could not be done in a vacuum. If additional resources were required, City Council needed to have that conversation. Her intent after looking at all of the needs was to do the best possible for FY 2020. The most flexibility allowing that to be done was to pull from two different funds. She indicated there was cash capital that was funded in the CIP. The plan was to make things work with existing dollars. There was not another $2.4 million - this would be funded with what the City had in the existing cash capital allocations. If additional resources was required, members of City Council needed to have that conversation. Council appropriated $6.4 million for the NNPS, not for City projects, but moved forward with the NNPS because it was time sensitive. Every attempt was made to fully fund the Schools request of $113.3 million. The City’s proposal would get the NNPS $113.3 million.

City Manager Rohlf reminded about the downward trend of 24% in funds in the NNPS. From the City’s perspective, there were restricted funds that could not be used for other things. She stated when the City could use unrestricted funds, the City had the ability to distribute in other areas, and the percentage approached 32-33%. Some funds the City received, i.e. for Social Services, which could not be spent and some items needed to be taken out of the calculation. The City had legal obligations to do certain things. The obligation for FY 2020 was for additional debt service, which increased in FY 2020 by $2.4 million. Both the City and the NNPS had needs. City Manager Rohlf indicated there needed to be additional conversations about surplus funds. Other municipalities did. There were policies, and everyone should know what should be expected at the end of the year. She and Dr. Parker agreed that there needed to be additional conversations as there were no long-term solutions, but it could be reached with open communication, and she received every indication that City Council was willing to have those conversations. She wanted to separate the conversations from the process give the NNPS what was needed for FY 2020, and come up with recommendations on increasing resources, and come back to City Council with recommendations that made sense in an effort to move forward to meet the NNPS needs, and in the long-term, the City’s needs.

Dr. Parker advised that he and City Manager Rohlf did meet and had a great deal of dialogue around the two options. He indicated that they both agreed there were no long-term solutions included in the proposals. A great deal of consideration was given to the two options. At the end of the day, they were talking salaries and benefits, both needed to remain competitive. Good teachers made good students. He had concerns about where the NNPS was going in terms of building opportunities for workforce development, instruction, technology, that align with the visions of the NNPS. This was a broader conversation that should remain at the forefront. Many things take place in the operating budget, regardless of where assigned. Programs begin and programs end. Additional staffing was added based on the needs of the students. As the 13% continued to decrease, that was a concern moving forward. There needed to be flexibility to meet the needs of the NNPS students. Dr. Parker indicated that he was committed to working with City Manager Rohlf to come up with a long-term solution, not only in the capital.
arena, but also for the operational decisions. He felt a revenue sharing agreement was number one as far as what should be investigated. It worked well in other cities. The State had indicated that the economy was doing very well, and he felt they would continue to support education in the short-term. Dr. Parker advised there may come a time when the economy experienced another recession, and NNPS had data to show when it was time to cut operations or staffing, they did cut the programs to keep their budget balanced to be fiscally responsible. If revenue was a problem, or the economy went south, NNPS would partner with the City, rather than asking for more, which was what the revenue sharing agreement did - it created a partnership between the NNPS and the City.

Councilwoman Scott inquired whether NNPS considered returning surplus funds to the City in this new relationship, and surplus funds were to come back to the City, as was documented in the proposals he distributed to City Council. Dr. Parker advised that he first needed clarification on what the City Code actually required. He indicated that the Code required that any revenue that was not by June 30th, revert back to the locality. He repeated, the Code said what was unspent or encumbered. City Attorney Owens, interjected, and advised the City Code mentioned what was unexpended, it did not say was encumbered. For clarification, Dr. Parker reiterated, the Code stated, at June 30th, what was not spent reverted back to the locality and the original process put in place. He indicated there had been much discussion about the intent of the NNPS Operating Budget. Dr. Parker advised, like the City, the NNPS job was to meet the needs of the current students in the current fiscal cycle. If there was a need in the NNPS, the budget needed to address it. He indicated he did not have a problem with the reversion process, but wanted to be clear on what it entailed. There had to be some level of flexibility in meeting the needs of the students during the current operational cycle. If there were additional dollars, NNPS would not think of cheating the children. There had been times when the amount of revenue projected when all of the revenue was not received in the fourth quarter. Dr. Parker reiterated that he had no problem with the reversion process as long as both bodies continued to work across the table.

Councilwoman Scott was appreciative of Dr. Parker's comments, but indicated just as NNPS tried to meet the needs of the students, the City had a double whammy – having to meet the needs of the citizens and the NNPS. She hoped everyone would keep that in mind when discussing money and where the money would come from. As a City Council, they had to respect the City Manager's method of funding and her suggestions as she, and her team, worked together to come up with the numbers. She hated to keep harping on the same conversation over and over, making both bodies look indecisive. She was willing to go with the City Manager’s recommendation, and start looking toward and working together on the next budget (FY 2021). Councilwoman Scott commended Dr. Parker, recalling that this was his first budget with the NNPS, which was inherited from FY 2019. She knew, going forward, that he would be in front of the conversation.

Touching on Dr. Parker’s comments, City Manager Rohlf, advised that the goal of the City Council and the School Board was to view the surplus as an opportunity, as opposed to giving back to provide the opportunity to plan for things when there was a sizeable surplus, and would like to roll it over and put it toward a different project. She recalled conversation with the
Superintendent about a surplus and her going to City Council advising there was, for example, $4 million in surplus the NNPS was willing to return, but would like to use it for a certain project, and she would recommend the City matching the amount with $2 million, as an example, to get a different level of a project. City Manager Rohlf saw an opportunity for the two bodies to work together and for the NNPS to use resources and leverage those resources, when possible, recognizing there may be shortfalls, but to deal with it instead of the City taking something back, an opportunity to work together to build on it, and leveraging for the key needs, particularly in a timeframe when there were limited resources.

School Board Member Lisa Surles-Law stated that options and opportunities had to be available. She indicated one of the biggest challenges for the School Board, and for the City at large, was hearing that there was “flat funding” for FY 2020 for the NNPS. Rather than going through the process, that next year, she hoped the conversation between the City Council and the School Board would begin with a dialogue prior to hearing an announcement similar to “flat funding.” School Board Member Surles-Law indicated that the School Board and City Council appeared to be “on the same page,” more so than two weeks previously and it would be a great starting point.

Regarding end-of-year funds, School Board Member Shelly Simonds advised the NNPS had a list of projects on which could be agreed, to include technology and security heavy, and some of those projects could be tackled with end-of-year funds because many did not want to put technology projects in a long-term CIP, where one was borrowing money for technology. The projects would be a good use for end-of-year money to operate security systems, and update computers. She further advised the technology was very important to NNPS students, and had become a bigger issue over the years. Not only was there a need for new school buildings and maintenance, but there were needs for technology updates, and safety in schools, ensuring to modernize the schools for safety reasons. Many proposals in the NNPS FY 2020 Operating Budget included technology and safety. This could be looked at as an opportunity to get many of those projects completed.

City Manager Rohlf clarified that the City did not, nor would they suggest, using bond proceeds on projects that did not qualify. The conversation had was about cash capital and was no different than what was identified in the NNPS FY 2020 Operating Budget, but was only allocated differently.

School Board Member Douglas Brown expressed appreciation for the conversation and thoughts between City Council and the Newport News School Board. He hoped there would be definitive timelines and dates as to when the two bodies would sit down and hear more about the revenue sharing model. He believed the revenue sharing model was good because NNPS did not want to in a position to come before City Council with additional emergency requests on a constant basis. He further advised that members of the School Board wanted to be responsible stewards of funds, and have a budget, set a year, and sit down to execute that budget without having to come back to the City for funds. He was of the belief that a revenue sharing
model would work. Having a set level in the plan would but both bodies (School Board and City Council) in the driver’s seat of being partners and moving the entire City forward.

School Board Member Douglas Brown stated the overall concern was that without the $113 million in FY 2020, and if it was not $113 million in FY 2021, the money for FY 2020 could not be used for staff with one-time funds. He would like to get to a point where City Council and the School Board was not in a constant variance from year to year.

Councilwoman Woodbury suggested asking the State for permission to look at categorical funding, i.e. salary increases; and that pot of money could not be used for anything else. She would like to do that so the teacher were aware that City Council wanted them to have raises; and City Council would get a pot of money specifically designated for salary increases; and the NNPS could not use those funds for anything else.

School Board Member Douglas Brown responded that categorical funding would have the opposite effect. It put the NNPS in a bad position – seeking emergency funds in various categories for certain projects.

Superintendent, Dr. Parker, replied that categorical funding would put the School Board in the position of having to go to City Council whenever funds were moved from category to category. It also put City Council in a position of managing the NNPS Operating Budget. It was not a good funding model, because while Councilwoman Woodbury had great intentions, a different Council member in 3-6 years may oppose the manner in which the NNPS spent their funds and may want more input, and may vote against categorical funding when a transfer may be required in order to cover expenses. Dr. Parker advised, the NNPS, an award winner for fiscal responsibility, was well capable to managing the operational dollars of its Budget. He felt that categorical funding would be moving in the wrong direction. He did agree with Councilwoman Woodbury in that the NNPS needed to protect employees from its competition. There would be other models to support that.

School Board Member Douglas Brown stated that local funding the NNPS received from City Council allowed the NNPS to do such innovative programs such as SPARK.

Councilwoman Woodbury advised that her suggestion for categorical funding came as a result of City Council being beat up by the teachers, when it was the NNPS that could allocate funds for salary increases for teachers and staff, not City Council; and the teachers deserved to be compensated. They thought City Council did not allocate enough money to the NNPS. She felt if the money was provided to the NNPS in categories, it would actually be used for salary increases.

Councilman Jenkins indicated it seemed as though City Council was not providing NNPS enough to provide the raises that they had to take out of the NNPS Operating Budget.
Dr. Parker pointed to Page 4 of his handout which was distributed to City Council, the commitment of $700,000 from the City in new revenue would allow the NNPS to give salary increase. He stated the commitment from the NNPS was $4.1 million, with a five percent (5%) salary increase by SOQ positions over the 2-year period 2019 - 2020. There was a larger commitment of 6% of the Operating Budget were approved. He shared the commitment was there in the NNPS Operating Budget for raises and compensation. When additional revenue was needed for compensation and benefits, the NNPS would be required to cut things from its budget.

Councilman Jenkins asked Dr. Parker to address the surplus funding that existed for NNPS at the end of the year – had it been used for projects identified throughout the School year, that had not been put in the FY 2020 budget, because it was anticipated to address those projects, and how were those issues addressed. He questioned whether the NNPS could eliminate the entire non-compensation budget, do nothing but pay people, and still appear to have a surplus at the end of the year.

Dr. Parker replied that personnel was approximately 87% of the NNPS Operating Budget and they had to staff the schools based on the projected enrollment of students. When teachers were not present, and their salary was in the budget, the money accrued until the position was filled.

City Manager Rohlf suggested taking the information and comments back for further discussion at the April 23, 2019 Works Session of City Council.

Councilman Jenkins asked the City Manager about the $3.4 million in projected new revenue, and requested a breakdown of projects planned. City Manager Rohlf advised the amount was $3.1 million. City Manager Rohlf replied that $2.8 million was for a pay for performance two percent (2%) increase for City employees. She would get him a report on the remaining $300,000. Councilman Jenkins questioned the procedure for the pay for performance increase. City Manager Rohlf replied employees had performance evaluations performed by his/her supervisor, each department had goals, established by each department.

Mayor Price thanked both the members of the School Board and City Council for their attendance and bringing the matters to the forefront.

Mr. Gary Hunter, Chair, Newport News School Board, on behalf of the Newport News Schools thanked both the members of the City Council and the School Board their attendance. He suggested that more meetings be held between the two bodies to continue the positive dialogues begun at the April 16, 2019 Joint Meeting of the School Board and the City Council.
Adjourn

Mayor Price adjourned the meeting of the Newport News City Council.

Chairman Hunter adjourned the meeting of the Newport News School Board.

THERE BEING NO FURTHER BUSINESS, ON MOTION, COUNCIL ADJOURNED AT 5:18 P.M.

Mabel Washington Jenkins, MMC
City Clerk

McKinley L. Price, DDS
Mayor
Presiding Officer

A true copy, teste:

City Clerk
F. Consent Agenda

2. Minutes of the Work Session for April 23, 2019

ACTION: • N/A

BACKGROUND: • N/A

FISCAL IMPACT: • N/A

ATTACHMENTS:
Description
Minutes of Work Session for April 23, 2019
MINUTES OF WORK SESSION
OF THE NEWPORT NEWS CITY COUNCIL
HELD IN THE 10TH FLOOR CONFERENCE ROOM
2400 WASHINGTON AVENUE
April 23, 2019
4:30 p.m.

PRESENT: David H. Jenkins; McKinley L. Price, DDS; Sharon P. Scott, MPA; Tina L. Vick; Patricia P. Woodbury; Saundra N. Cherry, D. Min.; and Marcellus L. Harris III; -7

ABSENT: None

OTHERS PRESENT: Cynthia D. Rohlf; Collins L. Owens; Mabel Washington Jenkins; Joyce Thompkins; Darlene Bradberry; Lisa Cipriano; Constantinos Velissarios; Shelia McAllister; Flora Chiros; Susan Goodwin; Florence Kingston; Everett Skipper; Venerria Thomas; Sonia Alcantara-Antoine; Louis Martinez; Jeffrey Johnson; Steve Drew; Steve Carpenter; Yann LeGouellec; Craig Galant; Alan Archer; David Freeman; Cleder Jones; Kim Lee; Eoghan Miller; Mary Vause; Rhonda Wagner; Dale Goode; Zina Middleton; and Josh Reyes

I. City Manager’s FY 2020 Recommended Operating Budget – Community Support Award Grants

City Manager Rohlf advised, in keeping with City Council past practices, she had scheduled presentation on Community Support Grants, related to the FY 2020 Recommended Operating Budget. She introduced Ms. Lisa Cipriano, Director, Department of Budget & Evaluation, to share the information and actual data on the Community Support Award Grants. City Manager Rohlf shared that City Council met with Dr. George Parker, III, Superintendent, and the Newport News School Board (NNPS) in a joint meeting on Tuesday, April 16, 2019, to discuss the NNPS FY 2020 Operating Budget. Out of that meeting some members of City Council were not ready to accept the NNPS proposals. She indicated her willingness to answer any questions regarding the City Manager’s FY 2020 Recommended Operating Budget and the options given to the NNPS with regard to funding.

Ms. Cipriano stated that she would provide the Community Support Overview of the FY 2020 Recommended Operating Budget (a copy of the presentation, “Fiscal Year 2020 Recommended Operating Budget – Community Support Overview, April 23, 2019,” is attached and made a part of these minutes). She further pointed out, on page 72 of the City Manager’s FY 2020 Recommended Operating Budget, a list of the Community Support Agencies.
Ms. Cipriano indicated that Regional agencies were based on contractual agreements, with regional benefits, and generally based on an agreement on a per capita rate, or service per rate (hourly), which equaled $9 million.

Ms. Cipriano noted the FY 2020 Recommended Budget for Community Support Agencies were comprised of 35 Agencies, with individual requests for specialized services at $2.6 million in the FY 2020 Recommended Budget.

<table>
<thead>
<tr>
<th></th>
<th>FY 2019</th>
<th>FY 2020</th>
<th>Variance</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>Community Support</td>
<td>$2,589,089</td>
<td>$2,584,323</td>
<td>($4,766)</td>
<td>(0.2%)</td>
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Ms. Cipriano advised that the recent history of Community Support was level funded from FY 2017 to FY 2019 with the following exceptions:

Exceptions:

New Agency Support

- Community Free Clinic (2017)
- Behavior Health Docket (2019)
- Serve the City Newport News (2019)

Additional Agency Support

- LINK of Hampton Roads (2019)

Councilwoman Woodbury inquired about the funding for LINK, as they lost the $10,000 grant a few years prior. Ms. Cipriano replied, for the most part, LINK had made up the difference. LINK had seen an increase in costs, the City wanted to see if placement and service provided by the Day Service Center would reduce the demands on PORT Shelter. City Manager Rohlf advised, if the funding for LINK became an issue, the City would be prepared to address those concerns as was done in the past.

Ms. Cipriano advised after an extensive review and application period, the City partnered with the Department of Human Services (DHS) as there were many agencies that DHS had day-to-day relationships with, either by referring clients or extending their own services. She stated approximately 9 – 11 DHS staff members reviewed the applications for the quality, quantity,
and variety of services that were provided. The agencies financial reports were reviewed, where the agency had been in the past, and where they were to-date. The requirement for each agency was to submit a quarterly report, performance measures, and determine where the agency anticipated being in the remainder of the year, as the City was moving into a Choice Neighborhood Initiative (CNI) phase and took into consideration the main drivers of the City Manager’s Operating Budget for enhanced public safety, community revitalization, and community wealth building while looking at the funding request in FY 2020 for agencies that would partner with the City and provide additional services in the CNI, and particularly with the Day Service Center initiatives.

Ms. Cipriano noted the FY 2020 Recommended Budget for Community Support Requests of the 35 existing agencies, 59% requested higher level of funding and eleven (11) were new agency applications. The recommended budget was ($4,766) or (0.2%) less than FY 2019:

**Level Funded All Agencies**

**Exceptions:**
- Human Rights Commission - $6,000
  - To provide additional services for housing, training, and conferences that foster services in the CNI area
- Boys and Girls Clubs - $15,715
  - Critical partner in the CNI area
- Transitions Family Violence Services - $26,637
  - Services to expand into the Homeless Day Service Center for family participants
- Newport News Public Art Foundation - $13,767
  - Operating cost were critical with maintaining the structures
- Peninsula Fine Arts Center - $770
- Serve the City Newport News – ($3,000)
  - Purchase tools and trailer – operating cost for Neighborhood Blitz
- Virginia Arts Festival – ($15,000)

**New Agencies for FY 2020**
- THRIVE Peninsula
  - To provide for critical bill assistance for Newport News residents facing eviction and utility cut-off
Councilwoman Woodbury inquired about the Port Warwick Summer Concert Series. Ms. Cipriano replied level funding at $155,000.

Councilwoman Woodbury questioned whether funding was provided to the Virginia Arts Festival. Ms. Cipriano replied no, the Virginia Arts Festival had withdrawn participation from the Newport News World Arts Festival.

