

AN ORDINANCE TO AMEND AND RE-ENACT ORDINANCE NO. 2005-33 IMPOSING AND LEVYING TAXES FOR EACH FISCAL YEAR BEGINNING JULY 1ST AND ENDING JUNE 30TH, ON REAL ESTATE, TANGIBLE PERSONAL PROPERTY, PRIVATELY-OWNED PLEASURE BOATS, PRIVATELY-OWNED CAMPING TRAILERS AND MOTOR HOMES, AND MACHINERY AND TOOLS WITHIN THE CITY OF PORTSMOUTH, VIRGINIA, FOR THE PURPOSE OF RAISING REVENUE FOR THE SUPPORT OF GOVERNMENTAL OPERATIONS AND THE PUBLIC FREE SCHOOLS AND TO PAY PRINCIPAL AND INTEREST ON THE PUBLIC DEBT.

BE IT ORDAINED by the Council of the City of Portsmouth, Virginia:

1. That Ordinance No. 2005-33 is re-enacted imposing and levying taxes for each fiscal year beginning July 1st and ending June 30th, unless otherwise changed herein by Council, on real estate, tangible personal property, privately-owned pleasure boats, privately-owned camping trailers and motor homes, and machinery and tools within the City of Portsmouth, Virginia, for the purpose of raising revenue for the support of governmental operations and the public free schools and to pay principal and interest on the public debt.

2. That Section 1 of Ordinance 2005-33 is amended and reordained to read as follows:

Tax on Real Estate

(a) Other than public service corporations:

The tax on real estate for the City of Portsmouth, Virginia, exclusive of public service corporations, shall \$1.36 on each \$100.00 assessed valuation thereof.

(b) Public service corporations:

The tax on real estate of public service corporations shall be \$1.36 on each \$100.00 assessed valuation thereof.

3. That this ordinance shall take effect on July 1, 2006.

ADOPTED by the Council of the City of Portsmouth, Virginia, at a meeting held on April 25, 2006.

Teste:

Debra Y. White
City Clerk

AN ORDINANCE TO APPROPRIATE \$498,247,722 FOR THE OPERATION OF CITY GOVERNMENT DURING THE FISCAL YEAR BEGINNING JULY 1, 2006.

BE IT ORDAINED by the Council of the City of Portsmouth, Virginia:

1. That the amounts hereinafter stated be, and the same hereby are, appropriated from the funds indicated and for the purposes specified in order to operate the City Government for and during the fiscal year beginning July 1, 2006.

A. GENERAL FUND

General Government		
City Council	439,239	
City Clerk	311,161	
City Assessor	856,466	
City Attorney	1,456,459	
City Manager	1,564,737	
City Treasurer	1,793,511	
Civil Service Commission	64,409	
Registrar	476,178	
Commissioner of the Revenue	1,227,550	
Finance	1,927,209	
Human Resource Management	1,099,150	
Management & Legislative Affairs	501,951	
Office of Video Services	186,450	
Office of Marketing	996,013	
Procurement and Risk Management	646,242	
Support to Civic Organizations	1,222,592	
Judicial	15,775,129	
Public Health	1,272,507	
Public Safety	48,253,232	
Public Works	15,453,351	
Parks, Recreation and Cultural	10,296,037	
Community & Economic Development	7,094,687	
Debt Service	25,416,951	
Transfers and Contingencies	51,941,094	
Non-Departmental and Public		
Transportation	8,738,367	
Total Appropriations		\$ 199,010,672

B. BEHAVIORAL HEALTHCARE SERVICES FUND

Operating Expenditures	\$ 10,223,993	
Total Appropriations		\$ 10,223,993

C. CEMETERY PERPETUAL CARE FUND

Operating Expenditures	\$ 200,000	
Total Appropriations		\$ 200,000

D. CITY GARAGE FUND

Operating Expenditures	\$ 6,269,392	
Debt Service	1,761,181	
Total Appropriations		\$ 8,030,573

E. COMMUNITY PLANNING AND DEVELOPMENT PROGRAM

Operating Expenditures	\$ 3,510,178	
Total Appropriations		\$ 3,510,178

F. COMPREHENSIVE SERVICES ACT FUND

Operating Expenditures	\$ 3,644,405	
Total Appropriations		\$ 3,644,405

G. INFORMATION TECHNOLOGY FUND

Operating Expenditures	\$ 5,115,527	
Debt Service	936,698	
Total Appropriations		\$ 6,052,225

