



# CITY COUNCIL AGENDA

Tuesday, October 22, 2019 - 7:00 p.m.

City Council Chamber

801 Crawford Street, 6<sup>th</sup> Floor, Portsmouth, Virginia

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## CALL TO ORDER

INVOCATION – Reverend Michael L. Williams, Olive Branch Baptist Church

## PLEDGE OF ALLEGIANCE

ROLL CALL **7 members present**

MINUTES (Electronic Roll Call) **Adopted 7-0**

\*\*PER SECTION V OF CITY COUNCIL RULES AND PROCEDURE, APPLAUSE SHALL BE PERMITTED ONLY DURING AWARDS AND PRESENTATIONS. DURING ALL OTHER AGENDA ITEMS, A SPEAKER MAY REQUEST AN EXPRESSION OF CONSENSUS, SUPPORT, OR OPPOSITION BY CALLING FOR A SHOW OF HANDS OR FOR MEMBERS OF THE AUDIENCE TO SILENTLY STAND.

## PRESENTATIONS

Special recognition of Department of Social Services Foster Parents.

Presentation of special lapel pins to newly appointed board and commission members.

Presentation of a proclamation for “National Entrepreneurial Month”.

**\*CITY COUNCIL RULES REQUIRE A LIMIT OF UP TO FIVE (5) MINUTES TO SPEAK\***

## PUBLIC HEARING

19-373 Public hearing with respect to the adoption of a proposed Resolution in substantially the following form creating a Wireless Service Authority under the Act.

19 - 374 - Public hearing on rezoning and use permit applications:

(a) Z-19-04

**Approved  
7-0**

UPTOWN - Mark Dignard, of Innovate Architecture & Interiors, is requesting to rezone approximately 2 acres located at 1501, 1509, 1515, 1519, 1523, and 1541 High Street; 1502, 1538, 1540, 1544, and 1520 King Street; and 517 Peninsula Avenue from D2-Form Based Code (FBC) to Neighborhood Mixed-Use (NMU) in order to construct a 25,000 square foot Hampton Roads Community Health Center. The Future Land Use Map in the Build One Portsmouth Comprehensive Plan designates this property for commercial uses. The property is owned by the Economic Development Authority. (Electronic Roll Call)

- (b) UP-19-14      **UPTOWN** - Mark Dignard, of Innovate Architecture & Interiors, is requesting a Use Permit in order to construct a 25,000 square foot Hampton Roads Community Health Center at 1501, 1509, 1515, 1519, 1523, and 1541 High Street; 1502, 1538, 1540, 1544, and 1520 King Street; and 517 Peninsula Avenue. The property is currently zoned D2-Form Based Code (FBC) and the applicant is jointly proposing a rezoning to the Neighborhood Mixed-Use (NMU) Zoning District. The property is designated for commercial development on the Future Land Use Map in the Build One Portsmouth Comprehensive Plan. The property is owned by the Economic Development Authority. (Electronic Roll Call)
- Approved**  
**7-0**

19-375 - Invitation for bids for a wireless facilities franchise.

19 - 376 - Public hearing on wireless facilities franchise agreement:

(Councilwoman Psimas briefly departs the meeting)

**Adopted**  
**6-0**

Adoption of an ordinance accepting the bid submitted by Cellco Partnership d/b/a Verizon Wireless for a non-exclusive Wireless Facilities Franchise Agreement having a term of ten years with up to three renewal terms of five years each authorizing the placement of wireless facilities within the City's public ways. (Electronic Roll Call)

## UNFINISHED BUSINESS (TABLED)

- 19-351      Adoption of an ordinance to amend and reordain Article II and Article III of Chapter 30 of the Code of the City of Portsmouth, Virginia (2006) by amending Section 30-122 and Section 30-243 for the purpose of conditioning the adjustment of retirement allowances and the payment of supplements under the Portsmouth Supplemental Retirement System and the Portsmouth Fire and Police Retirement System. Tabled at the September 24, 2019 City Council Meeting. (Electronic Roll Call)

**Motion by Ms. Psimas, and seconded by Mr. Glover, to bring this item to the table, and was adopted by the following vote:**

**Ayes: Clark, Glover, Lucas-Burke, Moody, Psimas, Rowe**

**Nays: Battle**

**Motion by Ms. Psimas, and seconded by Vice Mayor Lucas-Burke, to adopt the changes as discussed, and was adopted by the following vote:**

**Ayes: Clark, Glover, Lucas-Burke, Psimas, Rowe**

**Nays: Battle, Moody**

## CITY MANAGER'S REPORT

- 19-377      Adoption of an ordinance to amend and reordain Chapter 32 of the Code of the City of Portsmouth, Virginia (2006) by amending Article IV (Street Poles), Article V (Underground Wires) and Article XI (Wireless Facilities) thereof for the purpose of complying with federal and state laws and regulations regarding wireless facilities and infrastructure. (Electronic Roll Call)
- Adopted**  
**7-0**