Councilwoman Cherry questioned why the City continued to provide funding to the Peninsula Fine Arts Center (PFAC) and at what point does the City stop providing funding to the PFAC now that it was under Christopher Newport University (CNU). City Manager Rohlf replied that CNU took ownership of the PFAC building. She shared that PFAC was a stand-alone entity and received minimal support from CNU. PFAC continued have fundraisers and asked only for level funding. Councilwoman Cherry noted that every year PFAC was discussed and she had a concern with the continued funding knowing PFAC was a part of the CNU project. Ms. Cipriano advised that the additional $770 to PFAC was because they had a partnership with the Newport News Public Schools (NNPS), veterans, and the community, that the additional minimum amount requested seemed reasonable upon review of the application. Councilwoman Cherry believed level funding should be provided for one year and see what could be done within their budget. Mayor Price indicated that PFAC does good work.

Councilwoman Cherry questioned how decisions would be made with THRIVE Peninsula and whether the churches would be involved. Ms. Cipriano replied that staff would provide information to Council. Mayor Price indicated, with THRIVE Peninsula, once an individual had been identified there would be free counseling services provided to prevent reoccurring events. He stated that a financial management company had donated their services. Vice Mayor Vick indicated that Hampton Roads Community Action Program (HRCAP) had traditionally served and supported the Southeast Community, and THRIVE Peninsula could assist and support in the North District.

Ms. Cipriano noted the FY 2020 Recommended Budget for Regional Organizations was comprised of 11 Agencies, based on a contractual agreement at $9 million.

<table>
<thead>
<tr>
<th>Regional Organizations</th>
<th>FY 2019 Adopted Budget</th>
<th>FY 2020 Recommended Budget</th>
<th>Variance</th>
<th>Percentage</th>
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<td>8,769,267</td>
<td>9,009,445</td>
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Ms. Cipriano noted the history of the Regional Organizations level funded from FY 2017 – FY 2019.

Changes due to contractual/per capita obligations:

- Hampton Roads Economic Development Alliance
  - ($6,654) or (3.9%)

- Hampton Roads Planning District Commission
  - Per Capita, MCSC, MMRS, Sea Level Rise
    - ($4,763) or (2.38%)

- Thomas Nelson Community College (TNCC)
  - Site Improvements and Rent

- Thomas Nelson Community College
  - Workforce Development Center

- Hampton Roads Transit (HRT)
  - $161,219 or 2.1%

- Regional Air Service Enhancement, Community Free Health Clinic, and HRCAP additional funds were included in the Contingency for FY 2020

Community Support Contingency

- Base Contingency
- Regional Air Service Enhancement
- Community Free Clinic
- HRCAP – CNI Activities

Councilwoman Woodbury indicated she served on the Hampton Roads Economic Development Alliance (HREDA) and understood there was new proposal for economic development for the region. She stated it appeared to be a duplication of services with economic development. City Manager Rohlf replied it was a part of the new model not to duplicate services, rather compliment. Councilwoman Woodbury stated the HREDA had not brought any new economic development to the City of Newport News, many of the project were primarily done on the Southside. She questioned why the City was supporting both efforts (HREDA and RIFA). City Manager Rohlf replied that she did not disagree with Councilwoman Woodbury, which put into motion to do a complete turnaround of HREDA and its functions.

Vice Mayor Vick said she thought that HREDA had been discussed a number of years ago, if all localities had an Economic Development Authority (EDA), why put into a regional
program (HREDA). Councilwoman Woodbury indicated Southside localities brought in companies all the time, but for some reason, Newport News had not be included. City Manager Rohlf replied other localities would agree, it was a general consensus that maybe HREDA was not having the impact that it could have for the various reasons mentioned. The concerns were that the Hampton Roads region was falling behind other regions that were approaching things regionally. The fragmented approach was a disadvantage. Vice Mayor Vick indicated that the City was already a part of GoVA and the Eastern Virginia Regional Industrial Facility Authority (RIFA). City Manager Rohlf replied that the conversation was very exciting and what was seen with the progress with HREDA in a short time frame.

Councilwoman Cherry questioned why the City was providing HRT with additional funds and HRT was not offering efficient service. She stated there had to be more conversations with HRT about the requested additional funding while the services they provided were not efficient. City Manager Rohlf replied those were ongoing conversations with HRT and surrounding City Managers. She indicated HRT would be coming back to City Council with recommendations to address some of the issues and concerns voiced by City Council. Councilwoman Cherry indicated, from her prospective, HRT services were not efficient, and City Council heard from residents who were unable to get to appointments on time because of the poor services offered by HRT; however, the City would provide more money for inefficient services. City Manager Rohlf replied the funding provided were for the operating costs for the routes. Councilwoman Cherry advised that the routes were not effective. Vice Mayor Vick shared that all routes were not efficient, because the Ivy Avenue was good. Councilwoman Cherry indicated the downtown routes were not good.

City Manager Rohlf shared that there was conversations about fewer routes to get a bus within 15 minutes, questions about the amount feeder routes or lack thereof, would more people be served with the expectation that it could take an half an hour to an hour to get to the destination, were citizens getting to the right corridors to address workforce issues, these were all part of the conversation with HRT. Councilwoman Cherry raised concerns and stated there was no traction with HRT. City Manager Rohlf replied those concerns were a part of the conversation with the consultant who would specifically review Newport News routes, give their statement, make recommendations, and the City would have an opportunity to raise those issues with HRT. Councilwoman Cherry stated those issues and concerns were raised each year. She asked what HRT was doing to address those concerns. She indicated the funding continued to increase, and HRT continued to supply inefficient service.

Ms. Cipriano indicated the discussions for HRT’s budget began in October of each year. She stated Budget Department staff and Ms. Shelia McAllister, Director, Department of Planning and staff, met vigorously with HRT about the City’s successful and unsuccessful
routines, structures, and what was proposed for FY 2020 took effect in October 2019. There were some better routes performing within the City and the $161,000 was part of the overall budget because Newport News was 1 of 6 localities that was putting funds into HRT operating budget. She said there had been very intense discussions with HRT on their proposed budget for FY 2020. As indicated by City Manager Rohlf, the $161,000 would take care of what would happen in FY 2020, but the longer range plans for the transformation project was still on the way, but still several months away from the different route structure throughout the entire region. Councilwoman Woodbury advised that Newport News with not the only locality that was unhappy and that had been made known to HRT at every meeting. She said other jurisdictions had the very same concerns and for that there was a Supervisory Board formed called Management/Financial Advisory Committee (MFAC) which consisted of the budget departments from the other four jurisdictions. Councilwoman Woodbury shared that anytime HRT did away with an inefficient route, a study was done to see whether it would be a negative impact on poor or disabled people in the community, and there was a process to change or stop a route, in order to provide more efficient service.

Councilwoman Cherry advised that HRT capitalized on being the only public transportation service in this area. Councilwoman Woodbury agreed, HRT had a monopoly.

Councilwoman Scott advised that she served as an alternate on the Hampton Roads Transportation District Board of Directors. The disabled community who utilized handi-rides had many concerns, which were voiced at every meeting. The fare for handi-riders would increase from $2.00 - $5.00 depending on where they traveled, those individuals had to wait for hours for the bus and schedule the handi-ride weeks in advance to get a ride. The complaints are from both the general public and handi-riders. She invited Council to attend an HRT meeting when it was scheduled in Hampton and hear the concerns first hand.

City Manager Rohlf indicated she recognized City Council concerns and was having on-going conversations with HRT. She advised more information would be provided to City Council on the HRT budget request.

Councilwoman Scott advised of the concerns in the North District. She indicated HRT buses did not go into the communities. If a citizen lived two miles on a side street, that person would have to walk to Jefferson Avenue or Warwick Boulevard to catch the bus.

Ms. Cipriano advised that the Community Free Clinic did not submit an application for FY 2020. The Community Free Clinic was a valuable partner. She indicated the City would get an application form the clinic in the near future and wanted to be responsive at the same level as the FY 2019. She further advised that HRCAP requested $19,000. Once the City received the
CNI Grant that funding would be needed to move forward. Those funds was being held in Community Support Contingency.

Vice Mayor Vick indicated she understood that the Community Free Clinic was struggling to remain funded, but she had trouble understanding Southeastern Virginia Health Systems (SEVHS) continued to grow and thrive as they worked with Medicaid, sliding fee scales, etc. Mayor Price stated the Community Free Clinic saw individuals for free without insurance and the Doctors volunteered.

Ms. Cipriano indicated the FY 2020 Recommended Budget for new applicants were as follows:

- Community Builders Network
- Hospice House and Support Care of Williamsburg
- Lucky Eight Brotherhood and Mentoring Program
- Mariners’ Museum
- Mosaic Steel Orchestra
- Parents Against Bullying
- Port Warwick Foundation
- Quality of Life, Inc.
- THRIVE Peninsula
- VersAbility Resources
- Virginia War Museum Foundation

Councilwoman Scott questioned what decision was made on the NNPS FY 2020 Operating Budget. City Manager Rohlf replied no decision was made to date.

Mayor Price indicated the City Council needed to give City Manager Rohlf some direction on how to proceed (i.e. did City Council wish to stay with the original recommended proposal? Councilman Harris inquired about the original recommended proposal clarity).

City Manager Rohlf indicated she wanted to be clear on what City Council wanted. The NNPS requested $113.3 million. The superintendent, Dr. George Parker added a new category of Cash Capital for maintenance and technology. The City would fund the NNPS request of $113.3 million from two (2) funding sources. Also, the City started leveraging some of the surplus funds and matching those dollars to get to the $2.4 million. The City’s first proposal the NNPS would return the $2.4 million from FY 2019 Operating Budget to the City, and would use that to fully fund the FY 2020 NNPS request, but Dr. Parker was not interested in that proposal.
Councilwoman Woodbury inquired about the Code of Virginia, Section 22.1-100. "Unexpended school and educational funds. All sums of money derived from the Commonwealth which are unexpended in any year in any school division shall revert to the fund of the Commonwealth from which derived unless the Board of Education directs otherwise. All sums derived from local funds unexpended in any year shall remain a part of the funds of the governing body appropriating the funds for use the next year, but no local funds shall be subject to redivision outside of the locality in which they were raised." The NNPS could reallocate the money for other areas within the budget. City Manager Rohlf replied it went to unspent dollars but did not include unencumbered, which was some of the back and forth talk in term of surplus versus unspent dollars. The NNPS was spending those dollars to a certain degree, but the City said use this as an opportunity to work together and do some additional leveraging. Rather than spending those funds on smaller scale items, maybe there would be an opportunity to work with City Council to receive matching dollars.

Councilwoman Woodbury suggested that City Council approach the State, advising that the Newport News City Council wanted to allocate by category, and at that point City Council could say what should be allowed for school teachers and personnel raises. City Council provided the funds for salary increases to NNPS teacher; however, it was up to the School Board to give the raises. She shared, upon review of the NNPS budget, there was a surplus, not just the $4 million, but in other areas of the budget.

Vice Mayor Vick indicated the School Board practice was to strategize to not communicate effectively, but badger and get to the media outlets. Even if the funding was allocated, people have their own interpretation, with the same outcome. She said during the FY 2020 Operating Budget, it appeared as though the strategy was to badger, be belligerent, bullying and disrespectful. It was concerning to think that those who displayed those types of behavior at the podium were the very same teachers who taught our children. She questioned whether those very same teachers would be able to effectively sit down with the governing body to discuss their cause and understand. For FY 2019 and FY 2020, the budget process had been very difficult, and she questioned moving forward, whether their interpretation would be the same.

Councilwoman Woodbury advised that she would like to see an audit on the NNPS finances. That would be a good idea.

Councilman Harris questioned whether that would be the best option, because apparently the biggest issues was trust and miscommunication. He shared that he did not understand how City Council and the School Board were in the same place as the previous year. He indicated there had to be a better way to go through the budget process moving forward. Without good dialogue, the City Council and School Board would be at the same place in FY 2021.
The joint boards had to do better moving forward. Councilwoman Woodbury replied, if City Council did what the School Board wanted, none of the City employees would get a raise. Councilman Harris asked what would be an option that would be beneficial for everyone, to get through the year, to stop this cycle next fiscal year. Mayor Price advised that the option proposed by City Manager Rohlf was a good option and a win – win, but not sure that was what the NNPS wanted. He reminded of the suggestion to form a committee prior to approaching the FY 2021 budget, there be some communication between City Council and the School Board with the available sources matching the needs, talking about long-term needs, as the discussion included the older schools. There needed to be some long-range planning on how the City would fund the needs of the school division. He believed the City Manager’s first proposal was to have the $2.4 million from FY 2019 CIP Budget to be used to fully fund the FY 2020 NNPS request putting the fund into Cash Capital. He stated the NNPS had simulations on how they wanted to move forward, which was up to the School Board, but it was up to the City to determine how and where the funds would come from, and the options moving forward for FY 2020, to avoid having the same problems in FY 2021.

Councilwoman Scott indicated the City Council and the NNPS needed to start early enough during the year, so not to be in the same position FY 2021. She stated she supported the City Manager’s recommendation to put $2.4 million into Cash Capital from the Capital Improvement Budget. City Manager Rohlf stated Cash Capital would be included in the budget, and the funds would be available to appropriate on July 1, 2020.

Councilwoman Cherry questioned, before the City received the NNPS budget, whether the City would be able to project out and tell the NNPS what was available for the operating budget. City Manager Rohlf replied the NNPS would present a budget what they believed their needs were – it was their obligation; unfortunately the revenues from the City and all of the other competing needs did not always match. She advised the City’s budget was presented on March 26, 2019, and as of March 15, 2019, the NNPS was still crunching numbers. City Manager Rohlf indicated she did not recommend the NNPS Budget in a vacuum it had to be considered with all of the needs of the City.

Vice Mayor Vick advised that it appeared as if people did not understand that all departments submitted budget requests annually. The budget requests were similar to a wish list and if the funds were not available, the budget would be decreased. Mayor Price replied that once people realized what was available to allocate, the priorities were than on that organization to establish how to allocate the funds. The City gave a lump sum, it was then up to the School Board to decide on how the funds would be allocated. He reiterated that some type of committee or organizational format of approaching this funding request as the City had other needs, but was looking at how other localities used formulas. Other localities used different formulas, but
Newport News would have to see what formula worked. The NNPS had to understand that some years would be good and some bad. He said historically the City made up the difference and NNPS did not see that, which was unfortunate.

Councilwoman Scott indicated when using a formula, on a bad year, the School Board would make the same budget request. The City would be back at square one when using the formula if there was a bad year. Mayor Price replied the formula would be tied to whatever revenue the City received. Councilwoman Scott shared the School Board members she spoke to were in favor of using a formula with a caveat.

City Manager Rohlf shared there were a number of different ways to work with formulas, but had not done enough research. She said the devil was in the details. A formula today would probably give the NNPS a lot less than their request. The NNPS had a concern with debt services which was more of an accounting issue. The NNPS was never required to match or have the debt service funds to be taken out of its budget. It was a legal obligation for schools to return the surplus but probably could not have a conversation going forward about formulas without the issue of a surplus and whether there was a better way to do that. Mayor Price stated other localities had a strong revision at the end of the year for how unspent funding going to do back to the City would be used. That would definitely have to be a part of the conversation, and the other part of the conversation he did not feel was appreciated, was that some of the funds that the City received could only be used for certain items and could not be lumped into a percentage.

City Manager Rohlf advised there were too many misconceptions to be addressed in the FY 2020 Operating Budget. She reiterated that her recommendation was to give the NNPS below line funding requested out of two (2) different funding sources while giving City Council the opportunity work through the issues moving forward.

Councilwoman Scott indicated she had hoped that out of all the conversations would come some understanding; however, it seemed that it was still some area of the conversation that were blurred and hoped that somehow City Council and the School Board could come to some understanding.

City Manager Rohlf noted that under previous City Managers, when times got bad, the City had to cut back. There had been drastic budget cuts within the City. She applauded City staff for having the discipline to making tough decision when necessary.

Councilman Harris inquired about the make-up of the suggested committee. Mayor Price replied he would suggest having the City Manager, the Superintendent, Chair of the School Board, Chair of City Council, and Financial Representatives from both governing bodies, as well
as Community Leaders to start discussions on both short-term and long-term planning. The Committee would be tasked with studying options, come up with suggestions, return to City Council to review and have input from the City Manager and Financial Representatives to come up with a solution and not continue to have the same problems with the budget each year.

City Manager Rohlf addressed to Councilwoman Cherry’s point the City should be planning at that level and the school should know what to anticipate or expect and City Council be aware and know if a major school or city project what that impact would be, in order to made better informed decisions on what the City was willing to commit to. Mayor Price replied the City starting discussing the CIP May 2019. City Manager Rohlf indicated the City had engaged with NNPS in the past to participate in the CIP process. Unfortunately, the City had this conversation before with NNPS, but before the City goes through the CIP process, the NNPS had adopted its CIP and school staff presented their CIP documents, which left no room for discussion – NNPS needed to be more flexible and engaging the School Board members prior to development of the CIP would be helpful and the NNPS could see the needs of the City, giving them a new prospective.

Councilwoman Woodbury shared she met with School Board Members Ms. Shelly A. Simonds and Ms. Lisa R. Surles-Laws and indicated that the State cut school funding by $1 million and requested that the City make up the difference, but when the NNPS FY 2020 Operating budget was submitted, it has increased by $2.4 million. City Manager Rohlf replied if the State proposed fund would not awarded, it would not be a cut in funding because the school never had that funding for the start. Councilwoman Woodbury questioned whether the suggested committee could request a NNPS audit.

Vice Mayor Vick said she supported Councilman Harris about committing to set quarterly meetings with the School Board and rather than talking at City Council, talk to City Council. The two (2) governing bodies of the City should be able to discuss the budget and other matters without negativity. By consensus, City Council agreed to set quarterly meetings scheduled with the School Board.

Vice Mayor Vick mentioned there was still the issue of rebuilding Huntington Middle School and the people and community was still hanging.

City Manager Rohlf advised, based on City Council conversation, and looking at the larger plan, staff was looking at doing a plan internally of a master plan basically of a seven (7) block area through the City’s Planning Department. The Planning Department was doing an assessment and inventory of the facility, resources, and programs. Upon completion of the assessment, the City would meet with Dr. Parker about the design and compare to the conceptual design the school provided. Vice Mayor Vick replied there needed to be a time frame attached.
She indicated if $50 million was too much and questioned whether the project could be sourced out to a lower but qualified bidder.

City Manager Rohlf advised, at this point with the CIP, the City had be hanging out to see what was happening with CNI which was a huge commitment and wanted to ensure that the City would be in a position to move forward with the recommended funding to put into the CIP. City Manager Rohlf indicated the City was still in limbo while waiting for the decision; however, the City would continue to move forward and meet to discuss the CIP. She shared that she would like to schedule a full or half day retreat similar to the previous Financial Outlook Retreat to provide Council with a future forecast of the CIP, debt service, tax rate, and affordability.