H. GOLF ENTERPRISE FUND

Operating Expenditures	\$ 2,310,902	
Total Appropriations		\$ 2,310,902

I. HEALTH INSURANCE FUND

Operating Expenditures	\$ 16,814,479	
Total Appropriations		\$ 16,814,479

J. LAW LIBRARY FUND

Operating Expenditures	\$ 34,845	
Total Appropriations		\$ 34,845

K. PARKING AUTHORITY FUND

Operating Expenditures	\$ 892,247	
Debt Service	897,567	
Total Appropriations		\$ 1,789,814

L. PORT FACILITIES AND ECONOMIC DEVELOPMENT FUND

Transfers and Reserves	\$ 1,150,000	
Total Appropriations		\$ 1,150,000

M. PUBLIC UTILITY FUND

Operating Expenditures	\$ 24,729,589	
Debt Service	8,206,363	
Total Appropriations		\$ 32,935,952

N. RISK MANAGEMENT AND INSURANCE FUND

Operating Expenditures	\$ 6,433,739	
Total Appropriations		\$ 6,433,739

O. STORMWATER MANAGEMENT FUND

Operating Expenditures	\$ 4,000,362	
Total Appropriations		\$ 4,000,362

P. SOCIAL SERVICES FUND

Operating Expenditures	\$ 23,637,729	
Total Appropriations		\$ 23,637,729

Q. WASTE MANAGEMENT FUND

Operating Expenditures	\$ 8,575,073	
Debt Service	698,156	
Total Appropriations		\$ 9,273,229

R. WILLETT HALL FUND

Operating Expenditures	\$ 1,002,045	
Total Appropriations		\$ 1,002,045

S. PUBLIC SCHOOLS

School Operating Fund	\$139,308,330	
Other Funds	28,884,250	
Total Appropriations		\$ 168,192,580

2. That:

(a) The appropriations hereby made, except those for debt service and the public schools budget, shall be made available on the approval of the City Manager, who shall report to the City Council quarterly in detail all expenditures made for the preceding quarter, and all funds, as far as practicable, shall be expended in equal amounts each month.

(b) The appropriations for debt service shall be made available as they may become due.

(c) The City Manager is hereby authorized at any time during the fiscal year to effect any consolidation of offices or to make other changes he may deem to be in the interest of the City, provided there is no increase in expense.

(d) To the extent that the appropriations identified in A through S are funded by revenues from the Commonwealth, the Federal Government or other contingent sources and to the extent that actual revenues are projected to be less than the estimated revenue, that the City Manager is authorized to reduce spending as necessary in order to prevent expenditures from exceeding available revenue sources.

(e) The appropriation for Public Schools consists of an appropriation of local funds from the City of \$42,683,991. Should such non-City revenues be less than the amounts estimated, the appropriation is hereby reduced accordingly.

3. That this ordinance shall take effect on July 1, 2006.

ADOPTED by the Council of the City of Portsmouth, Virginia, at a meeting held on April 25, 2006.

Teste:

Dena Y. White

City Clerk

AN ORDINANCE ADOPTING THE FY 2006-07 CLASSIFICATION AND PAY PLAN FOR EMPLOYEES OF THE CITY OF PORTSMOUTH, VIRGINIA.

BE IT ORDAINED by the Council of the City of Portsmouth, Virginia:

1. That Ordinance No. 2005-32 be amended by the adoption of Exhibit A, a new classification and pay plan for all employees of the City of Portsmouth, Virginia, entitled "City of Portsmouth Classification and Pay Plan," attached hereto and made a part hereof.

2. That this ordinance shall take effect on July 1, 2006.

ADOPTED by the Council of the City of Portsmouth, Virginia, at a meeting held on April 25, 2006.

Teste:

Delma Y. White
City Clerk

AN ORDINANCE TO AMEND CHAPTER 16 OF THE CODE OF THE CITY OF PORTSMOUTH, VIRGINIA (1988) BY AMENDING SECTIONS 16-64 AND 16-66 AND BY REPEALING SECTION 16-65 THEREOF PERTAINING TO RATES FOR COLLECTION AND DISPOSAL OF TRASH AND REFUSE.