- 19-378**  
**Adopted**  
**7-0** Adoption of an ordinance accepting \$44,725 of HOME Investment Partnerships program income and appropriating said amount in the FY 2020 Community Planning and Development Program Fund. (Electronic Roll Call)
- 19-379**  
**Adopted**  
**7-0** Adoption of an ordinance accepting Projects for Assistance in Transition from Homelessness (PATH) funding in the amount of \$3,356 from the Virginia Department of Behavioral Health and Developmental Services and appropriating said amount in the FY 2020 Behavioral Healthcare Services Fund for use by the Department of Behavioral Healthcare Services to assist with homeless transition services. (Electronic Roll Call)
- 19-380**  
**Adopted**  
**7-0** Adoption of an ordinance accepting an Edward Byrne Memorial Justice Assistance Grant in the amount of \$85,764 from the U.S. Department of Justice and appropriating said funds in the FY 2020 Grants Fund for use by the Portsmouth Police Department to fund Law Enforcement Trauma Training and other authorized uses. (Electronic Roll Call)
- 19-381**  
**Adopted**  
**7-0** Adoption of an ordinance to re-appropriate unexpended funds in the amount of \$1,372,272 from the FY 2019 Textbook Fund budget for the Portsmouth Public Schools to the FY 2020 Textbook Fund budget for the Portsmouth Public Schools. (Electronic Roll Call)
- 19-382**  
**Adopted**  
**7-0** Adoption of an ordinance to re-appropriate unexpended funds in the amount of \$10,903 from the FY 2019 Food Services Fund budget for the Portsmouth Public Schools to the FY 2020 Food Services Fund budget for the Portsmouth Public Schools. (Electronic Roll Call)
- 19-383**  
**Adopted**  
**7-0** Adoption of an ordinance to re-appropriate unexpended funds from the FY 2019 Portsmouth Public Schools Grants Fund budget in the total amount of \$266,593 to the FY 2020 Portsmouth Public Schools Grants Fund budget. (Electronic Roll Call)
- 19-384**  
**Adopted**  
**7-0** Adoption of an ordinance accepting funding in the amount of \$317,460 from the Virginia Department of Education and appropriating said funds in the FY 2020 Portsmouth Public Schools Grants Fund budget. (Electronic Roll Call)
- 19-385**  
**Adopted**  
**7-0** Adoption of an ordinance accepting a Haz-Mat Team Equipment, Exercise and Training grant in the amount of \$30,000 from the Virginia Department of Emergency Management and appropriating said funds in the FY 2020 Grants Fund for use by the Department of Fire, Rescue and Emergency Services Hazardous Materials Emergency Response Team. (Electronic Roll Call)
- 19-386**  
**Adopted**  
**7-0** Adoption of an ordinance accepting Hazardous Materials Emergency Response Team Cost Recovery Funds in the amount of \$901.76 from the Virginia Department of Emergency Management and appropriating said sum in the FY 2020 Grants Fund for use by the Department of Fire, Rescue and Emergency Services. (Electronic Roll Call)
- 19-387**  
**Adopted**  
**7-0** Adoption of an ordinance accepting Aid-To-Localities funding in the amount of \$347,953 from the Virginia Department of Fire Programs and appropriating said funds in the FY 2020 Grants Fund for use by the Department of Fire, Rescue and Emergency Services. (Electronic Roll Call)

- 19-388**  
**Adopted**  
**7-0** Adoption of an ordinance accepting a Local Emergency Management Program grant in the amount of \$57,992 from the Virginia Department of Emergency Management and appropriating said amount in the FY 2020 Grants Fund for use by the Department of Fire, Rescue and Emergency Services for emergency management equipment, supplies and training. (Electronic Roll Call)
- 19-389**  
**Adopted**  
**7-0** Adoption of a motion to permit Michael Dougherty to adopt a Portsmouth Police Department Mounted Patrol Horse, "Ginger", a 15-year-old Rocky Mount/Quarter Horse Chestnut Dun Mare. (Electronic Roll Call)

## NEW BUSINESS

- 19-390 Boards and Commissions (Electronic Roll Call)
- 19-391 Items Submitted by Council Members
- 19-392 Report on Pending Items
- 19-393 Non-Agenda Speakers

## ADJOURNMENT

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THE CITY HALL BUILDING, WHICH IS THE REGULAR MEETING PLACE OF THE CITY COUNCIL OF THE CITY OF PORTSMOUTH, VIRGINIA, IS PHYSICALLY ACCESSIBLE TO PERSONS WITH PHYSICAL DISABILITIES. HOWEVER, IF YOU ARE DISABLED AND REQUIRE A REASONABLE ACCOMMODATION IN ORDER TO ATTEND OR PARTICIPATE IN THE MEETINGS OF THE CITY COUNCIL, PLEASE NOTIFY MRS. DEBRA Y. WHITE, CMC/AAE, AT 393-8639, TO ADVISE HER OF YOUR NEED TO BE ACCOMMODATED, AT LEAST 72 HOURS PRIOR TO THE SCHEDULED COUNCIL MEETING THAT YOU PLAN TO ATTEND.

CITY COUNCIL MEETINGS ARE BROADCAST ON PCTV AND AVAILABLE ON THE INTERNET AT [WWW.PORTSMOUTHVA.GOV](http://WWW.PORTSMOUTHVA.GOV).

CITIZENS MAY SIGN UP TO SPEAK ON THE DAY OF THE CITY COUNCIL MEETING:

BY PHONE BETWEEN 8AM - 4PM (393-8639);

BY EMAIL AT [COUNCIL@PORTSMOUTHVA.GOV](mailto:COUNCIL@PORTSMOUTHVA.GOV) BETWEEN 8AM - 4PM;

IN PERSON BETWEEN 8AM - 7PM.

REGISTRATION CARDS WILL NOT BE ACCEPTED AFTER 7PM.