Vice Mayor Vick questioned whether the City could determine whether a school could be built for less than $50 million. City Manager Rohlf replied that the schools managed their own capital projects with the exception of the SCOT relocation facility. Councilwoman Scott thought it was unfortunate that the two processes do not get together as the City provided funding with no input. She also mentioned that the City was not privy to how the school selected the company that provided the conceptual design, or how they went through the process to get funds with no input for 900 students.

Mayor Price advised that there was a difference between the conceptual architectural reviews. Vice Mayor Vick questioned whether the cost could be under $50 million. Mayor Price replied yes, he believed it could. He shared that the STEM Academy was designed for 900 students and built for $24 million. City Manager Rohlf replied it would be lower.

Mayor Price indicated that consensus was needed for the original proposal — still stand. Councilman Jenkins advised that he was against the original proposal. Mayor Price stated there was (majority) consensus to move forward.

Mayor Price questioned whether there was any discussion on a proposed committee or if that was the direction that Council and City Manager would like to go. If everyone agreed Council should move forward and get the committee in place as soon as possible to begin meeting. Vice Mayor Vick indicated she had concerns about the make-up of the committee if the City was not involved. Councilman Harris stated minutes of the meeting would be available and should be provided to Council. He further stated the meetings should be open to the public. Councilwoman Scott requested that Mayor Price find out how the committees of surrounding localities were made-up. Mayor Price advised that he would like to bring back a proposal of a committee for the Council to review and make the appropriate correction to the way Council believed the committee should be set-up (i.e. membership, number of committee members, diversity, etc.). Vice Mayor Vick
stated the committee should work in conjunction with the proposed City Council and School Board quarterly meetings.

City Attorney Owens advised that only two (2) members of any governing body could be on the committee without it becoming Freedom of Information Act (FOIA) issue. City Manager Rohlf indicated research would be done and would provide City Council with details and options.

Councilwoman Woodbury advised she would like some discussion on categorical funding. Mayor Price replied the committee would review an array of topics. Councilwoman Woodbury stated categorical funding was a way of protecting teacher salaries, raises and benefits.

Councilwoman Cherry noted if she heard correctly that the City would get a report from the other committee about Huntington Middle School and would receive comments and suggestions from the public. City Manager Rohlf replied yes, over the next few weeks, also Dr. Parker and the School Board would come back to City Council with a timeline and update.

Councilwoman Woodbury indicated that the City should have an idea of where the revenue was as Ms. Cipriano provided City Council with a quarterly update of the operating budget. City Manager Rohlf replied yes that Ms. Cipriano provided a quarterly report; but remember that the furniture and equipment would come out of the City’s surplus for the SCOT Center at a rate of $2 million. The City had committed to purchasing the furniture and equipment. Councilwoman Woodbury stated in addition to the $39.9 million to construct the SCOT Center.

Councilman Harris questioned whether the School Board could be invited to the Financial Retreat, because it was very informative. City Manager Rohlf replied that retreat was to inform City Council of the City’s financial forecast. It had been suggested to meet every six (6) months with the Economic Development Authority, who was working on behalf of the City on projects and issues.

Councilwoman Woodbury noted she was appreciative that the Police Department, Fire Department, Department of Human Services and other agencies had funds allocated and took those requested funds, reallocated or repurposed the funds to make their department run efficiently. She was disappointed that the NNPS could take the same approach with their funding. City Manager Rohlf replied, during the budget process, they work hard to repurpose dollars. She stated there were a lot of good things in the budget (i.e. community, public safety, etc.) that had gotten lost. Councilwoman Woodbury indicated the City wanted the best teachers, best school system, and great students but also had to have a great Police Department, Public Safety and other service to ensure that the City ran smooth. Sometimes people choose not to see the bigger picture.
II. Hampton Roads Economic Development Alliance (HREDA) Master Agreement for Regional Economic Development

City Manager Rohlf advised there had been some discussion earlier about Hampton Roads Economic Development Alliance (HREDA). There had been some concerns for the past several years and even the private sectors were questioning what were the benefits and impact as a region. Simultaneously there was a conversation as a region that we were unable to compete with other region. How can we enhance our role as a region? Each locality had its own Economic Development Authority (EDA) functions. A part of the agreement was to restructure the way we currently do business. HREDA had already begun working with all of the EDA Directors in the region and met on a regular basis to compare notes. That fell under that umbrella of HREDA. HREDA would be the voice of the region, it did not necessarily serve the duties, but would have some of the same economic development functions but would also be communicating and providing additional support. She shared over the past several years, the City Manager had been engaged in the conversation with the Planning District Commission, both the public and private sectors. Each locality would be required to submit a plan as part of performance measures. An annual report would be provided on the progress made, what services were provided for the dollars the locality had put into HREDA. The formal agreement outlined the things that would be done for each locality and regionally what the locality could do to support the effort.

Councilwoman Woodbury inquired about the Hampton Roads Economic Development Alliance and whether this was a reorganization or another bureaucracy. City Manager Rohlf replied no, it was taking the currently organization, they added some people, repurposed, had a consultant (IBM Study) and gotten focused on the areas we should be targeting as a region. They had tried to identify areas to focus on. She indicated our market was not land, there would be the Cities of Portsmouth and Suffolk. HREDA had an Interim Director and had seen progress. She recommended support giving Newport News an opportunity to be included and be successful.

Vice Mayor Vick inquired about the cost. City Manager Rohlf replied $179,000.

Vice Mayor Vick shared, as we talked about our children and education, she observed there were no blacks or women when attending the meeting. There needed to be diversity. City Manager Rohlf replied she was on the Executive Committee and actively involved in the process. Councilwoman Woodbury questioned if this group was similar to one started in York County. City Manager Rohlf replied York County started their own regional group and had representatives attending the meetings but were not official members and being kept in the mix.
City Attorney Owens advised that the annual appropriation was on the Regular Meeting of April 23, 2019. In the future should the City choose not to be a part of HREDA, City Council should not appropriate the funds and Newport News would be off.

III. Comments / Ideas / Suggestions

City Attorney Owens indicated Councilwoman Scott had questions about parking in cul-de-sacs – parallel parking was legal. He advised, if the issue was with larger vehicles parked, there were other City ordinances that prohibited parking certain size vehicles for certain time periods or two (2) hours in resident area. The Police could issue a warning or citation to a tractor trailer truck in a residential area. Councilwoman Scott questioned the impact to changing the ordinance to allow vehicles to pull in, and questioned what would be the impact to First Responders. City Attorney Owens replied it could be more difficult to get to, in order to get their vehicles turned around in the cul-de-sac. Councilwoman Scott asked how the City could come to something definitive. City Attorney Owens replied, if there was enough space between driveways a vehicle could legally park parallel. Councilwoman Scott shared that the problem was that most people had two, three, or four cars per family and that was why they were pulling in and parking in front of their homes and everyone else’s home in the cul-de-sac, which was creating friction among neighbors. City Attorney Owens replied that the neighbors could call the Police and the Police could give a warning.

City Attorney Owens indicated the other issue was that people were parking in their yards on the lawn. He shared it was prohibited in two (2) historic districts for people to park on their lawn, but not prohibited in other residential districts. Councilwoman Scott replied that working on a vehicle on the lawn was different than parking on the lawn. City Attorney Owens stated they could leave the vehicle on the lawn for several days while working on it. City Attorney Owens said people complained and City Council chose not to move forward.

City Attorney Owens indicated there was an issue with State regulations on mold. There was nothing in the property maintenance code or building code about mold; however, there were some provisions in the State Landlord Tenant Act but it was a private right of action between the landlord and tenant, not something the City would be involved with.

City Attorney Owens indicated Councilwoman Cherry had a question about people donating to the Police Department. He shared while they had the Police Foundation, which was a 501 © 3 under IRS regulations, specifically Internal Revenue Code – Section 170 – People could make donations to the City or any political subdivision for a public purpose and it was tax deductible.
Councilwoman Woodbury inquired whether anyone received a letter from Insight Enterprises, Inc., Peninsula Center for Independent Living, requesting support for the "Julia Holloway Memorial Scholarship Fund." She asked whether the City would consider a sponsorship for Mr. Ralph Shelman, Executive Director, from the discretionary fund for a Gala, June 4, 2019 at 4:00 p.m. at the Hampton Convention Center. By consensus of City Council, the City committed to a Silver Sponsorship of $500.

Councilman Harris advised that he received a request from Richneck Elementary School Archery Club, who qualified for the National Tournament in Louisville, Kentucky to be held May 8 – 10, 2019, and were requesting a donation. He requested $2,000 from the City Council contingency fund. By consensus of the City Council, a donation in the amount of $2,000 would be made from the contingency fund.

City Manager Rohlf reminded that on the April 23, 2019 City Council Regular Meeting agenda City Council would be asked to consider an ordinance regarding "food vendors," permits and regulations related to food truck vendors. Councilwoman Scott questioned whether there was a cap on the number of food truck vendors. City Manager Rohlf replied no, there was no cap on the number of food truck vendors.

THERE BEING NO FURTHER BUSINESS
ON MOTION, COUNCIL ADJOURNED 6:12 P.M.

Zina F. Middleton, MMC
Chief Deputy City Clerk

McKinley L. Price
Mayor
Presiding Officer

A true copy,teste:

City Clerk
F. Consent Agenda

3. Minutes of the Regular Meeting for April 23, 2019

ACTION: • N/A

BACKGROUND: • N/A

FISCAL IMPACT: • N/A

ATTACHMENTS:
Description
Minutes of Regular Meeting for April 23, 2019
MINUTES OF REGULAR MEETING
OF THE NEWPORT NEWS CITY COUNCIL
HELD IN THE CITY COUNCIL CHAMBERS
2400 WASHINGTON AVENUE
APRIL 23, 2019
7:00 P.M.

PRESENT: David H. Jenkins; McKinley L. Price, DDS; Sharon P. Scott, MPA; Tina L. Vick; Dr. Patricia P. Woodbury; Saundra N. Cherry, D. Min; and Marcellus L. Harris III.

ABSENT: None

A. Call to Order

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

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

B. Invocation

The invocation was rendered by Apostle C. L. Spells, Harvestland Ministries International.

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

The Pledge of Allegiance to the Flag of the United States of America was led by Councilman Jenkins.

D. Presentations

1. Proclamation: Public Service Recognition Week, May 5-11, 2019

Newport News City Manager Cynthia Rohlf and Ms. Monica Plummer, Chair of the Employee Price Task Force (EPTF), accepted the Proclamation.

Mayor Price shared that Americans were served daily by public servants at the federal, state, city, county, and town levels. He indicated that the tradition of outstanding public service was advance daily by 5,392 City employees who worked diligently to improve the quality of life for Newport News residents. Public servants, including police officers, firefighters, Public Works employees, Waterworks employees, and others, risked their lives each day in service to the people of the City of Newport News. Public servants included administrators at all levels – administrative services personnel, safety inspectors, computer technicians, human services workers, and countless others, who day in and day out, provide diverse services to the
D. Presentations Continued

1. Proclamation: Public Service Recognition Week, May 5-11, 2019
   Continued

residents of Newport News with efficiency and integrity. Mayor Price advised that many employees volunteered in their communities, and spent free time participating in volunteer work and civic service projects.

In recognition of the efforts brought forth by City of Newport News public servants, the City’s leadership and EPTF, planned a series of activities to encourage, support, and pay tribute to the employees for their work, and memorialize those that had gone before them.

Mayor Price, on behalf of his colleagues on the Newport News City Council, proclaimed the week of May 5 – 11, 2019 as Public Service Recognition Week in the City of Newport News and asked the citizens of this community to join in recognition of the many contributions and accomplishments of government employees at all levels in the City of Newport News, and throughout the Nation.

E. Public Hearings

1. Ordinance Authorizing the City Manager to Make Offers, Negotiate, or Condemn, If Necessary, to Acquire, By Purchase or Condemnation, Temporary and Permanent Easements for the Lynchburg Drive Stream Restoration Project, and to Execute Any and All Documents Necessary to Complete the Project

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO MAKE OFFERS TO ACQUIRE, BY PURCHASE OR CONDEMNATION, PORTIONS OF CERTAIN PARCELS OF REAL PROPERTY HEREINAFTER MORE PARTICULARLY DESCRIBED, FOR THE LYNCHBURG DRIVE CHANNEL IMPROVEMENTS PROJECT, TO PROVIDE FUNDS FOR THIS PURPOSE, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO ATTEST ALL DOCUMENTS NECESSARY TO EFFECT THE PURCHASE AUTHORIZED HEREIN. This ordinance authorized the City Manager to make offers, negotiate, or condemn, if necessary, to acquire by purchase or condemnation, temporary and permanent easements for the Lynchburg Dive Stream Restoration Project, and to execute any and all documents necessary to complete the project. The Lynchburg Drive Stream Restoration Project scope included restoration and stabilization of an existing open drainage channel conveying public stormwater. The easements acquired were for the construction and maintenance of the stream by the City. Funding for these acquisition was available through previously appropriated City funds. The City Manager recommended approval.

(No registered speakers)
E. Public Hearings Continued

1. Ordinance Authorizing the City Manager to Make Offers, Negotiate, or Condemn, If Necessary, to Acquire, By Purchase or Condemnation, Temporary And Permanent Easements for the Lynchburg Drive Stream Restoration Project, and to Execute Any and All Documents Necessary to Complete the Project Continued

Councilwoman Scott moved closure of the public hearing; seconded by Councilman Harris.

Vote on Roll Call:
Ayes: Jenkins, Price, Scott, Vick, Woodbury, Cherry, Harris
Nays: None

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

Vote on Roll Call:
Ayes: Jenkins, Price, Scott, Vick, Woodbury, Cherry, Harris
Nays: None

2. Ordinance Amending and Reordaining City Code Chapter 45, Zoning Ordinance; Article II., Definitions; Section 45-201, Definitions of Certain Words and Terms; By Adding the Definition of Food Truck Vendor

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 45, ZONING ORDINANCE, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE II., DEFINITIONS, SECTION 45-201, DEFINITION OF CERTAIN WORDS AND TERMS, BY ADDING THE DEFINITION OF FOOD TRUCK VENDOR. This ordinance amended and reordained the City Code, Chapter 45, Zoning Ordinance; Article II., Definitions; Section 45-201, Definitions of Certain Terms; by adding the definition of Food Truck Vendor. This amendment provided a definition of Food Truck Vendors in the zoning ordinance. On April 3, 2019, the City Planning Commission votes unanimously 9:0 to recommend adoption of the amendment. The City Manager recommended approval.

(No registered speakers)

Councilwoman Scott moved closure of the public hearing; seconded by Councilman Jenkins.

Vote on Roll Call:
Ayes: Jenkins, Price, Scott, Vick, Woodbury, Cherry, Harris
Nays: None
E. Public Hearings Continued

2. Ordinance Amending and Reordaining City Code Chapter 45, Zoning Ordinance; Article II., Definitions; Section 45-201, Definitions of Certain Words and Terms; By Adding the Definition of Food Truck Vendor Continued

Councilwoman Scott moved adoption of the above ordinance; seconded by Councilman Harris.

Councilwoman Scott expressed appreciation to City Manager Rohlf, staff, and the Planning Commission, reevaluating the situation about the Food Truck Vendors. She felt this was a win for the City of Newport News, and indicated there had been numerous ebbs and flows with the food truck vendors, and hoped they could be fully integrated into the City, and to show the types of diversity and the types of food that existed in Newport News.

Vote on Roll Call:
Ayes: Jenkins, Price, Scott, Vick, Woodbury, Cherry, Harris
Nays: None

3. Ordinance Amending and Reordaining City Code Chapter 45, Zoning Ordinance; Article IV., Summary of Uses By District; Section 45-402, Summary of Uses By District; By Amending Permitted Uses “J” Retail Services

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 45, ZONING ORDINANCE, ARTICLE IV., SUMMARY OF USES BY DISTRICT, SECTION 45-402, SUMMARY OF USES BY DISTRICT, BY AMENDING PERMITTED USES “J” RETAIL SERVICES. This ordinance amended and reordained the City Code, Chapter 45, Zoning Ordinance; Article IV., Summary of Uses by District; Section 45-402, Summary of Uses by District; By Amending Permitted Uses “J” Retail Services. The purpose of this amendment was to establish the zoning districts in which food truck vendors were allowed. On April 3, 2019, the City Planning Commission voted unanimously 9:0 to recommend adoption of the amendment. The City Manager recommended approval.

(No registered speakers)

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

Vote on Roll Call:
Ayes: Jenkins, Price, Scott, Vick, Woodbury, Cherry, Harris
Nays: None

Councilwoman Scott moved adoption of the above ordinance; seconded by Councilman Harris.
E. Public Hearings Continued

3. Ordinance Amending and Reordaining City Code Chapter 45, Zoning Ordinance; Article IV., Summary of Uses By District; Section 45-402, Summary of Uses By District; By Amending Permitted Uses “J” Retail Services Continued

Vice Mayor Vick inquired whether there was a way to inform the public. She questioned how the public would know which areas food trucks would be allowed. City Manager Rohlf replied the City would create a public information campaign to alert the vendors, as well as property owners, who may be impacted. Vice Mayor Vick inquired whether the information would be on the City’s website. City Manager Rohlf responded that the information would be placed on the City’s website, as well as on the City’s newsletter, Newport News Now.

Councilwoman Scott suggested asking the Economic Development Authority, as Ms. Elizabeth McCoury, Redevelopment Project Manager, Department of Development, assisted businesses with different issues. Perhaps she could add something similar to her program.

Vote on Roll Call:
Ayes: Jenkins, Price, Scott, Vick, Woodbury, Cherry, Harris
Nays: None

4. Ordinance Amending and Reordaining City Code Chapter 45, Zoning Ordinance; Article V., General Regulations; By Adding Section 45-537, Food Truck Vendors on Private Property

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 45, ZONING ORDINANCE, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE V., GENERAL REGULATIONS, BY ADDING THERETO A NEW SECTION, NAMELY; SECTION 45-537, FOOD TRUCK VENDORS. This ordinance amended and reordained the City Code, Chapter 45, Zoning Ordinance; Article V., General Regulations; By Adding Section 45-537, Food Truck Vendors. This amendment provided regulations to ensure that the operation of food truck vendors on private property would be allowed, while mitigated possible negative impacts to the on-site uses and the surrounding area. On April 3, 2019, the City Planning Commission voted unanimously 9:0 to recommend adoption of the amendment. The City Manager recommended approval.