BE IT ORDAINED by the Council of the City of Portsmouth, Virginia:

1. That Sections 16-64 and 16-66 of the Code of the City of Portsmouth, Virginia (1988) be amended and reordained to read as follows:

Sec. 16-64. Rates for dwelling units and certain other establishments.

The service charge for the collection and disposal of trash and garbage from any dwelling unit and any other establishment not subject to the charges imposed by section 16-65 shall be at the rate of \$22.00 per month per dwelling unit or, in the case of such other establishments, at the rate of \$22.00 per month for each such other establishment. The charges imposed under this section shall be billed with the statement rendered for water and sewer charges.

Sec. 16-66. Rates for automated containers in the downtown commercial business district.

(a) The downtown commercial business district shall be defined as the area north of Interstate 264, south of London Boulevard, east of Elm Avenue, and west of the Elizabeth River's Southern Branch.

(b) Where garbage and refuse are stored in automated 105-gallon refuse containers in the downtown commercial business district, the rate charged for service shall be \$22.00 per container multiplied by the number of pick ups per week.

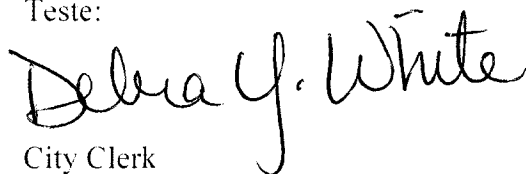
(c) For each additional pick-up, a charge of \$10.00 will be assessed.

2. That Section 16-65 of the Code of the City of Portsmouth, Virginia (1988) be repealed.

3. That this ordinance shall take effect on July 1, 2006.

ADOPTED by the Council of the City of Portsmouth, Virginia at a meeting held on April 25, 2006.

Teste:


City Clerk

AN ORDINANCE TO AMEND CHAPTER 31.1 OF THE CODE OF THE CITY OF PORTSMOUTH, VIRGINIA (1988), BY AMENDING SECTION 31.1-51 (a) THEREOF PERTAINING TO STORMWATER UTILITY FEES.

BE IT ORDAINED by the Council of the City of Portsmouth, Virginia:

1. That Section 31.1-51(a) of the Code of the City of Portsmouth, Virginia (1988) be amended and reordained to read as follows:

Sec. 31.1-51. Stormwater utility fees.

(a) The following stormwater utility fees are hereby authorized for all utility customers in the city. Rates will be based upon equivalent residential units (ERU). An ERU will be the equivalent of 1,877 square feet of impervious area that will include all buildings, structures and other impervious and semi-pervious surfaces that contribute to stormwater runoff. The minimum monthly charge shall be equal to one ERU. The number of ERU's will be determined by the director of public works or his designee.

Residential accounts 1 ERU x \$5.00

Nonresidential accounts Actual number of ERU's x \$5.00

2. That this ordinance shall take effect on July 1, 2006 and shall be applicable to all bills rendered after July 1, 2006.

ADOPTED by the Council of the City of Portsmouth, Virginia, at a meeting held on April 25, 2006.

Teste:

Delva Y. White
City Clerk

AN ORDINANCE TO AMEND CHAPTER 37 OF THE CODE OF THE CITY OF PORTSMOUTH, VIRGINIA (1988) BY AMENDING SECTION 37-250(b) THEREOF PERTAINING TO TOWING AND RELATED SERVICES.

BE IT ORDAINED by the Council of the City of Portsmouth, Virginia:

1. That Sections 37-250 (b) of the Code of the City of Portsmouth, Virginia (1988) be amended and reordained to read as follows:

Sec. 37-250. Tow book to be maintained by chief of police.

(b) The tow book shall be maintained and administered by the chief of police. The chief of police may prescribe conditions for tow operators who apply to be included in the tow book, and he may also establish rules and regulations which must be obeyed by tow operators who are listed in the tow book. An application processing fee of twenty dollars (\$20.00) shall be charged to each applicant for inclusion in the tow book. In promulgating such conditions, rules and regulations, the chief of police may provide for the following matters:

- (1) Compliance with minimum safety standards.
- (2) Ownership or possession of all equipment and facilities deemed necessary by the chief of police to provide essential towing services.
- (3) A fee schedule promulgated by the chief of police providing for the maximum fees to be charged by a tow truck operator for services rendered. Such fee schedule shall include a charge of not less than twenty-two dollars and fifty cents (\$22.50) for basic towing services and additional charges for necessary services in particular cases.