(No registered speakers)

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

Vote on Roll Call:
Ayes: Jenkins, Price, Scott, Vick, Woodbury, Cherry, Harris
Nays: None
E. Public Hearings Continued

4. Ordinance Amending and Reordining City Code Chapter 45, Zoning Ordinance; Article V., General Regulations; By Adding Section 45-537, Food Truck Vendors on Private Property Continued

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

Vote on Roll Call:
Ayes: Jenkins, Price, Scott, Vick, Woodbury, Cherry, Harris
Nays: None

5. Resolution Authorizing and Directing the City Manager to Execute a Tower Attachment Lease By and Between the City of Newport News, Virginia, and Creative Educational Media Corporation, Incorporated

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO ATTEST, ON BEHALF OF THE CITY OF NEWPORT NEWS, VIRGINIA, THAT CERTAIN TOWER ATTACHMENT LEASE BY AND BETWEEN THE CITY OF NEWPORT NEWS, VIRGINIA AND CREATIVE EDUCATIONAL MEDIA CORPORATION, INC. DATED THE 23RD DAY OF APRIL, 2019. This resolution authorized and directed the City Manager to execute a Tower Attachment Lease by and between the City of Newport News, Virginia, and Creative Educational Media Corporation, Incorporated, for space on the Ground Air Transmitter (GAT) Site, and space on the ground for telecommunications equipment, located at 100 Tower Lane, Yorktown, Virginia. City Council action was requested to approve the execution of a Tower Attachment Lease between the City as Lessor, and Creative Educational Media Corporation, Incorporated (Oasis) as Lessee, at the GAT Site located at 100 Tower Lane, Yorktown, Virginia. Oasis requested to remain as a tenant on the GAT Tower for its communications equipment. The new term was for five (5) years, with an annual rental rate starting at $23,759.58. Rent would be increased annually by an amount equal to two and one-half percent (2.5%) of the rent for the prior lease year. The proposed terms had been negotiated in coordination with the City’s consultant for cell tower issues, and were reflective of market rates for communications equipment transactions. The City Manager recommended approval.

(No registered speakers)

Councilwoman Scott moved closure of the public hearing; seconded by Councilwoman Cherry.

Vote on Roll Call:
Ayes: Jenkins, Price, Scott, Vick, Woodbury, Cherry, Harris
Nays: None
E. Public Hearings Continued

5. Resolution Authorizing and Directing the City Manager to Execute a Tower Attachment Lease By and Between the City of Newport News, Virginia, and Creative Educational Media Corporation, Incorporated Continued

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

For clarification purposes, Councilwoman Woodbury inquired this was what was on the tower currently, and inquired whether there would be an addition to the Tower. City Manager Rohlf replied, yes, the ground tower would remain on the site located at 100 Tower Lane, Yorktown.

Vote on Roll Call:
Ayes: Jenkins, Price, Scott, Vick, Woodbury, Cherry, Harris
Nays: None

6. Ordinance Authorizing and Directing the City Manager to Execute, Any and All Documents, Including Deeds, Necessary to Effectuate the Conveyance of City-owned Property Located at 2102 Madison Avenue and 715-21st Street to the Newport News Redevelopment and Housing Authority (NNRHA)

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, ANY AND ALL DOCUMENTS, INCLUDING DEEDS NECESSARY TO EFFECTUATE THE CONVEYANCE OF CERTAIN CITY OWNED PROPERTY TO THE NEWPORT NEWS REDEVELOPMENT AND HOUSING AUTHORITY. This ordinance authorized and directed the City Manager to execute, any and all documents, including deeds, necessary to effectuate the conveyance of City-owned property located at 2102 Madison Avenue and 715-21st Street to the Newport News Redevelopment and Housing Authority (NNRHA). Consistent with the Choice Neighborhood Initiative, the City planned to convey two (2) City-owned vacant lots to the NNRHA. Once conveyed, NNRHA agreed to transfer the properties to Habitat for Humanity Peninsula and Greater Williamsburg. The lots would be utilized as part of several future Habitat home locations within the Marshall-Ridley Choice Neighborhood. The City Manager recommended approval.

(No registered speakers)

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

Vote on Roll Call:
Ayes: Jenkins, Price, Scott, Vick, Woodbury, Cherry, Harris
Nays: None
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April 23, 2019

E. Public Hearings Continued

6. Ordinance Authorizing and Directing the City Manager to Execute, Any and All Documents, Including Deeds, Necessary to Effectuate the Conveyance of City-owned Property Located at 2102 Madison Avenue and 715-21st Street to the Newport News Redevelopment and Housing Authority (NNRHA) Continued

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

Vote on Roll Call:
Ayes:  Jenkins, Price, Scott, Vick, Woodbury, Cherry, Harris
Nays:  None

F. Consent Agenda

Councilwoman Woodbury moved adoption of the Consent Agenda, Items 1 through 4, all inclusive, as shown below; seconded by Vice Mayor Vick.

1. Minutes of the Work Session of April 9, 2019

(No registered speakers)

Vote on Roll Call:
Ayes:  Jenkins, Price, Scott, Vick, Woodbury, Cherry, Harris
Nays:  None

2. Minutes of the Special Meeting of April 9, 2019

(No registered speakers)

Vote on Roll Call:
Ayes:  Jenkins, Price, Scott, Vick, Woodbury, Cherry, Harris
Nays:  None

3. Minutes of the Regular Meeting of April 9, 2019

(No registered speakers)

Vote on Roll Call:
Ayes:  Jenkins, Price, Scott, Vick, Woodbury, Cherry, Harris
Nays:  None
F. Consent Agenda Continued

4. Minutes of the Budget Public Hearing of April 11, 2019

(No registered speakers)

Vote on Roll Call:
Ayes: Jenkins, Price, Scott, Vick, Woodbury, Cherry, Harris
Nays: None

G. Other City Council Actions

1. Resolution Supporting the Department of Waterworks’ Application to the Virginia Department of Health (VDH) for the Lead Service Line Replacement Program Grant

A RESOLUTION SUPPORTING AN APPLICATION TO THE VIRGINIA DEPARTMENT OF HEALTH FOR A LEAD SERVICE REPLACEMENT PROGRAM GRANT. This resolution supported the Department of Waterworks’ application to the Virginia Department of Health (VDH) in funding the replacement of galvanized iron/lead water service lines from the water meter to the homeowner. VDH provided grant funds for homeowners with galvanized iron water service lines to apply for assistance in replacing the lines from the water meter to the home. The service line would be replaced by a licensed plumber under a plumbing permit in accordance with Grant requirements. Waterworks staff will replace any galvanized iron and/or lead goosenecks (short 2-foot pipe) from the public water main to the water meter. This work would be accomplished under existing Waterworks programs. Replacement of galvanized iron/lead lines was a health and safety issue that needed to be resolved. Some homeowners, in older neighborhoods, may have galvanized iron/lead water service lines to their homes. The Grant was 100% funded, with no City match required. The City Manager recommended approval.

(No registered speakers)

Councilwoman Woodbury moved adoption of the above resolution; seconded by Councilwoman Scott.

Councilwoman Woodbury inquired whether the homeowner was required to apply for the grant.

City Manager Rohlf asked Mr. Louis Martinez, Director, Department of Waterworks, to address the program in an effort to inform the public.

Mr. Martinez advised that the grant application was made by the Department of Waterworks. If an individual homeowner qualified, the Waterworks Department
G. Other City Council Actions Continued

1. Resolution Supporting the Department of Waterworks’ Application to the Virginia Department of Health (VDH) for the Lead Service Line Replacement Program Grant Continued

would complete the necessary paperwork, and would pay the contractor hired to remove the galvanized line. Councilwoman Woodbury questioned how the homeowner would know whether or not they had a galvanized line.

Mr. Martinez replied that Waterworks had identified between 2,600 and 3,000 lead goose necks. The lead goose neck was short, approximately two (2) feet in length, or flex pipe, connecting the line from the main to the curb stop, or meter. The line sometimes contain lead, which made it flexible. From the meter, to the home, would be a part of the grant application.

Councilwoman Woodbury questioned whether the homeowners were aware they had the flex pipe. Mr. Martinez replied that Waterworks would have a map and would identify the citizens, and knock on doors. If listed in Waterworks e-mail file, the citizen would be contacted via e-mail.

Vice Mayor Vick inquired whether the citizens identified having galvanized iron/lead water lines were located in the same area of the City. Mr. Martinez replied that most of the lead lines were located in the southern part of the Peninsula. He advised that lead and galvanized lines had been removed since the 1980s when the Environmental Protection Agency (EPA) first published that lead should be removed. Waterworks went through strong replacement and removal of those lines, and completed the major portion in 1993, but since, when large lines were removed, the lines were then replaced. Approximately 18,000 – 20,000 had been replaced. The total to be replaced was down to 3,000.

Councilwoman Woodbury extended thanks to Mr. Martinez and staff for having this done so thoroughly, as lead was very dangerous, particularly for children, potentially leading to many health problems.

Mr. Martinez advised that the Department of Health was funding the program, and if Waterworks qualified, they would get on it right away.

Vote on Roll Call:
Ayes: Jenkins, Price, Scott, Vick, Woodbury, Cherry, Harris
Nays: None
G. Other City Council Actions Continued

2. Resolution Authoring and Directing the City Manager to Execute Any and All Documents Necessary to Effectuate the Master Agreement By and Between the City of Newport News, Virginia and Hampton Roads Economic Development Alliance (HREDA) for Regional Economic Development

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO ATTEST, ON BEHALF OF THE CITY OF NEWPORT NEWS, VIRGINIA, THAT CERTAIN MASTER AGREEMENT FOR REGIONAL ECONOMIC DEVELOPMENT, DATED THE 1ST DAY OF JULY, 2019, BY AND BETWEEN THE HAMPTON ROADS ECONOMIC DEVELOPMENT ALLIANCE, THE CITY OF CHESAPEAKE, THE CITY OF FRANKLIN, THE CITY OF HAMPTON, THE COUNTY OF ISLE OF WIGHT, THE CITY OF NEWPORT NEWS, THE CITY OF NORFOLK, THE CITY OF POQUOSON, THE CITY OF PORTSMOUTH, THE CITY OF SUFFOLK, THE COUNTY OF SOUTHAMPTON, AND THE CITY OF VIRGINIA BEACH OF APRIL, 2019. This resolution authorized and directed the City Manager to execute any and all documents necessary to effectuate the Master Agreement by and between the City of Newport News, Virginia and Hampton Roads Economic Development Alliance (HREDA) for regional economic development. Member localities of HREDA had worked collaboratively along with private sector HREDA members to create the Master Agreement. A subcommittee of City Managers and County Administrators worked to develop consensus regarding the provisions of the Agreement. The Agreement was considered by all HREDA member localities for execution. The Agreement established a framework for a regional working relationship in economic development activities that were cooperative, aligned, and adequately resourced. The City Manager recommended approval.

(No registered speakers)

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

Vote on Roll Call:
Ayes: Jenkins, Price, Scott, Vick, Woodbury, Cherry, Harris
Nays: None

H. Appropriations

None
I. Citizen Comments on Matters Germene to the Business of City Council Continued

Mr. Antonio Thompson, P. O. Box 413, Newport News, quoted Bible scriptures from Matthew 10:7, 1 Corinthians 15:52, as well as 1 Thessalonians 4:16, alluding to United States President, Donald Trump, being the Trump of God. He advised that United Stated President, the Honorable Donald Trump, would be re-elected in 2020.

Mr. Thompson suggested that all citizens come together - Christians, Muslims, and Jews around the world. He extended congratulations to the Prime Minister of Israel, Benjamin Netanyahu, on his victory.

Mr. Thompson recommended 100% salary increases for the men/women of the NNPD, and the Newport News Fire Department (NNFD), followed by the remaining City employees, as “super inflation” would come, from around the World, in the future to America, and no President or Prime Minister would be to blame. It would be the fault of the entire World. The price of everything would increase 100%. Crime would also increase.

Mr. Thompson extended thanks to Newport News citizens who exercised their right to bear arms in an effort to protect themselves, their families and their communities. Support of the Newport News Foundation would help create a Citizens’ Police Armed Forces. The more lawful citizens with firearms, working together, closer with the Newport News Police Department, the safer the City would become, and bring an end to crime. He suggested putting an end to all prisons and jails.

Mr. Thompson advised that his focus was on the topics Treasury Enrichment and Public Safety and Security. He encouraged citizens to support the Newport News Police Foundation at www.nnpolicefoundation.org, or (757) 234-1570. He commended Newport News Police Chief Steve Drew, doing a great job, doing the best he could to protect and serve the City of Newport News, with the help of the communities. Mr. Thompson extended thanks to Chief Drew for his continued service, sacrifice, and commitment to protect and serve the City.

Ms. Janice Johnson, 954-11th Street, Newport News, advised that she represented Virginia Organizing, Inc., a non-profit, statewide, non-partisan organization with 16 chapters in the State of Virginia, which challenged injustice by empowering people to address issues that affect the quality of their lives. She acknowledged the presence of several members and asked them to stand. She shared the decision of the Newport News Chapter of Virginia Organizing, Inc., to investigate the Hampton Roads Transit Authority (HRT). She stated their concerns were about the dollars that the City allocated to HRT, the lack of citizen input from HRT, the service provided, and the accountability of HRT, or lack thereof, to Newport News. She advised, in 1999, there was a voluntary merger between Tidewater Regional Transit and Pentran to provide reliable, efficient transportation, services, and facilities to the Hampton Roads community. To date, the City of Newport News paid $17.1 million for services with HRT, and was expected to pay more in FY 2020 for 3,000 less hours of service. The survey that was begun
I. Citizen Comments on Matters germane to the Business of City Council

continued

by HRT in November 2018, was due to conclude in May 2019. When attempting to take the survey on line in January 2019, it had already closed. Virginia Organizing, Inc. forwarded an email message to HRT inquiring about citizen input; and were told that public hearings would be scheduled. No hearings had been scheduled to-date, with the survey due to end in May. When questioning HRT about the number of riders, and the maximum ridership, etc., there was no response. With Newport News being asked to provide HRT more money, Ms. Johnson indicated that HRT was not being responsive to the citizens or the City of Newport News.

Mr. Jeff Minor, 757-36th Street, Newport News, commented about the services of HRT. He indicated the services provided by HRT were not up to par with what riders were paying as taxpayers. HRT needed to be held accountable in order to better serve the public. Mr. Minor advised that he had missed appointments because buses showed up too late, too early, or not at all. The bus he typically caught, was to come every 30 minutes, but often times, came early. His appointments were generally at Riverside Hospital or the family practice on Jefferson Avenue. If his connections met appropriately, he could be at his appointments in 20-30 minutes, but if not, he missed his appointments. He shared that he knew individuals who had lost jobs due to the inadequate HRT bus service. Mr. Minor advised that riders did not know whether the buses were broken down, or otherwise. He suggested there be a manner to advise the public of a bus’s location. Mr. Minor also believed that HRT’s operating hours should be expanded. There were individuals who worked late evening or midnight shifts, but could not catch a bus home when their shift ended because the buses had already stopped running for the day. Bus tickets show that the ticket expired at 2:00 a.m., but there was no bus service at 2:00 a.m. Dependable transportation was a necessity to get to and from work for individuals to support their family. Mr. Minor further indicated that HRT buses should be more “senior-friendly.” There were adjusted fares for older citizens, but many bus stops did not have shelter, and it was difficult to stand out in the summer heat, or in the cold temperatures during the wintertime. He suggested that members of City Council ride the HRT buses to go to work, get groceries, to doctor appointments, and just experience life as a person that was dependent on the transit system.

Ms. Jacqueline McIntyre, 861-33rd Street, #3, Newport News, a member of Virginia Organizing, Inc., commented about the inadequate services provided by HRT. She advised that the citizens without vehicles had to deal with scheduling and misconnections of HRT bus service. She also shared that HRT was discontinuing many bus lines. She reminded that citizens had the power to change the transit system, but needed the help of City Council. She shared that buses did not start until 9:00 a.m. on Sunday, referencing individuals who worked on Sunday, with a start time of 8:00 a.m. The last bus ran at 7:30 p.m. on Sunday, and would be of no help for individuals who worked on evening shift on Sunday. This caused lost wages needed to sustain a better economic way of life. Bus stops were too far and in between with some being one mile away. She stated that many bus lines had been discontinued. Ms. McIntyre reminded that senior citizens were tax-paying citizens and needed assistance on the situation with HRT. She offered to pay a day’s bus fare for any member of City Council in order to understand the plight of those individuals dependent on HRT.
Minutes of Regular Meeting
April 23, 2019

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

Mayor Price shared that members of City Council discussed the situation about
HRT at the earlier City Council Work Session of April 23, 2019. It was evident that City Council
was displeased with the amount of money provided to HRT, compared to the services provided
by HRT. He also shared that Councilwoman Woodbury served on the HRT Board of Directors
and would plan to share the concerns with the HRT Board.

Councilwoman Woodbury advised that she wanted the citizens’ concerns to be
heard by the “Big Wigs.” She announced there would be a Board Meeting on Thursday, May 23,
2019, 1:00 p.m., at 3400 Victoria Boulevard, Hampton. She advised that each meeting began with
a time period for public input. She urged citizens to attend and share their thoughts and concerns.
She had a number of bus passes to distribute.

Ms. Jannie Bazemore, 1004 Hampton Avenue, Newport News, reminded that
approximately three (3) months had passed since the Joint Meeting between the Newport News
City Council and the School Board, where City officials requested time to submit a plan for the
Huntington Middle School campus. She advised, that was three months that the progress made
by the School Board and the school division, had been idle. She indicated that everything came to
a halt. It was unfair to the students that the delay continued without any deadlines for submission
of the City’s plans. Ms. Bazemore shared that $2.8 million was promised for plans for the
Huntington Middle School campus. As explained in January 2019, those funds ($2.8 million)
were not tied to the City’s plans for other areas in the vicinity of Huntington Middle School. Ms.
Bazemore questioned the reason for the holdup. She further indicated the cost rose for every
waiting minute. She urged members of City Council to proceed on the Huntington Middle
School project, or remove themselves from the project. She advised that funds were needed now,
not in five (5) years. The Huntington Middle School campus should be a complete project two–
three (2-3) years, but there would be no qualms if done in less time. Ms. Bazemore concluded
with her signature phrase, “Huntington (Middle School) would rise again.”

Ms. Pam Hall, Southeast Community, Newport News, reminded of Columbine
High School in Littleton, Colorado and Stoneman Douglas High School in Parkland, Florida,
where teens went on a shooting spree, and numerous students were killed. She expressed her
opinion that education and the safety of children was paramount. She urged members of City
Council to appropriate and vote to disperse funding for Huntington Middle School. She advised
that City Council’s vision had yet to be publicly available, their vision should be adapted for the
community center to complement the School Board’s proposal for Huntington Middle School.
She reminded that the citizens and the Department of Housing and Urban Development (HUD)
that there would be a new middle school. She indicated it was time to curtail the rhetoric and
begin implementation. Ms. Hall urged City Council to invest in the future of Newport News by
investing in the children and the educators.