The chief of police shall determine whether additional services were necessary in each particular case and approve all fees charged therefor as follows:

A \$105.00 maximum towing fee may be charged for all tows.

If a call requires more than one (1) wrecker, the fee per wrecker shall not exceed the single wrecker fees set out herein.

A storage fee of \$20.00 per day may be charged commencing twenty-four (24) hours after the tow and any fraction of a day thereafter.

Additional charges may be assessed for tows involving unusual circumstances and written on an approved tow bill. Unusual circumstances include, but are not necessarily limited to:

Use of dollies.

Vehicles that have driven completely or partially off a bridge or overpass.

Vehicles stuck in mud or water.

Vehicles requiring extrication from a tree, utility pole or other comparable object.

Vehicles that are on their sides or roofs and which require being righted.

Additional charges shall not exceed \$85.00 per hour plus the initial fee.

These fees shall only apply to tows within the City of Portsmouth.

- (4) Maintaining of a business office accessible to patrons during reasonable business hours.
- (5) Keeping accurate and complete records of all transactions governed by this section.
- (6) Maintaining proper custody of towed vehicles and their contents.

2. That this ordinance shall take effect on July 1, 2006.

ADOPTED by the Council of the City of Portsmouth, Virginia at a meeting held on April 25, 2006.

Teste:

Delray White
City Clerk

AN ORDINANCE TO AMEND CHAPTER 38 OF THE CODE OF THE CITY OF PORTSMOUTH, VIRGINIA (1988), BY AMENDING SECTIONS 38-83 AND 38-117 THEREOF PERTAINING TO RATES FOR WATER AND SEWAGE DISPOSAL SERVICE.

BE IT ORDAINED by the Council of the City of Portsmouth, Virginia:

1. That Sections 38-83 and 38-117 of the Code of the City of Portsmouth, Virginia (1988) be amended and reordained to read as follows:

Sec. 38-83. Meter rates for water supplied.

(a) For all water that passes through meters, customers within the corporate limits of the city shall pay \$3.38 per one thousand (1,000) gallons or \$2.5286 per one hundred (100) cubic feet of water supplied.

(b) For all water that passes through meters, customers of the City of Chesapeake who are served by Portsmouth and whose rates are not set by contract shall pay \$5.07 per one thousand (1,000) gallons or \$3.7929 per one hundred cubic (100) feet of water supplied.

(c) For all water that passes through meters to the City of Chesapeake pursuant to contract, the City of Chesapeake shall pay:

(1) For the first three (3.0) million gallons of water per day of water supplied during a billing period \$5.07 per one thousand (1,000) gallons or \$3.7929 per one hundred cubic (100) feet of water supplied.

(2) For the amount of water supplied during a billing period in excess of three (3.0) million gallons of water per day \$4.056 per one thousand (1,000) gallons or \$3.0343 per one hundred (100) cubic feet of water supplied.

(d) For all water that passes through meters to the City of Suffolk pursuant to contract, the City of Suffolk shall pay \$3.1024 per one thousand (1,000) gallons or \$2.3209 per one hundred (100) cubic feet of water supplied.

Sec. 38-117. Rates.

(a) Charges for the disposal of sewage discharged into the city system will be based upon the water delivered to the premises as measured by meters used for this purpose at the rate of \$2.65 per one thousand (1,000) gallons or \$1.9825 per one hundred (100) cubic feet. The minimum charge for such service shall be \$2.30 per month.

(b) The minimum charge for a premises or groups of premises containing two or more dwelling units served through a single water meter or connection will be

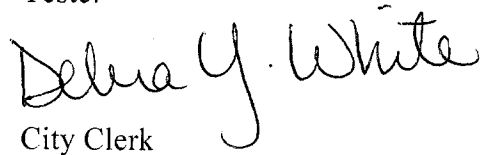
determined by multiplying the minimum charge set out in subsection (a) of this section by the number of dwelling units so served.

(c) Charges for sewer service for dwelling units in premises with unmetered water connections shall be \$13.25 per month.

2. That this ordinance shall take effect on July 1, 2006 and shall be applicable to all bills rendered after July 1, 2006.

ADOPTED by the Council of the City of Portsmouth, Virginia, at a meeting held on April 25, 2006.

Teste:

Handwritten signature of Delia G. White in cursive script.

City Clerk

THE CITY OF
PORTSMOUTH

City Manager's Report
Item Number: 06-188
Submitted by Lance Wolff, Chief Financial Officer
April 25, 2006

Issue: Proposed Adoption of an Ordinance to Appropriate the Capital Improvement Fund and the Public Utilities Capital Improvement Fund for Fiscal Year Ending June 30, 2007

Background:

- The City Manager presented the Proposed Capital Improvement Plan (CIP) for 2007 through 2011, and the funding for year one appropriating the necessary funds in the Capital Improvement Fund and the Public Utilities Capital Improvement Fund.

Discussion:

- Public hearings have been held on April 11 and April 18, 2006 to receive public comments on the five-year CIP, and on funding for year one of the CIP.
- Years 2007 through 2011 of the CIP are un-appropriated years used for long-term planning purposes and are approved as planning years.
- **Financial Impact:** The sums of \$49,080,185 in the Capital Improvement Fund and \$17,325,000 in the Public Utilities Capital Improvement Fund is appropriated for expenditures in the following categories and amounts:
 - **Capital Improvement Fund:**

▪ Drainage and Street Improvements	\$16,397,265
▪ Education	\$15,647,420
▪ Industrial and Economic Developments	\$ 3,387,500
▪ Leisure Services	\$ 850,000
▪ Public Safety	\$ 350,000
▪ Municipal Facilities	\$12,148,000
▪ Contingency	\$ 300,000
 - **Total Capital Improvement Fund** **\$49,080,185**
 - **Public Utilities Capital Improvement Fund** **\$17,325,000**


Staff Recommends:

Adoption of an Ordinance to appropriate \$49,080,185 in the Capital Improvement Fund and \$17,325,000 in the Public Utilities Capital Improvement Fund for the Fiscal Year beginning July 1, 2006 and ending June 30, 2007. *Vision Principles: Bold New Directions, World Class Maritime Center, Neighborhood and Community Transformation, A Robust and Prospering Economy, Lifelong Learning, and Pride of Past, Promise of Future.*

Next Steps Following Council Action:

- The City Manager has ultimate responsibility and authority for the implementation of the Capital Improvement Program. The Chief Financial Officer has day-to-day responsibility for ensuring the CIP is spent as appropriated by City Council.

Attachment: Ordinance


City Manager

AN ORDINANCE TO APPROPRIATE \$49,080,185 IN THE CAPITAL IMPROVEMENT FUND AND \$17,325,000 IN THE PUBLIC UTILITIES CAPITAL IMPROVEMENT FUND.

WHEREAS, the City Manager has submitted to the City Council the Capital Improvement Program for 2007 through 2011 and the funding for Year One of the Capital Improvement Program; and

WHEREAS, public hearings have been held to receive public comments on the five-year Capital Improvement Program and on funding for Year One of the Capital Improvement Program.

BE IT ORDAINED by the Council of the City of Portsmouth, Virginia:

1. That the sums of \$49,080,185 in the Capital Improvement Fund and \$17,325,000 in the Public Utilities Capital Improvement Fund, be, and the same hereby are, appropriated for expenditure in the following categories and amounts to implement the 2006-2007 Capital Improvement Program:

Capital Improvement Fund:

Drainage and Street Improvements	\$ 16,397,265	
Education	\$ 15,647,420	
Industrial and Economic Development	\$ 3,387,500	
Leisure Services	\$ 850,000	
Public Safety	\$ 350,000	
Municipal Facilities	\$ 12,148,000	
Contingency	\$ 300,000	
Total Capital Improvement Fund		\$ 49,080,185
Public Utilities Capital Improvement Fund		\$ 17,325,000

2. That the five-year Capital Improvement Program is approved with years 2007 through 2011 being non-appropriated subsequent planning years.

3. That this ordinance shall take effect on July 1, 2006.

ADOPTED by the Council of the City of Portsmouth, Virginia, at a meeting held on April 25, 2006.

Teste:

City Clerk