Ms. Rhonda Wagner, 107 Haviland Drive, Newport News, Newport News Public
School teacher and parent, as well as President of the Newport News Education Association
(NNEA), advised that the Newport News Education Association (NNEA), in conjunction with the
I. Citizen Comments on Matters Germaine to the Business of City Council
   Continued

Virginia Education Association (VEA) took an in depth look at the City’s Operating Budget. She shared what was found, looking at priorities, perception, accountability, and responsibility. Regarding priorities, Ms. Wagner shared, the NNPS, and the children, according to the City’s budget documents, were not a priority, as the strategic priorities used to drive the City’s Operating Budget, did not include schools. Ms. Wagner stated, what was not prioritized, was not funded. She indicated that schools had a direct impact on the strategic priority of economic development, directly improving the high school graduation rate, and increasing the number of Industry Certifications earned in public schools; which indirectly affected this priority by increasing the number of college graduated in the community. When looking at the City’s stance on public education, it was observed that funding for schools had consistently decreased, down to the 24.2% in the FY 2020 City Manager’s Recommended Operating Budget, which did not show that schools were a priority. She advised the downward trend in the Required Local Effort dropped the budget to 94.8% instead of 114% in 2018, which was the opposite of the rhetoric from some members of City Council.

Mr. John Armstrong, 8 Buckroe Avenue, Hampton, continued with NNEA statement – looking at perceptions – beginning with the General Fund Expenditures. When comparing the 2019 budget to the proposed 2020 budget, there were six (6) categories that received less money than FY 2019, averaging a 1.1% decrease. He pointed out there were 13 categories proposed to receive more funding, with an average increase of 3.2%. With level funding, the schools did not fall into either category. Mr. Armstrong indicated that level funding should not be a consideration when the Stated added an addition 5% raise for Standards of Quality (SOQ) funded positions. It must be matched to get the $5.5 million State match. He reminded that the City did not provide additional matching funds; but the NNPS did, from what they were given, although the decision resulted in fewer services. Mr. Armstrong indicated the NNPS could not absorb a five percent (5%) pay increase without matching City funds. He suggested the City follow the words of City Manager Rohlf, “A competitive employee compensation program is extremely important to our operations and I will continue to monitor our salaries and benefits to ensure that we are remaining viable within the market and make adjustments as necessary and appropriate.” The NNPS was trying to do the same without help from the City.

Mr. Samuel L. Eure, Jr., a member of the NNEA, 302 Penrith Crossing, Yorktown, advised that competitive salaries were critical in the midst of a teacher shortage. He stated the Nation, and the State faced a critical shortage, particularly in the areas of CTE, math and technology, as well as Special Education. Surrounding states, Maryland and Tennessee were especially hit by the shortage, and had a large percentage of teachers who were inexperienced or provisional. Numerous school divisions had stepped up efforts in overall funding for education, and specifically made sure their teachers were being taken care of. The County of Matthews proposed a 13% salary increase. The City of Newport News was giving a two percent (2%) merit-based pay increase to its employees, which matched up with the more than two percent (2%) rise in revenue. Mr. Eure reminded that Dr. Parker’s presentation emphasized that 86.5% of his costs were Personnel and Benefits. Mr. Eure observed in looking at the General Fund Department
I. Citizen Comments on Matters Germane to the Business of City Council
Continued

Summaries and comparing FY 2019 to FY 2020, City Manager Rohlf had a $238,641 increase, or a 16.8% increase. General Administration had a $435,553 increase, or an 8.5%, and Information Technology had a $660,105 increase, or a 3.2% increase. Mr. Eure urged City Council to give the NNPS what was reasonable and fair.

Ms. Shannon Puckett Adams, 17-C Belles Cove Drive, Poquoson, continued with NNEA statement – looking at accountability and responsibility. She indicated that teachers and other school employees were held to an accountability standard that could not be imagined. She stated that collectively, we all must do better for the children. She asked City Council to stop playing on the teachers’ dedication to the profession, and love for the children. She advised that educators were accountable. She shared that Mr. Sam Eure talked and listed to all school employees, e.g., custodians, para-educators, security personnel, and school counselors, all who had stories to tell about debt and having to work outside of school. Ms. Adams inquired whether members of City Council had spoken with school employees. She encouraged Councilman Harris to talk about his average day and how much responsibility was dumped on him and other school counselors, as well as whether he was meeting the needs of his students. Ms. Adams questioned whether government officials were being responsible. She urged City Council to fund education like society depending on it. She stated the citizens were speaking clearly, and inquired whether they were listening.

A copy of the remarks made by Ms. Wagner, Mr. Armstrong, Mr. Eure, and Ms. Adams is attached and made a part of these minutes.

Mr. Adrian Whitcomb, 316-54th Street, Newport News, shared that he sometimes had to use the services of HRT, which was more economical, but advised citizens who caught a bus, should have plenty of time, citing it took one hour to get from the Newport News Shipyard to the Denbigh community.

Regarding the NNPS, Mr. Whitcomb suggested making the City the best City it could be, which must include the schools. He advised the NNPS must remain competitive with other school divisions throughout the State.

Regarding Parks, Mr. Whitcomb shared that he attended Councilwoman Scott’s North District Town Hall Meeting, held Monday, April 22, 2019, at the Denbigh Community Center (15198 Warwick Boulevard). The focus was on traffic, which was a problem throughout the City, particularly if on a bicycle, or was a pedestrian. The streets were narrow in some community, and without sidewalks. He advised that he visited the Stoney Run Athletic Complex following the North District Town Hall Meeting.

Mr. Whitcomb stayed at the Stoney Run Athletic Complex watching a softball game until after 10:00 p.m., which showed him the need for more ball fields around the City.
II. Citizen Comments on Matters Germene to the Business of City Council Continued

Mr. Whitcomb advised that the old City Farm property was the best site to maintain the waterfront for the public for all citizens, not just a few. He encouraged members of City Council to travel to places that citizens traveled, to experience life as regular citizens, which was how they would learn what the City needed.

Mr. Roy Fuller, 81 Stanley Drive, Newport News, expressed support for bus drivers. He advocated for a salary increase for teachers and staff to allow them to get above water with their finances. Some bus drivers had two jobs because they could not afford housing or other amenities, and some quit their jobs. He asked for City Council support for the bus drivers to show they cared.

Ms. Mary Vause, 350 Williamsburg Court, Newport News, began by debunking the surplus fund claim which she heard repeatedly at City Council Work Sessions. She indicated that NNPS surplus funds were not a true surplus, but badly needed money for NNPS that was well spent on student technology and on building repair and maintenance for the City’s aging school buildings that were an average of 50 years old. The proposal to fund the underfunded NNPS Operating Budget from the also underfunded NNPS CIP Budget, was unfair to the 28,000 public school children in Newport News who attended school buildings that were an average of 50 years old. The buildings needed the so-called surplus funds to get roofs repaired and parking lots re-surfaced. She shared concerns with funding the additional $2.4 million that NNPS students needed out of the City’s CIP budget as was proposed at the Joint School Board and City Council meeting on April 16, 2019 and at the earlier City Council Work Session of April 23, 2019. The CIP funding proposed by City Manager Rohlf was one-time funding, but the additional $2.4 million was for NNPS salary increases and for critically needed new recurring positions to benefit the students; e.g. school security officers, school counselors, social workers, ESL (English as a Second Language) teachers and staff for the rapidly growing ESL population. Recurrent funding was needed for the desperately needed recurrent positions. What will happened during the next budget cycle? The process would repeat in FY 2021 unless City Council took real action to better fund NNPS in the long-term. Ms. Vause advised that teachers would continue to advocate for better school funding for NNPS. She asked City Council members to imagine how they would want their children in public schools funded. She indicated investing in the children was best for the community and the City. She urged members of City Council to take real action and do the right thing for children in Newport News, not one-time funding, but a plan to better fund the NNPS, as it was a way to protect their Council seats in 2020 and 2022 because funding parking garages over public school children was not an acceptable position.

Mr. Dion Witherspoon, 926-19th Street, Newport News, expressed support for the Huntington High School Alumni Association, specifically regarding the issue of rebuilding Huntington Middle School. Having been born and raised in the City of Newport News, Mr. Witherspoon advised that he had the privilege of having family members (mother, father, brothers, sisters, relatives and friends) attend Huntington High School. He witnessed the rich tradition that was associated with the vital establishment in the community. He had participated in
I. Citizen Comments on Matters germane to the Business of City Council
   Continued

various functions held by the Huntington Alumni Association, giving him the opportunity to
experience the great pride and commitment that the alumni had in the history of the school and
the individuals connected with it. The rebuilding of Huntington Middle School was dear to the
Huntington High School Alumni Association, their families, and the community, and should be
brought to the forefront concerning matters of the City government and not held off or delayed
further. He encouraged City Council to provide the children of the Southeast Community a
suitable school environment to promote appropriate character, leadership, and education, while
gaining vital insight into the rich tradition associated with Huntington High School and the City
of Newport News.

Mr. James Lovett, 25 Riverlands Drive, Apt. B, Newport News, questioned how
long the citizens of Newport News in the Southeast Community would have to wait to see the
rebuilding of Huntington Middle School. He indicated the southeast area needed a STEM
Academy Middle School to be located at 3401 Orcutt Avenue. He understood everything else
that was needed in that area, but the main concentration should be on rebuilding Huntington
Middle School as soon as possible.

that she was proud of Mayor Price and his achievements in his service to the Southeast
Community. She stated the Southeast Community seemed to be last on the totem pole. Her heart
was filled for green space, parks and recreation, the teachers, and the School Board. Ms. Lovett
shared that she was a product of military life, and having lived in different states, and attending
different schools, both overseas and in the United States, and observed there was always a
friendship comraderie that combined other cities in an attempt to make their City the best. The
City Councils and the School Boards worked together and helped, planned, and built. She was
sure that City Council had a great plan and hoped staff would get behind them to assist. She
advised the teachers, schools, and children were important. She suggested they not listen to the
City Manager, but think for themselves.

J. Old Business, New Business and Councilmember Comments

Councilman Jenkins expressed support for the FY 2019-2020 Proposed NNPS
Operating Budget being included in the Operating Budget of Newport News 100%. He indicated
that he had been involved in the fight for three years, and did not want to see it go on any longer,
or to see that NNPS have one penny less. He further indicated that schools were important to the
community. Children received one chance to get a great education while in school. The teachers
and support staff needed help as they were paying for school supplies out of pocket and often
taking work home. Quality education improved the workforce. Focus on education attracted new
business to the City. New business improved the City’s tax base. Good schools improved the
City’s real estate values. Improved real estate values also improved the tax base. Councilman
Jenkins indicated a commitment to education in a positive manner, improved the City’s image.
He further indicated that education reduced the need for public assistance and reduced crime in
J. Old Business, New Business and Councilmember Comments Continued

the City. Education allowed children to meet their fullest potential. He stated an improved tax base would allow for more parks, schools, and public services, which was needed in the City of Newport News.

Councilman Jenkins recalled the slogan for the United Negro College Fund, “A mind is a terrible thing to waste.” The advertisement elaborated by saying “people were born every day who could cure disease, make peace, create art, abolish injustice, and end hunger, but they would probably not get a chance to do these things without an education.” Councilman Jenkins indicated that he may be the only member of City Council that would vote against the budget, and shared another quote from the late Robert F. Kennedy, “Only those who dare to fail greatly, can ever achieve greatly.”

Mayor Price announced the 11th Annual Community Empowerment Fair was scheduled for Saturday, April 27, 2019, 11:00 a.m. – 2:00 p.m., at Heritage High School (5800 Marshall Avenue). The event was free and open to the public. Presented by the 20 Pearls Foundation, Incorporated, Riverside Health System, Heritage High School, and Newport News Public Schools Family and Community Engagement Specialists, this fair would include over 90 exhibitors, various food trucks, face painting, games and more. There would also be vehicles to explore such as the NNPD Bearcat.

Mayor Price announced the Real Deal High School Classic, a track and field meet, sponsored by the Norfolk Real Deal Track Club, was scheduled for Saturday, April 27, 2019, 8:30 a.m. – 5:00 p.m., at Todd Stadium (12465 Warwick Boulevard), where over 1,400 male and female athletes, representing 45 high schools across the State of Virginia.

Mayor Price advised that the final Concert in the Port Warwick Jazz on the Square series would be held on Sunday, April 28, 2019, from 2:00 p.m. – 5:00 p.m. The performance was by the Jennifer Gammill Quartet, in partnership with the Downing-Gross Cultural Arts Center and the Ella Fitzgerald Music Festival.

Mayor Price announced that the 30th Newport News Children’s Festival of Friends would be held on Saturday, May 4, 2019, 10:00 a.m. – 5:00 p.m., at Newport News Park (at the corner of Jefferson Avenue and Ft. Eustis Boulevard). The festival featured over 100 hands-on activities and attractions to include make-and-take crafts.

Mayor Price extended a “shout out” to Newport News native, Mr. Frankie Faison, a character on the hit NBC television show, “The Village,” with the role of Superintendent. Mr. Faison was an Elementary and High School Classmate of Mayor Price born and raised in Newport News, but returns often to the City of Newport News to visit.
J. Old Business, New Business and Councilmember Comments Continued

Councilwoman Scott thanked the citizens for their attendance and participation, to hear information or to share information. Even when disagreeing, Councilwoman Scott advised that she always respected their opinions, thoughts and ideas. She advised that she was not present at the April 9, 2019 City Council meetings as she was in court handling Peninsula Airport Commission (PAC) business, as Chair of the PAC. She did read the minutes, and heard what the citizens said and understood their hearts were in the right place regarding the schools and the community.

Councilwoman Scott thanked Mr. Everett Skipper, Director, Department of Engineering, for serving as guest speaker at the North District Town Hall Meeting, held Monday, April 22, 2019, 7:00 p.m., at the Denbigh Community Center (15198 Warwick Boulevard).

Vice Mayor Vick addressed Ms. Janice Johnson, member of Virginia Organizing, Inc., advising that she admired Ms. Johnson’s advocacy. She expressed thanks to all of the members of Virginia Organizing for their attendance and participation. She indicated that she shared some of the same sentiments about HRT. She advised that she purchased a vehicle because of the slow bus service.

Vice Mayor Vick wished members of the City Clerk’s Office, “Happy Administrative Professionals Day.” She advised that the Clerks worked hard for members of City Council. She commended Ms. Zina Middleton, Chief Deputy City Clerk, for her work in the Clerk’s Office, and the manner in which she handled citizens.

Vice Mayor Vick announced the 31st Annual Clean the Bay Day, scheduled for Saturday, June 1, 2019, 9:00 a.m. – 12:00 p.m., at hundreds of sites across Virginia. She encouraged citizen to join this Virginian tradition and help improve their natural environment. This was Virginia’s single largest day of litter removal and one of the largest volunteer events in the community. Sites in the Southeast Community included Peterson’s Yacht Basin and Huntington Park.

Councilwoman Woodbury thanked the citizens for their attendance and participation and sharing their thoughts and comments.

She displayed a gift tee-shirt, with the quote “A Grateful Heart is a Magnet for Miracles.” She thanked Mr. Bob McElheney, Director, Department of Vehicle Services, for the gift. Councilwoman Woodbury explained that Mr. McElheney and his daughter participated in the One City Marathon together, as the team, “Grateful Hearts,” and knew that was one of her favorite slogans.

Councilwoman Cherry thanked the citizens for their attendance and participation, and for sharing their thoughts and ideas. She indicated that their thoughts, ideas, and suggestions had not gone on deaf ears.
J. Old Business, New Business and Councilmember Comments Continued

Councilwoman Cherry extended thanks to the community for their participation in the Annual Free Easter Basket-Give-Away, held on Saturday, April 20, 2019, 1:00 – 3:00 p.m., at 617-27th Street. She advised that 175 Easter Baskets were distributed to children in the community.

Councilwoman Cherry announced that the NNPD would host a Prescription Drug Take Back Day, scheduled for Saturday, April 27, 2019, 10:00 a.m. – 2:00 p.m., at each of the following sites (NNPD, South Precinct, located at 3303 Jefferson Avenue; NNPD, North Precinct, 368 Deshazor Drive, and Sentara at Port Warwick (Emergency Room Entrance, located at 1031 Loftis Boulevard). The NNPD joined with the Drug Enforcement Administration (DEA) and agencies across the country to collect dangerous, expired, unused, and unwanted prescription medications for destruction during National Prescription Drug Take Back Day.

Councilwoman Cherry announced there would be a Community Chili Cook-off, on Saturday, April 27, 2019, at NNPD, South Precinct, located at 3303 Jefferson Avenue, 11:00 a.m. – 2:00 p.m., where she and Mayor Price would participate. Interested citizens could call (757) 532-7993, or (757) 975-5000, for further details.

Councilwoman Cherry announced that the next South District Your Voice Matters Town Hall Meeting, which had been rescheduled for Thursday, May 2, 2019, 6:00 – 7:30 p.m., at the Brittingham-Midtown Community Center, would need to be rescheduled again due to City Council’s Annual Boards, Commissions, and Committees Reception, scheduled for May 2, 2019. The meeting was rescheduled to Thursday, June 6, 2019, 6:00 p.m. – 7:30 p.m. at the Brittingham-Midtown Community Center (570 McLawhorne Drive). The topic for discussion would be traffic calming for Huntington Heights. Guests would include the City’s Department of Engineering, representatives from the Newport News Shipyard, and the Navy. She reminded than a 90-day trial was held on measures for which the residents had concerns.

Councilman Harris thanked the citizens for their attendance and participation. He reiterated that City Council valued everyone’s opinion.

Councilman Harris advised that he attended the Newport News School Board STARS (Students Taking Action and Responsibility) Awards Ceremony for Middle and High School Students, held Tuesday, April 23, 2019, 11:00 a.m. at the Marriott at City Center. The School Board and the Superintendent recognized middle and high school students for their leadership and dedicated service to their school and community. It was enlightening to see all of the great work the students did beyond athletics to help the City of Newport News be the best.

Councilman Harris extended congratulations to Mr. Ivan Harris, Pastor, First Baptist Church Denbigh (3628 Campbell Road). Pastor Harris preached his last sermon on Easter Sunday, April 21, 2019. He had been the Pastor for 31 years, before announcing his retirement. Councilman Harris advised there would be several services to celebrate his retirement. He reflected on the impact Pastor Harris had on his life as a young boy.
J. Old Business, New Business and Councilmember Comments Continued

Regarding the budget, he advised that he had worked in the NNPS since 2005 as a Counselor, and since 2001 as an employee, and had shared his experiences on numerous occasions. He invited any teacher to meet with him. He met with Mr. Sam Eure, and Ms. Rhonda Wagner, and had great conversations. He advised that his door was always open. He expressed his support for the NNPS and would do all that he could to ensure the best for the children. He advised that the Newport News City Council would continue meeting with the Newport News School Board on both the Operating Budget and the Capital Improvements Plan (CIP). He assured that progress was being made.

Councilman Harris shared one action taken earlier at the City Council Work Session of April 23, 2019, the creation of a committee to ensure the bodies would not be in the same predicament. He shared that there had been a breakdown in trust, and stated it was up to the City Council and the School Board to rebuild and re-establish that trust so that the teachers and staff would know they were valued.

Regarding Ms. Renee Lovett’s comments, Mayor Price advised that he did have a plan, and City Council had a plan, and she should notice as she observed the different areas of the City, that it takes time for visions to come true. He personally wanted to see the Huntington Middle School campus be special. He advised that things were being done, but plans took time. He shared that some things could not be announced until they were complete. He assured Ms. Lovett that the City Council felt upset that the Council and the School were in an adversarial position, and no one enjoyed that position, and no one appreciated education more. Some Council members served on the School Board, their children attended NNPS and Mayor Price shared that he taught in the NNPS, and was aware of what teachers experienced. His wife is a former educator, having taught for over 30 years in the NNPS. City Council loved the City of Newport News and were committed to doing what was best. They also understood the adversity, and understood that the School Board was doing its job and present the best budget possible. He shared that the City had additional needs throughout the City. City Council was committed to ensure, in the future, the relationship between the School Board and the City Council improved, and that there would be earlier and continual communication. For the long-term needs of the NNPS, City Council and the School Board did not need to be in a position as adversaries, but were together and committed to making things happen. Mayor Price expressed his commitment to attempt to get to that point with the School Board. He stated that Huntington would be wonderful, but it would take some time. If the money was available, it would take two years to complete – taking time to design the facility, build the facility, staff the facility, and equip the facility. Mayor Price shared that the current members of the Newport News City Council were committed to doing the best for the entire City and would make everyone proud.

Councilwoman Cherry announced that the Children’s Choir of Newport News had begun. She announced that interested parents, with children, ages 6-12, were welcome to join the meeting on Saturday, May 4, 2019, at the Downing-Gross Cultural Arts Center (2410 Wickham Avenue), 11:00 a.m. – 1:00 p.m. Citizens were encouraged to call (757) 532-7993 for additional details.
J. Old Business, New Business and Councilmember Comments Continued

Councilwoman Scott announced that Lieutenant Molly B. Bartley would retire from the NNPD on April 30, 2019. A Retirement Reception would be held on Tuesday, April 30, 2019, 2:00 p.m. - 5:00 p.m., at the NNPD Headquarters, located at 9710 Jefferson Avenue. She advised that Lieutenant Bartley played an important role in the North District. Councilwoman Scott extended congratulations to Lieutenant Bartley on her retirement. Citizens were invited to attend the Reception to bid farewell to Lieutenant Bartley and to wish her well.

K. Adjourn

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

THERE BEING NO FURTHER BUSINESS,
ON MOTION, COUNCIL ADJOURNED AT 8:22 P.M.

Mabel Washington Jenkins
Mabel Washington Jenkins, MMC
City Clerk

McKinley L. Price, DDS
Mayor
Presiding Officer

A true copy, testified:

City Clerk
4. Resolution of Recognition: Pastor Ivan T. Harris - 31st Pastoral Anniversary and Retirement

ACTION: RESOLUTION OF RECOGNITION: PASTOR IVAN T. HARRIS - 31ST PASTORAL ANNIVERSARY AND RETIREMENT

BACKGROUND:

- Reverend Ivan T. Harris began his service at First Baptist Church Denbigh in 1988 and assumed the role of full-time Pastor in 1991. Reverend Harris is the longest serving Pastor of First Baptist Church Denbigh, a church that with over 155 years of history is the oldest organized African-American church in the City of Newport News, Virginia.

- Reverend Harris received his Bachelor of Science degree from Hampton University and his Bachelor of Theology and Doctor of Divinity degrees from United Christian College in Goldsboro, North Carolina. Reverend Harris completed additional studies in the Masters program of Trinity Seminary in Newburgh, Indiana and received a certificate in leadership from Regent University in Virginia Beach, Virginia.

- Reverend Harris has served in and continues to serve on many conferences, conventions, committees, and boards, including the Hampton University Minister's Conference.

- Reverend Harris has received numerous awards for his community service, including the Hampton University Presidential Citizenship Award in 2002. In 2003, the Mayor of the City of Newport News, Joe S. Frank, proclaimed April 4, 2003 as "Ivan T. Harris Day".

- Pastor Harris's ministry has taken him on three tours of Israel and to the Republic of Benin in Africa, where he facilitated First Baptist Church Denbigh's efforts in the adopted village; the building of a well, a Christian school, a medical clinic and a 300-seat church facility.

- Through Reverend Harris's leadership, the First Baptist Church Denbigh Outreach Center was dedicated in 2006. The
outreach center provides transitional housing for women, a clothing closet, and a food pantry.

- The Resolution of Recognition congratulates Reverend Ivan T. Harris on his 31st Pastoral Anniversary, his retirement as Pastor of the First Baptist Church Denbigh, as well as his dedicated service to the First Baptist Church Denbigh and the community, and extends its best wishes for continued success.

- The City Manager recommends approval.

**FISCAL IMPACT:**  
N/A

**ATTACHMENTS:**

Description
sdm16865 Recognition re Reverend Ivan T. Harris
RESOLUTION NO. ______________

RESOLUTION OF RECOGNITION

WHEREAS, the Council for the City of Newport News, Virginia, would like to recognize the 31st pastoral anniversary and the retirement of the Reverend Ivan T. Harris, Pastor of First Baptist Church Denbigh; and

WHEREAS, Reverend Ivan T. Harris began his service at First Baptist Church Denbigh in 1988 and assumed the role of full-time pastor in 1991. Reverend Harris is the longest serving Pastor of First Baptist Church Denbigh, a church that with over 155 years of history is the oldest organized African-American church in the City of Newport News, Virginia; and

WHEREAS, as Pastor, Reverend Harris serves a congregation of about 2,500 members and leads a large official board that includes eighteen (18) deacons and trustees; a Christian Board of Education; multiple choirs; different committees, and organizational ministries; and

WHEREAS, Reverend Harris received his Bachelor of Science degree from Hampton University, his Bachelor of Theology and Doctor of Divinity degrees from United Christian College in Goldsboro, North Carolina. Reverend Harris completed additional studies in the Masters program of Trinity Seminary in Newburgh, Indiana and received a certificate in leadership from Regent University in Virginia Beach, Virginia; and

WHEREAS, Reverend Harris has served in and continues to serve in many conferences, conventions, committees, and boards, including the Minister’s Coalition as Director of Music, and the Hampton University Minister’s Conference where for many years Reverend Harris’s harmonica skills have been featured on the talent program; and

WHEREAS, in 1995, Reverend Harris released his first harmonica album entitled “Jesus Saves”, followed by his second album, “He Delivered Me” in 2011; and

WHEREAS, Reverend Harris is the director of the Boys to Men Mentorship Program and a past president of the Peninsula Pastors Council. He has served on the boards of Mary Immaculate Bon Secours Hospital in Newport News and the Community Free Clinic of Newport News; and

WHEREAS, Reverend Harris has received numerous awards for his community service including the Hampton University Presidential Citizenship Award in 2002. In 2003, the Mayor of the City of Newport News, Joe S. Frank, proclaimed April 4, 2003 as “Ivan T. Harris Day”; and

WHEREAS, Pastor Harris’s ministry has taken him on three tours of Israel and to the Republic of Benin in Africa where he facilitated First Baptist Church Denbigh’s African Village Adoption Project. Through Pastor Harris’s leadership and First Baptist Church Denbigh’s efforts, a well, a Christian school, a medical clinic, and a 300-seat church facility have been built in the adopted village; and
WHEREAS, through Reverend Harris’s leadership, the First Baptist Church Denbigh Outreach Center was dedicated in 2006. The outreach center provides transitional housing for women, a clothing closet, and a food pantry; and

WHEREAS, the Council for the City of Newport News wishes to recognize Reverend Ivan T. Harris on his 31st pastoral anniversary and on his retirement as pastor of First Baptist Church Denbigh and the Council acknowledges his many years of service to First Baptist Church Denbigh and the community.

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

1. That it hereby recognizes and congratulates the Reverend Ivan T. Harris on his 31st pastoral anniversary and on his retirement as Pastor of the First Baptist Church Denbigh in the City of Newport News.

2. That it congratulates Reverend Ivan T. Harris for his dedicated service to First Baptist Church Denbigh and the community, and extends its best wishes for continued success.

3. That a copy of this resolution be spread upon the records of this body and that a copy be presented to Reverend Ivan T. Harris.

4. That this resolution shall be in effect on and after the date of its adoption, May 14, 2019.
G. Other City Council Actions

1. City Code Related Ordinances to Enact the City Manager's Fiscal Year 2020 Operating Budget

**ACTION:** A REQUEST TO ADOPT THE FOLLOWING ORDINANCES TO ENACT THE CITY MANAGER'S FISCAL YEAR 2020 OPERATING BUDGET.

**BACKGROUND:**

1. Ordinance Amending City Code, Chapter 40, Taxation; Article II., Real Estate Taxes; Division 1., Generally; Section 40-12, Levied; Amount

2. Ordinance Amending City Code, Chapter 37.1, Stormwater Management, Article II., Service Charge, Section 37.1-14. Service Charge

3. Ordinance Amending City Code, Chapter 33, Sewers and Sewage Disposal; Article II., Connections to Public Sewer; Sections 33-19, Charges

4. Ordinance Providing for the Adoption of a Classification and Pay Plan for Employees of the City of Newport News

5. Ordinance Adopting the Budget and Appropriating Funds to Operate the City of Newport News for Fiscal Year Beginning July 1, 2019 and Ending June 30, 2020

**FISCAL IMPACT:** N/A

**ATTACHMENTS:**

<table>
<thead>
<tr>
<th>Description</th>
</tr>
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<tbody>
<tr>
<td>Memo to HCC re FY 2020 CM Final Budget 5.8.19</td>
</tr>
<tr>
<td>1. sdm16809 Sec. 40-12, Levied; amount (Real Estate Taxes)</td>
</tr>
<tr>
<td>2. rag1694 Sec. 37.1-14, Service charge, billing, payment, interest fee and lien</td>
</tr>
<tr>
<td>3. rag11695 Sec. 33-19, Charges (connections to public sewer)</td>
</tr>
<tr>
<td>4. sdm16851 Adoption of a Classification and Pay Plan for Employees</td>
</tr>
<tr>
<td>5. sdm16873 Approving the Budget for FY2019-FY2020</td>
</tr>
</tbody>
</table>
TO: The Honorable City Council

FROM: City Manager

SUBJECT: Adoption of the FY 2020 Recommended Budget

For your consideration is the final FY 2020 Operating Budget for adoption. There were no major financial changes from the original recommended budget of March 26, 2019.

Over the past six weeks since its submission, and based on the feedback from your work sessions, there have been no other City Council changes to the FY 2020 Recommended Budget. The total FY 2020 Operating Budget is $899,426,966, which is an increase of $18,281,294 or 2.0% more than the adopted budget for the current fiscal year. The total Operating Budget includes the General Fund, Schools, Waterworks, and all Special Revenue and Trust Funds.

The Fiscal Year 2020 Operating Budget that is before you for adoption represents a balanced, responsible financial plan that addresses the broad spectrum of needs within our community. With this in mind, the primary focus of the FY 2020 Operating Budget for the City of Newport News builds and advances upon recent public safety enhancements, promotes community revitalization, and enables an environment that fosters financial stability and growth for all members of the community.

There are very exciting and positive elements in the FY 2020 Operating Budget. There is the addition of three new Police Officer positions and a new Community Paramedicine coordinator; support for the startup and operating costs for Marshall-Ridley Choice Neighborhood health clinic and full year funding of the Homeless Day Service Center; and one year dedicated funding to repair existing fire stations throughout the City, just to name a few examples. Funding is included for a 2% merit salary increase, based on individual employee performance. There are no other employee
The Honorable City Council  
Page 2  
Adoption of the FY 2020 Recommended Budget  
May 8, 2019

pay adjustments, such as step increases or compression corrections for any fund other than the School Division operating fund.

The FY 2020 General Fund Operating Budget is $497,643,000, including $3,200,000 in Federal and State grant funds, as initially recommended. As a reminder, a baseline budget was developed for all departments for the upcoming fiscal year, with an emphasis on identifying operational savings and redirecting those savings to other current needs, reexamining and assessing core functions, as well as finding opportunities to increase efficiencies by reducing or eliminating non-essential operations or personnel, and/or reorganization of staff. The baseline budget amounts represent the fundamental costs of providing the existing quantity and quality of services and right-sizing line item amounts (both increases and decreases) determined from current needs and historical trends, within existing budgetary levels. As a result, the FY 2020 General Fund will have one fewer position than the current year.

The School Division final budget is $313,156,216. This is the amount requested in the proposed School Board budget of March 19, 2019, less $2,400,000. The additional $2,400,000 requested by the School Board will be provided to Schools from the proposed FY 2020 Cash Capital amount of $8,896,150 contained in the General Fund operating budget. These combined two funding sources from the City provide full funding of the School Board’s local funding request. In addition, the School Division will receive an unprecedented second year of increased State funding of $8.7 million. With a total $10.7 million (or 3.5% more than FY 2019) in new funds available to Schools, all requested items will be funded. This includes a minimum of 2% salary increase for all employees. With compression adjustments, experience adjustments and changes to the bus driver salary scale, the total employee compensation potential for Schools employees is increases from 2% to 15%. There will be a net of 8.5 new positions, as well as funds for technology and maintenance priorities, as identified by Schools.

As a reminder, as of FY 2019, the City does not calculate the annual payment for debt service as part of the School budget. The City pays the debt associated with School Capital Improvement Plan projects directly.
The Honorable City Council
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Adoption of the FY 2020 Recommended Budget
May 8, 2019

This budget supports City core functions and is within the revenues anticipated to be generated for the upcoming fiscal year. This final budget is sustainable for the year and does not use reserves as a source of funding.

This FY 2020 budget is practical, stable, and protects our citizens, employees, and assets. I recommend adoption of the ordinance that appropriates funds for the entire City, and all supporting ordinances for the FY 2020 Operating Budget.

[Cynthia D. Rohlf signature]

CDR:LJC:jlt
ORDINANCE NO. _______________

AN ORDINANCE TO REORDAIN CHAPTER 40, TAXATION, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE II., REAL ESTATE TAXES, DIVISION 1., GENERALLY, SECTION 40-12, LEVIED; AMOUNT.

WHEREAS, under circumstances specified therein, Section 58.1-3321 of the Code of Virginia requires a special public hearing process when assessments of real property in a locality would result in an “effective tax rate increase;” and

WHEREAS, the application of Section 58.1-3321 is triggered when any annual assessment, biennial assessment or general reassessment of real property in the locality would result in an increase of 1 percent or more in the total real property tax levied in a locality, excluding additional assessments or reassessments due to the construction of new or other improvements; and

WHEREAS, the City Manager reports that the total assessed value of such real property in fiscal year 2020 exceeds last year’s total assessed value by 2.70 percent; and

WHEREAS, the tax rate which would levy the same amount of real estate tax as fiscal year 2019 when multiplied by the new total assessed value of real estate, with the exclusions mentioned above, would be $1.1879 per $100 of assessed value, which rate is known as the “lowered tax rate;” and

WHEREAS, the difference between the “lowered tax rate” and the tax rate proposed in the City Manager’s recommended operating budget is $0.0321 per $100 or 2.70 percent, which difference is known as the “effective tax rate increase;” and

WHEREAS, individual property taxes may increase at a percentage greater than or less than the above percentage; and

WHEREAS, the City Council deems it to be necessary to increase the real estate tax rate for fiscal year 2020 above the rate that would produce no more than 101 percent of last year’s real property tax levies, to the same rate as in fiscal year 2019, or $1.22 per $100 of assessed value, and to take such action herein to adopt that rate; and

WHEREAS, a public hearing on the proposed “effective tax rate increase” was held on May 14, 2019.

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

1. That Chapter 40, Taxation, of the Code of the City of Newport News, Virginia, Article II., Real Estate Taxes, Division 1., Generally, Section 40-12, Levied; amount, be, and the same hereby is, reordained as follows:
CHAPTER 40

TAXATION

ARTICLE II. REAL ESTATE TAXES

DIVISION 1. GENERALLY

Sec. 40-12. Levied; amount.

(a) For the calendar year beginning on January 1, 2002, and ending on December 31, 2002, and for the calendar year beginning on January 1, 2003, and for each and every calendar year thereafter, unless changed, the taxes on taxable real property of public service corporations in the City of Newport News, Virginia, shall be as follows:

1. For the period beginning on January 1, 2002, and ending on June 30, 2002, the tax on lands, lots and improvements thereon, and for all other taxable real estate of public service corporations shall be, and hereby is, levied at the rate of one dollar and twenty-four cents ($1.24) per year on every one hundred dollars ($100.00) of the assessed value thereof, pro-rated for the six-month period.

2. For the period beginning on July 1, 2002, and ending on December 31, 2002, unless changed, the tax on lands, lots and improvements thereon, and for all other taxable real estate of public service corporations shall be, and hereby is, levied at the rate of one dollar and twenty-seven cents ($1.27) per year on every one hundred dollars ($100.00) of the assessed value thereof, pro-rated for the six-month period.

3. For the calendar year beginning January 1, 2003, and ending December 31, 2003, and for each and every calendar year thereafter, unless changed, there shall be, and hereby is, levied a tax on all lands, lots and improvements thereon, and all other taxable real estate of public service corporations at the rate of one dollar and twenty-seven cents ($1.27) per year on every one hundred dollars ($100.00) of the assessed value thereof.

4. For the period beginning on January 1, 2005, and ending on June 30, 2005, the tax on lands, lots and improvements thereon, and for all other taxable real estate of public service corporations shall be, and hereby is, levied at the rate of one dollar and twenty-seven cents ($1.27) per year on every one hundred dollars ($100.00) of the assessed value thereof, pro-rated for the six-month period.

5. For the period beginning on July 1, 2005, and ending on December 31, 2005, unless changed, the tax on lands, lots and improvements thereon, and for all other taxable real estate of public service corporations shall be, and hereby is, levied at the rate of one dollar and twenty-four cents ($1.24) per year on every one hundred dollars ($100.00) of the assessed value thereof, pro-rated for the six-month period.
(6) For the calendar year beginning January 1, 2006, and ending December 31, 2006, and for each and every calendar year thereafter, unless changed, there shall be, and hereby is, levied a tax on all lands, lots and improvements thereon, and all other taxable real estate of public service corporations at the rate of one dollar and twenty-four cents ($1.24) on every one hundred dollars ($100.00) of the assessed value thereof.

(7) For the period beginning on January 1, 2006, and ending on June 30, 2006, the tax on lands, lots and improvements thereon, and for all other taxable real estate of public service corporations shall be, and hereby is, levied at the rate of one dollar and twenty-four cents ($1.24) per year on every one hundred dollars ($100.00) of the assessed value thereof, pro-rated for the six-month period.

(8) For the period beginning on July 1, 2006, and ending on December 31, 2006, unless changed, the tax on lands, lots and improvements thereon, and for all other taxable real estate of public service corporations shall be, and hereby is, levied at the rate of one dollar and twenty cents ($1.20) per year on every one hundred dollars ($100.00) of the assessed value thereof, pro-rated for the six month period.

(9) For the calendar year beginning January 1, 2007, and ending December 31, 2007, and for each and every calendar year thereafter, unless changed, there shall be, and hereby is, levied a tax on all lands, lots and improvements thereon, and all other taxable real estate of public service corporations at the rate of one dollar and twenty cents ($1.20) on every one hundred dollars ($100.00) of the assessed value thereof.

(10) For the calendar year beginning January 1, 2008, and ending December 31, 2008, and for each calendar year thereafter, unless changed, there shall be, and hereby is, levied a tax on all lands, lots and improvements thereon, and all other taxable real estate of public service corporations at the rate of one dollar and ten cents ($1.10) on every one hundred dollars ($100.00) of the assessed value thereof.

(11) For the calendar year beginning January 1, 2009, and ending December 31, 2009, and for each calendar year thereafter, unless changed, there shall be, and hereby is, levied a tax on all lands, lots and improvements thereon, and all other taxable real estate of public service corporations at the rate of one dollar and ten cents ($1.10) on every one hundred dollars ($100.00) of the assessed value thereof.

(12) For the calendar year beginning January 1, 2010, and ending December 31, 2010, and for each calendar year thereafter, unless changed, there shall be, and hereby is, levied a tax on all lands, lots and improvements thereon, and all other taxable real estate of public service corporations at the rate of one dollar and ten cents ($1.10) on every one hundred dollars ($100.00) of the assessed value thereof.
(13) For the period beginning July 1, 2013, and ending on December 31, 2013, unless changed, the tax on lands, lots and improvements thereon, and for all other taxable real estate of public service corporations shall be, and hereby is, levied at the rate of one dollar and twenty-two cents ($1.22) per year on every one hundred dollars ($100.00) of the assessed value thereof, prorated for the six month period.

(14) For the calendar year beginning January 1, 2014, and ending December 31, 2014, and for each calendar year thereafter, unless changed, there shall be, and hereby is, levied a tax on all lands, lots and improvements thereon, and all other taxable real estate of public service corporations at the rate of one dollar and twenty-two cents ($1.22) on every one hundred dollars ($100.00) of the assessed value thereof.

(15) For the calendar year beginning January 1, 2015, and ending December 31, 2015, and for each calendar year thereafter, unless changed, there shall be, and hereby is, levied a tax on all lands, lots and improvements thereon, and all other taxable real estate of public service corporations at the rate of one dollar and twenty-two cents ($1.22) on every one hundred dollars ($100.00) of the assessed value thereof.

(16) For the calendar year beginning January 1, 2016, and ending December 31, 2016, and for each calendar year thereafter, unless changed, there shall be, and hereby is, levied a tax on all lands, lots and improvements thereon, and all other taxable real estate of public service corporations at the rate of one dollar and twenty-two cents ($1.22) on every one hundred dollars ($100.00) of the assessed value thereof.

(17) For the calendar year beginning January 1, 2017, and ending December 31, 2017, and for each calendar year thereafter, unless changed, there shall be, and hereby is, levied a tax on all lands, lots and improvements thereon, and all other taxable real estate of public service corporations at the rate of one dollar and twenty-two cents ($1.22) on every one hundred dollars ($100.00) of the assessed value thereof.

(18) For the calendar year beginning January 1, 2018, and ending December 31, 2018, and for each calendar year thereafter, unless changed, there shall be, and hereby is, levied a tax on all lands, lots and improvements thereon, and all other taxable real estate of public service corporations at the rate of one dollar and twenty-two cents ($1.22) on every one hundred dollars ($100.00) of the assessed value thereof.

(19) For the calendar year beginning January 1, 2019, and ending December 31, 2019, and for each calendar year thereafter, unless changed, there shall be, and hereby is, levied a tax on all lands, lots and improvements thereon, and all other taxable real estate of public service corporations at the rate of one dollar and twenty-two cents ($1.22) on every one hundred dollars ($100.00) of the assessed value thereof.
(b) For the fiscal year beginning on July 1, 2018, and ending on June 30, 2020, and for each and every fiscal year thereafter, unless changed, there shall be, and hereby is, levied a tax on all lands, lots and improvements thereon, and on all other taxable real estate, except that of public service corporations, and except such lands, lots and improvements thereon and all real estate as is exempt from taxation by the laws of the Commonwealth of Virginia or by ordinance of the City of Newport News, at the rate of one dollar and twenty-two cents ($1.22) of every one hundred dollars ($100.00) of assessed value thereof.

2. That this ordinance shall be in effect on and after July 1, 2019.
ORDINANCE NO. ______________

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 37.1, STORMWATER MANAGEMENT, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE II., SERVICE CHARGE, SECTION 37.1-14, SERVICE CHARGE, BILLING, PAYMENT, INTEREST, FEE AND LIEN.

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

1. That Chapter 37.1, Stormwater Management, of the Code of the City of Newport News, Virginia, Article II, Service Charge, Section 37.1-14, Service charge, billing, payment, interest, fee and lien, be, and the same hereby is, amended and reordained, as follows:

CHAPTER 37.1

STORMWATER MANAGEMENT

ARTICLE II. SERVICE CHARGE

Sec. 37.1-14. Service charge, billing, payment, interest, fee and lien.

(a) The levied service charge shall be billed, due and payable in two (2) equal installments. The first installment shall be due on or before the fifth (5th) day of December and the second installment shall be due on or before the fifth (5th) day of June. Any parcel or dwelling unit owner who has remitted payment of the service charges and believes that it is incorrect may submit an adjustment request as provided for in this article.

(b) The service charge is to be paid by the owner of each parcel or dwelling unit that is subject to the charge. The owner of each parcel or dwelling unit in the city, except undeveloped property, shall be mailed a statement for the stormwater service charges. The statements shall include a date by which payment shall be due. All statements shall be mailed at least thirty (30) days prior to the payment due date stated thereon. Payments received after the due date of the bill shall be subject to interest as established in this article.

(c) The service charge due the city from property owners for stormwater management shall be based on the ERU rate of one hundred thirty-nine forty-two dollars and twenty cents ($139.20) per ERU per year. When applicable, the service charge shall be prorated at eleven dollars and sixty-eighty-five cents ($11.60) per ERU per month.
(d) Any bill which has not been paid by the due date shall be deemed delinquent. Unpaid service charges and accrued interest shall constitute a lien against the property, ranking on a parity with liens for unpaid taxes. All charges and interest due may be recovered by action at law and/or suit in equity. For delinquent charges, interest thereon shall commence on the first day of the month following the due date and shall accrue at the rate of ten (10) percent per annum until such time as the delinquent charges and accrued interest are paid.

(e) When previously undeveloped properties are brought into the system or in the event of alterations or additions to developed multifamily property or developed other property that alter the amount of impervious surface and/or the number of dwelling units, a service charge will accrue as determined by the director:

(1) Upon substantial completion of the improvements; or

(2) In the event completion of the improvements is not diligently pursued, upon establishment of the impervious area or dwelling units that affect stormwater runoff. A statement will be issued and said charges will be prorated for the number months for which the parcel is subject to the service charge.

(f) Prior to the adoption of any ordinance pursuant to this section related to the enlargement, improvement or maintenance of privately owned dams, notice consistent with Virginia Code §15.2-1427 shall be given and a public hearing held.

2. That this ordinance shall be in effect on and after July 1, 2019.
AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 33, SEWERS AND SEWAGE DISPOSAL, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE II., CONNECTIONS TO PUBLIC SEWER, SECTION 33-19, CHARGES.

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

1. That Chapter 33, Sewers and Sewage Disposal, of the Code of the City of Newport News, Virginia, Article II., Connections to Public Sewer, Section 33-19, Charges, be, and the same hereby is, amended and reordained as follows:

CHAPTER 33
SEWERS AND SEWAGE DISPOSAL

ARTICLE II. CONNECTIONS TO PUBLIC SEWER

Sec. 33-19. Charges.

(a) Definitions. For the purposes of this article, the following words shall have the meanings ascribed to them in this section:

(1) Assessed shall mean the process to impose taxes or assessments upon abutting property owners for construction of sanitary sewers within the city as authorized by Title 15.2 of the Code of Virginia, 1950, as amended.

(2) Corner lot shall mean a lot abutting upon two (2) or more streets at their intersection, the shortest side fronting upon a street shall be considered the front of the lot, and the longest side fronting upon a street shall be considered the side of the lot.

(3) Frontage shall mean that portion of any real property abutting directly on a public right-of-way.

(b) Connection charge. A connection charge for connection with sewers shall be paid to the city for each lot or parcel of land to be served by such sewers as follows:

(1) For single-family units when the lot or parcel of land has not been assessed, the charge shall be three thousand dollars ($3,800.00) plus a fee of one thousand three hundred fifty-nine dollars ($1,359.00).
tweeighty-two dollars ($1,352.00) for the installation of a lateral. If a lateral had been previously installed to serve the property, no installation fee shall be paid at the time of connection.

(2) For other than single-family units when the lot or parcel of land has not been assessed, the charge shall be computed by multiplying the actual frontage of the lot or parcel of land by fifty-eight nine dollars ($58.00) and adding thereto the applicable charge specified in (b)(4) of this section.

(3) When the lot or parcel of land has been assessed, the charge shall be that specified in (b)(4) of this section.

a. Single-family -- If a lot or parcel of land which has been assessed is subdivided to create additional single-family lots or parcels, the charge for each lot or parcel not already connected to the sewer system shall be in accordance with (b)(1) of this section.

b. Other than single-family -- If a lot or parcel of land which has been assessed is subdivided to create additional lots or parcels for development of other than single-family units, the charge for each lot or parcel not already connected to the sewer system shall be computed by multiplying the actual frontage of the lot or parcel of land by nine dollars and twenty-five thirty-seven cents ($9.25) and adding thereto the applicable charge specified in (b)(4) of this section. It is the council’s intent to recognize in this subsection that there is but a single assessment for a subdividable parcel. A single lateral, hereafter termed the “primary lateral,” is provided to parcels in sewer projects, although other laterals may be constructed if the property owner pays for the cost of materials and labor for such laterals. A connection fee shall therefore be paid for each new parcel created by subsequent subdivision of a parcel other than the parcel served, or capable of being served, by the “primary lateral.”

(4) Flat rate charges shall be based on the following:

a. For a single-family unit when the lot or parcel has been assessed, a charge according to the following shall be paid:

1. Three hundred thirty-six forty-four dollars ($336.00) if paid in a single payment within the first twelve (12) months after the sewer involved was certified for connection. This reduced rate shall be available only to those property owners who obtain a building or plumbing permit within the first
twelve (12 months after the sewer is certified for connection and connect within the time period specified in this section.

2. Six hundred seventy-six ninety-one dollars ($676,0691.00) if not paid as provided in 1. immediately above.

b. For property other than single-family, a charge based on the following shall be paid:

1. For each multifamily unit: Four hundred seventy-three eighty-four dollars ($473,00484.00) per family unit.

2. For sewers serving commercial units: Six hundred seventy-six ninety-one dollars ($676,00691.00) for the first lateral exiting the structure plus four hundred seventy-three eighty-four dollars ($473,00484.00) for each additional lateral.

3. For sewers serving parcels zoned Light Industrial District (M1) or Heavy Industrial District (M2): Six hundred seventy-six ninety-one dollars ($676,00691.00).

4. For sewers serving mobile home parks: Four hundred seventy-three eighty-four dollars ($473,00484.00) per mobile home site.

5. For sewers serving hotels and/or similar establishments: Four hundred seventy-three eighty-four dollars ($473,00484.00) per unit.

(c) **Subdivision lots.** For sewers installed by a developer in accordance with the subdivision regulations, no charge shall be paid to the city under this section for those lots served by the sewer and for which the subdivision connection fee was paid by such developer, except as provided in (b)(3) of this section.

(d) **Corner lots.** For corner lots, the shortest side abutting a public street plus one-half (½) of the intersection arc distance shall be used in determining the frontage charge under this section, provided sixty (60) feet shall be the minimum distance used.

(e) **Lots with no public street frontage.** For lots which do not abut any public street, the shortest side of the lot shall be used in determining the frontage charge under this section, provided that sixty (60) feet shall be the minimum distance used.

(f) **Other requests.** When a sewer connection lateral larger than four (4) inches in diameter
or an additional lateral is desired, the applicant for the permit required by this article shall pay the cost of labor and materials necessary to construct the same but not less than one thousand dollars ($1,000.00).

(g) Unusual cases. The city manager or his designee is authorized to make adjustments to the charges set forth in this section in instances where unusual property frontages exist. If the individual requesting a sewer connection establishes, to the satisfaction of the city manager or his designee, that the total frontage of his property does not represent frontage on developable property, the city manager or his designee may then reduce the frontage upon which the charge is based to that which represents frontage on developable property (but not to a figure which is less than sixty (60) feet).

(h) When charge due. The charge for connecting to the public sewer as herein set out shall be paid to the city as follows:

1. For connections involving single-family units when the lot or parcel has not been assessed requested pursuant to (b)(1) and (b)(3)a., the charge shall be paid prior to the time application is made to the department of codes compliance for the building permit or the plumbing permit, whichever applies to the specific request. If the connection is not completed and approved by the plumbing inspector within the time specified by the pertinent permit, the charge less five hundred dollars ($500.00), to cover administrative costs associated with processing the application and the refund, shall be refunded to the applicant upon request. If the lateral was installed, the charge for the same shall not be refunded; however, if the lateral was not installed, the charge for the same shall be refunded to the applicant upon request. Any subsequent request for a sewer connection at the address involved shall follow the application process that is in effect at the time of such request.

2. For existing buildings other than single-family that has not been assessed, the connection charge shall be paid prior to the time application is made to the department of codes compliance for the plumbing permit; provided, however, that in the case of properties that have been assessed, the plumbing permit shall be obtained within the first twelve (12) months after the sewer involved is certified for connection. If the connection is not completed and approved by the plumbing inspector within ninety (90) days after issuance of the plumbing permit, the charge less five hundred dollars ($500.00), if applicable, to cover administrative costs associated with processing the application and the refund, shall be retained with the remainder refunded to the applicant upon request. If the lateral was installed, the charge for the same shall not be refunded; however, if the lateral was not installed, the charge for the same shall be refunded to the applicant upon request.
(3) For new construction, the connection charge shall be paid prior to the time application is made to the department of codes compliance for the building permit; provided, however, that in the case of properties that have been assessed, the building permit shall be obtained within the first twelve (12) months after the sewer involved is certified for connection. If the connection to the public sewer is not completed and approved by the plumbing inspector within twelve (12) months after issuance of the building permit, the charge, less five hundred dollars ($500.00), if applicable, to cover administrative costs associated with processing the application and the refund, shall be retained with the remainder refunded to the applicant upon request. If the lateral was installed, the charge for the same shall not be refunded; however, if the lateral was not installed, the charge for the same shall be refunded to the applicant upon request.

2. That the increase in fees set forth in this ordinance shall not apply to any sewer extension project for which an authorizing ordinance has been adopted as of the date of adoption of this ordinance.

3. That this ordinance shall be in effect on and after July 1, 2019.
ORDINANCE NO. ______________

AN ORDINANCE PROVIDING FOR THE ADOPTION OF A CLASSIFICATION AND PAY PLAN FOR THE EMPLOYEES OF THE CITY OF NEWPORT NEWS.

WHEREAS, City Council appropriated funding for the implementation of the City of Newport News employee Classification and Compensation Plan in its Fiscal Year 2020 Operating Budget.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Newport News pursuant to Section 4.02(D) of the Charter of the City of Newport News:

1. That the City Manager is hereby authorized to develop, administer and implement the Classification and Pay Plan for all classes of City of Newport News officers and employees effective Fiscal Year July 1, 2019 and thereafter.

2. All employees of the City of Newport News shall be included in the classification plan with the exception of the following:

   (a) Officials elected by the people and persons appointed to fill vacancies in elective offices, and employees of Constitutional Officers unless inclusion of employees of Constitutional Officers in the Classification and Pay Plan is specifically approved by the City Manager;

   (b) Members of boards and commissions, the City Manager, the City Attorney, the City Clerk, and other positions appointed by City Council, the City Registrar, and persons appointed by the Judges of the Circuit Court;

   (c) The Assistant City Managers, the City Manager’s Executive staff and attorneys and other employees in the City Attorney’s Office;

   (d) Employees of the school board;

   (e) Licensed physicians and veterinarians employed by the City in their professional capacities;

   (f) Persons temporarily employed in a professional or scientific capacity, or to conduct a special inquiry, investigation or examination if the Council or the City Manager certifies that such employment is temporary and that the work shall not be performed by employees in the classified service; and

   (g) Persons employed in temporary or regular part-time jobs which are not equivalent to jobs included in the classification plan.
3. Employees of agencies for which the City acts as fiscal agent are not employees of the City of Newport News.

4. The City Manager is authorized to promulgate and administer all provisions which govern salary and classification adjustments for all employees made necessary through the implementation of the Classification and Pay Plan.

5. The City Manager is responsible for the overall development and implementation of the City’s Classification and Pay Plan and for promulgating policies and procedures for the equitable administration of the plan.

6. The City Manager is hereby authorized to establish policies governing the award of any additional compensation to employees in positions exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) and the circumstances under which such compensation may be made.

7. Notwithstanding any provision of this ordinance, the City Clerk, with the prior approval of the City Council, shall have responsibility for the administration of the Classification and Pay Plan as it relates to her respective deputies.

8. This ordinance shall be in effect on and after July 1, 2019.
ORDINANCE NO. ______________

AN ORDINANCE TO APPROVE THE BUDGET AND APPROPRIATE FUNDS TO OPERATE THE CITY OF NEWPORT NEWS FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, AND ENDING JUNE 30, 2020 INCLUSIVE.

BE IT ORDAINED by the Council of the City of Newport News:

1. That the budget for the fiscal year beginning July 1, 2019, and ending June 30, 2020, inclusive, as indicated by the amounts appropriated in paragraph 2 below, be, and the same is hereby approved.

2. That the following amounts are hereby appropriated to the categories as listed in the aforesaid budget:

   General, School Operating, Waterworks, Vehicle and Equipment Services, Special Revenue and Trust Operating, and Community Development Funds

OPERATING BUDGET

General Fund

<table>
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<tr>
<th>Category</th>
<th>Amount</th>
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<tr>
<td>Legislative</td>
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<tr>
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<td>Parks, Recreation and Cultural</td>
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<td>Planning and Community Development</td>
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<tr>
<td>Nondepartmental</td>
<td>64,826,603</td>
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<tr>
<td>Payments to Other Funds</td>
<td>67,580,839</td>
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<td>General Fund Operating Budget</td>
<td>$383,553,693</td>
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<tr>
<td>City Support to School Operating Budget</td>
<td>110,889,307</td>
</tr>
<tr>
<td><strong>Sub-Total General Fund Operations</strong></td>
<td><strong>$494,443,000</strong></td>
</tr>
</tbody>
</table>

Federal Grant Funds               | $1,700,000   |
State Grant Funds                 | 1,500,000    |

**Total General Fund Appropriations** | **$497,643,000**
Waterworks Fund

Waterworks Fund Operating Budget $67,557,801
Payments to the City 13,905,251
Capital Projects and Equipment 12,276,948

Total Waterworks Fund Appropriations $93,740,000

School Operating Fund

State Appropriations $197,383,652
Federal and Other Appropriations 4,883,257
City Appropriations
1. Operating Funds $110,889,307
2. Debt Services 0
Total City Funding Support 110,889,307

Total School Operating Fund Appropriations $313,156,216

Vehicle and Equipment Services Fund

Vehicle and Equipment Services Fund $13,779,000

Total Vehicle and Equipment Services Fund Appropriations $13,779,000

SUBTOTAL - APPROPRIATIONS $918,318,216

LESS - Payments to Other Funds
From General Fund To School Fund $110,889,307
From Waterworks Fund To General Fund 13,905,251
From Waterworks Fund for Capital Improvements 12,276,948
From General Fund To Vehicle and Equipment Services Fund 8,187,641
From Vehicle and Equipment Services Fund To General Fund 28,030

$145,287,177

TOTAL OPERATING BUDGET $773,031,039
SPECIAL REVENUE AND TRUST FUNDS

Auto Self Insurance Fund $1,400,000
General Liability Insurance Fund 1,671,900
Worker's Compensation Fund 3,146,600
Recreation Revolving Fund 5,154,900
Historical Services Fund 1,135,500
Golf Course Revolving Fund 1,734,000
Leeward Marina Revolving Fund 267,100
Tourism, Promotion, Development Fund 1,452,000
School Worker's Compensation Fund 2,323,500
School Textbook Fund 1,959,962
Street/Highway Maintenance Fund 17,510,921
Economic Development Fund 241,500
Law Library Fund 126,200
Stormwater Management Fund 22,958,000
Solid Waste Revolving Fund 14,817,000
Wastewater Fund 21,778,000
Peninsula Regional Animal Shelter Fund 2,563,000
Debt Service Fund 57,460,053
Economic Industrial Development Fund 21,569,000
Applied Research Center Fund 943,000
Parking Facilities Fund 868,300
Pension Trust Fund 85,890,600
City Retirement-Post Retirement Fund 9,087,000
Line of Duty Act Benefit Fund 269,000

SUBTOTAL - SPECIAL REVENUE and TRUST FUNDS $276,327,036

LESS
Payments from Other Funds ($133,735,311)
Payments to Other Funds ($17,678,232)

($151,413,543)

TOTAL SPECIAL REVENUE AND TRUST FUNDS $124,913,493

COMMUNITY DEVELOPMENT FUND

Community Development Block Grant $1,482,434

TOTAL CITY BUDGET $899,426,966

3. That this ordinance shall be in effect on and after July 1, 2019.
G. Other City Council Actions

2. Ordinance to Amend and Reordain City Code, Chapter 31, Pensions and Retirement, By Adding Thereto a New Article, Namely: Article IV., Line of Duty Act

**ACTION:**
AN ORDINANCE TO AMEND AND REORDAIN CITY CODE CHAPTER 31, PENSIONS AND RETIREMENT, BY ADDING THERETO A NEW ARTICLE, NAMELY: ARTICLE IV., LINE OF DUTY ACT.

**BACKGROUND:**
- The Line of Duty Act (LODA) provides health and death benefits to certain public safety employees who are killed or injured in the line of duty. LODA benefits are mandated by the state and funded by localities.
- In 2016, the City established a LODA fund to pay LODA benefit expenses.
- The City’s external auditors are recommending the LODA fund be formally established as an irrevocable trust.
- The proposed amendment to Chapter 31 will establish the LODA fund as a trust fund administered by the Board of Trustees of the Newport News Employees’ Retirement Fund.
- The City Manager recommends approval.

**FISCAL IMPACT:**
- N/A

**ATTACHMENTS:**
Description
Memo to HCC re Chpt 31 Pensions and Retirement - LODA 5.8.19
sdm16840 Adding Article IV, Line of Duty Act to Chapter 31
CITY OF NEWPORT NEWS

OFFICE OF THE CITY MANAGER

May 14, 2019

TO: The Honorable City Council

FROM: City Manager

SUBJECT: Chapter 31, Pensions and Retirement; Article IV., Line of Duty Act Addition

The Line of Duty Act (LODA) established by the Virginia General Assembly provides health and death benefits to certain public safety employees who are killed or injured in the line of duty. Benefits include health, dental, and vision insurance for life for disabled officers, surviving spouses, and dependents, as well as a one-time death benefit payment for officers who die in the line of duty or within five years of retirement from a “presumptive cause.”

In 2010, the state began requiring localities to contribute to LODA benefits with the costs for these benefits budgeted as a General Fund expense. In FY 2016, City Council transferred approximately $2.7 million in General Fund Reserves to establish a LODA fund for these expenses. Currently, the City contributes to this fund each year an amount sufficient to pay claims and expenses related to LODA benefits.

To meet Governmental Accounting Standards Board (GASB) standards, the City’s external auditors are recommending that the LODA fund be formally established as an irrevocable trust, similar to the City’s retirement and other post retirement funds. The proposed amendment to Chapter 31 will establish the LODA fund as a trust fund administered by the Board of Trustees (the Board) of the Newport News Employees’ Retirement Fund, satisfying the GASB requirements.

The Board supports the proposed amendment, and I recommend approval.

[Signature]

Cynthia D. Rohlf

CDR:SMG

cc: Susan M. Goodwin, Director, Department of Finance
ORDINANCE NO. ______________

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 31, PENSIONS AND RETIREMENT, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, BY ADDING THERETO A NEW ARTICLE, NAMELY: ARTICLE IV., LINE OF DUTY ACT.

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

That Chapter 31, Pensions and Retirement, of the Code of the City of Newport News, Virginia, be, and the same hereby is, amended and reordained, by adding thereto a new article, namely: Article IV., Line of Duty Act, as follows:

CHAPTER 31

PENSIONS AND RETIREMENT

ARTICLE IV. LINE OF DUTY ACT

DIVISION 1. ADOPTION; PURPOSE

Sec. 31-150. Created; title; operative date.

A line of duty act plan and trust is hereby created, which shall be known as the City of Newport News Line of Duty Act Benefits Fund, and shall be operative as of the date of adoption of the ordinance from which this article is derived, at which time contributions to the fund shall begin.

Sec. 31-151. Statement of purpose; amendments.

(a) The purpose of the fund is to provide an orderly means whereby disabled persons, eligible spouses, eligible dependents, and beneficiaries as defined in the Virginia Line of Duty Act, Code of Virginia § 9.1-400 et seq (1950) as amended, may receive such benefits as are provided by the Virginia Line of Duty Act.

(b) No amendments to any provision of this article shall be enacted by the city council unless and until such amendment shall have been studied by the board of trustees of the fund and the board's recommendations shall have been received by the city council.

Secs. 31-152--31-154. Reserved.
DIVISION 2. DEFINITIONS

Sec. 31-155. Definitions

The terms used in the Article shall be given the meaning assigned to them in Code of Virginia § 9.1-400 (1950) as amended. Virginia Line of Duty Act means the Line of Duty Act found in the Code of Virginia, §9.1-400 et seq, 1950 as amended. Board means the board of trustees provided for in section 31-70 which shall administer the fund provided for in this article. Fund means the City of Newport News Line of Duty Act Benefits Fund.

Secs. 31-156–31-160. Reserved.

DIVISION 3. MEMBERSHIP

Sec. 31-161. Membership generally.

The membership of the Line of Duty Act fund shall include only those, who by virtue of their employment with the City of Newport News, Virginia or the Sheriff of the City of Newport News, Virginia, and their eligible spouses, dependents or beneficiaries, are provided for in the Virginia Line of Duty Act, to the extent and in such a manner as the Virginia Line of Duty Act provides for such persons.

DIVISION 4. LINE OF DUTY ACT BENEFITS

Sec. 31-162. General provisions.

Disabled persons, eligible spouses and eligible dependents shall receive such benefits as required by the Virginia Line of Duty Act.

Sec. 31-163. Fund’s contribution.

The fund shall contribute toward a member’s Line of Duty Act benefits in accordance with the provisions of the Virginia Line of Duty Act.

Secs. 31-164–31-168. Reserved.
DIVISION 5. DEATH BENEFIT

Sec. 31-169. General provisions.

The Fund shall make a one-time payment, as a death benefit, to the beneficiary of a deceased person pursuant to the provisions of the Virginia Line of Duty Act.

Secs. 31-171–31-176. Reserved.

DIVISION 6. FUNDING

Sec. 31-177. Line of Duty Act benefits reserve.

(a) All of the assets of the fund shall be held in the Line of Duty Act reserve fund, in which shall be accumulated all assets transferred from any predecessor fund and all contributions made pursuant to this division or any other provision of this article, and to which all income from the invested assets of the fund shall be credited. From this reserve shall be paid benefits of the fund as provided for in this article, as well as the necessary administrative expenses.

(b) The annual contributions to the reserve shall be determined in accordance with the provisions of this division.


DIVISION 7. ADMINISTRATION

Sec. 31-194. Administration generally.

(a) The fund shall be administered as a separate and distinct irrevocable trust for the exclusive benefit of its members by the board which also administers the City of Newport News Employees’ Retirement Fund.

(b) Although administered by the board which also administers the City of Newport News Employees' Retirement Fund, the fund shall exist as a separate and distinct fund, existing in its own right pursuant to the provisions of this article, and as such, the board's administration of the fund carries with it a separate and distinct fiduciary duty to the fund and its members.
(c) Notwithstanding any provision of this article to the contrary, the fund shall be administered in compliance with the continuation coverage and portability provisions of 42 U.S.C. Section 300 et seq., commonly known as COBRA (Consolidated Omnibus Budget Reconciliation Act of 1985, as amended).

Sec. 31-195. Board of trustees.

The Board of Trustees of the City of Newport News Employees' Retirement Fund shall administer the City of Newport News Line of Duty Act Benefits Fund for the exclusive benefit of its members in accordance with the provisions of this article.

Sec. 31-196. Supplemental plan provisions.

(a) The provisions of this article may be supplemented periodically by one (1) or more written documents which shall be referred to as the supplemental plan provisions, which shall constitute a part of the regulations for the operation of the fund. The board is authorized to adopt such supplemental plan provisions as are required to maintain the fund as a qualified governmental plan under applicable federal and state laws and the regulations promulgated thereunder, as the same may be amended periodically. A current copy of all supplemental plan provisions adopted by the board shall be maintained by the board and be available to all members upon request.

(b) The board is a public body pursuant to the Virginia Freedom of Information Act and is subject to the provisions thereof.

Sec. 31-197. Day-to-day administration by the department of finance.

For the purposes of administering the fund in accordance with the terms of this article and to execute the orders and directions of the board and the committee on investments, the fund shall be administered by the city's department of finance, division of pensions, or its successor. The city's director of finance shall be the administrative head of this division, which shall be subject to all the laws, rules and regulations governing all departments, divisions and bureaus of the city government.

Sec. 31-198. Duties of director of finance as secretary of board.

The city's director of finance shall be an ex officio secretary of the board and shall be in charge of the books, records, accounts, files and all papers and documents belonging to the board, other than those in the possession or under the control of the city treasurer; shall record all payments made to the fund and deposit funds with the city treasurer; shall, together with the city treasurer, sign checks for payment of sums due by the fund in accordance with authorization of the board; and shall
perform such other duties as may be assigned to such director by the board. A corporate surety bond acceptable to the board shall be furnished by the secretary of the board in such amount as the board may determine.

Sec. 31-199. Board advisors.

(a) The city attorney shall be legal advisor to the board.

(b) The director of the city's department of internal audit shall be an advisor to the board.

Sec. 31-200. Reserved.

Sec. 31-201. Custodian of fund.

(a) The city treasurer shall be an ex officio treasurer of the fund and shall be the official custodian of all cash and securities belonging to the fund, which shall be maintained in a special irrevocable trust fund for the account of the fund. The treasurer shall receive all moneys and securities for the account of the fund and shall, together with the director of finance, sign checks for payments by the fund in accordance with authorization of the board.

(b) Notwithstanding the provisions of subsection (a) above, and in the alternative, the board may, at its option, select a professional custodian for any part or all of its funds and securities, and have such securities registered in such custodian's nominee's name.

(c) A corporate surety bond acceptable to the board shall be furnished by the treasurer and professional custodian in such amounts as the board shall determine.

Sec. 31-202. Powers and duties of the board in administering the fund.

(a) The fund shall be administered by the board, whose powers and duties include but are not limited to:

(1) Maintaining records of all of its proceedings and making such records available for inspection by the public in accordance with law.

(2) Incurring expenditures as it deems necessary for the efficient administration of the fund. The board, subject to applicable rules and regulations, may provide funds for, or contract for, actuarial, medical, professional and other support personnel as may be required for the proper operation of the fund.
(3) Causing an actuarial investigation to be made of all the experience under the fund at least once in each five-year period and at such other times as required by the board. The board shall also cause actuarial gain/loss analyses to be made in conjunction with each actuarial valuation of the fund. Pursuant to such investigations and analyses, the board shall periodically revise the actuarial assumptions.

(4) Causing an annual actuarial valuation to be made of the assets and liabilities of the fund.

(5) Publishing the results of each actuarial valuation of the assets and liabilities.

(6) Publishing annual financial statements of the fund or annual reports in accordance with law.

(7) Promulgating regulations and procedures and making determinations necessary to carry out the provisions of this article.

(8) Purchasing insurance to insure against losses suffered by the fund if any member of the board or of any advisory committee breaches any standard of care required by law.

(9) Adopting rules and policies that bring the fund into and kept in compliance with applicable laws or regulations.

(b) Neither the board nor the various committee members shall incur any liability for any losses suffered by the fund if properly administered under the provisions of this article.

Sec. 31-203. Investment of reserves.

(a) The board shall have full power, in its sole discretion, to invest and reinvest all funds and property of the fund pursuant to the provisions of this article.

(b) The board is hereby delegated with the power and authority to enter into an agreement with one (1) or more persons or qualified institutions under which the investment responsibilities of the board shall be delegated to such person or institution. Such agreement shall be executed by the chairman of the board.

(c) The reserve of the fund may be invested only in:

(1) Interest-bearing bonds or other obligations of the United States or the state;

(2) General obligation bonds and revenue bonds of the state or of any political
subdivision within the state;

(3) Corporate bonds rated "A" or higher by two (2) out of three (3) nationally known security rating concerns, provided, however, that no more than one (1) percent of the fund may be invested in corporate bonds rated less than "A" but not less than "BB";

(4) Federally insured mortgages and mortgage passthroughs on a to-be-announced (TBA) basis as long as funds are set aside to purchase the mortgage on settlement date so as not to leverage the fund;

(5) Equities;

(6) Certificates of deposit;

(7) Guaranteed investment contracts;

(8) Real estate; and

(9) Standing timber and timber rights.

The investments in equities, excluding equities in real estate investment trusts, shall not exceed seventy-five (75) percent of the market value of the assets of the fund as reported on a calendar quarterly basis. To the extent such percentage limitation is exceeded as of the end of any quarter, the board shall take such action as may be necessary to reduce the equity allocation to the required percentage as soon as practicable.

Sec. 31-204. Committee on investments; consultants for investments.

(a) The committee on investments shall make recommendations to the board for the investments of the reserve or the sale of the securities of the fund. The board shall not make any investment nor sell any securities of the fund unless recommended in writing by the committee on investments.

(b) Notwithstanding the foregoing, in the alternative, the board may, at its option, select one (1) or more consultants for portfolio management for the purposes of making investments of the reserve and/or sales of the securities of the fund.

Sec. 31-205. Payment of costs and administration.

All costs and expenses incurred in the administration of the fund shall be paid by the fund from the assets of the fund, and no part of such expenses shall be charged to or paid by the city.
Notwithstanding the foregoing, the city will comply with the Virginia Line of Duty Act, as required, through the fund or by other means.

Sec. 31-206. Records and accounts; annual audit.

Proper and adequate records and accounts shall be established and maintained which will give full effect to the requirements of this article. An annual audit of the books, accounts and records of the fund shall be made by the director of the city's department of internal audit or a certified public accountant.

Sec. 31-207. Annual report.

As of the close of each fiscal year, the board shall cause an annual report to be prepared for inclusion in the city's comprehensive annual financial report for submission to the city council, showing the assets and liabilities of the fund at the end of such year and the income and expenditures for the year and other data pertinent to the operation of the fund.

Sec. 31-208. Right to amend or terminate.

Subject to section 31-151(b), the city council retains the right to amend or terminate the benefits provided under this article at any time for any reason in any manner not prohibited by law.
H. Appropriations

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

1. None Submitted
*I. Citizen Comments on Matters germane to the Business of City Council

J. Old Business, New Business and Councilmember Comments

   City Manager
   City Attorney
   City Clerk

   Price
   Scott
   Vick
   Woodbury
   Cherry
   Harris
   Jenkins

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.”