

AN ORDINANCE TO AMEND CHAPTER 38 AND APPENDIX A OF THE CODE OF THE CITY OF PORTSMOUTH, VIRGINIA (2006), BY AMENDING SECTIONS 38-83 AND 38-117 AND APPENDIX A 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 (2006) 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 \$3.95 per 1,000 gallons or \$2.9475 per 100 cubic feet of water supplied.

(b) For all water which passes through meters, customers of the City of Chesapeake who are served by Portsmouth and whose rates are not set by contract shall pay \$5.91 per 1000 gallons or \$4.4213 per 100 cubic feet of water supplied.

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

(1) For the first 3.0 million gallons of water per day of water supplied during a billing period \$5.91 per 1,000 gallons or \$4.4213 per 100 cubic feet of water supplied.

(2) For the amount of water supplied during a billing period in excess of 3.0 million gallons of water per day \$4.7280 per 1,000 gallons or \$3.5370 per 100 cubic feet of water supplied.

(d) For all water which passes through meters to the City of Suffolk pursuant to contract, the City of Suffolk shall pay \$3.6186 per 1,000 gallons or \$2.7071 per 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 \$3.09 per 1,000 gallons or \$2.3116 per 100 cubic feet. The minimum charge for such service shall be \$2.67 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 \$15.44 per month.

2. That Appendix A of the Code of the City of Portsmouth, Virginia (2006) be amended as follows:

CHAPTER 38. WATER, SEWERS AND SEWAGE DISPOSAL

<i>Code Section</i>	<i>Description</i>
38-83(a)	For all water that passes through meters, customers within the corporate limits of the city shall pay \$3.95 per 1,000 gallons or \$2.9475 per 100 cubic feet of water supplied.
38-83(b)	For all water which passes through meters, customers of the City of Chesapeake who are served by Portsmouth and whose rates are not set by contract shall pay \$5.91 per 1000 gallons or \$4.4213 per 100 cubic feet of water supplied.
38-83(c)	For all water which passes through meters to the City of Chesapeake pursuant to contract, the City of Chesapeake shall pay: : (1) For the first 3.0 million gallons of water per day of water supplied during a billing period \$5.91 per 1,000 gallons or \$4.4213 per 100 cubic feet of water supplied. (2) For the amount of water supplied during a billing period in excess of 3.0 million gallons of water per day \$4.7280 per 1,000 gallons or \$3.5370 per 100 cubic feet of water supplied.
38-83(d)	For all water which passes through meters to the City of Suffolk pursuant to contract, the City of Suffolk shall pay \$3.6186 per 1,000 gallons or \$2.7071 per 100 cubic feet of water supplied.
38-117(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 \$3.09 per 1,000 gallons or \$2.3116 per 100 cubic feet. The minimum charge for such service shall be \$2.67 per month.

38-117(c)

Charges for sewer service for dwelling units in premises with unmetered water connections shall be \$15.44 per month.

3. That this ordinance shall take effect on July 1, 2008 and shall be applicable to all bills rendered after July 1, 2008.

ADOPTED by the Council of the City of Portsmouth, Virginia, at a meeting held on May 13, 2008.

Teste:

Delva Y. White

City Clerk

AN ORDINANCE TO AMEND CHAPTER 31.1 AND APPENDIX A OF THE CODE OF THE CITY OF PORTSMOUTH, VIRGINIA (2006), BY AMENDING SECTION 31.1-51 (a) AND APPENDIX 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 (2006) be amended and reordained to read as follows:

Sec. 31.1-51. Stormwater utility fees.

(a) The stormwater utility fees set out in Appendix A to this Code 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 which will include all buildings, structures and other impervious and semi-pervious surfaces which 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.

2. That Appendix A to the Code of the City of Portsmouth, Virginia (2006) be amended to increase stormwater utility fees as follows:

CHAPTER 31.1 STORMWATER MANAGEMENT

<i>Code section</i>	<i>Description</i>	<i>Fee</i>
31.1-51(a)	Stormwater utility fee:	
	Residential accounts	One ERU times \$6.00
	Nonresidential accounts	Actual number of ERUs times \$6.00

3. That this ordinance shall take effect on July 1, 2008 and shall be applicable to all bills rendered after July 1, 2008.

ADOPTED by the Council of the City of Portsmouth, Virginia, at a meeting held on May 13, 2008.

Teste:

Delva Y. White
City Clerk

AN ORDINANCE TO AMEND CHAPTER 16 AND APPENDIX A OF THE CODE OF THE CITY OF PORTSMOUTH, VIRGINIA (2006) BY AMENDING SECTIONS 16-64 AND 16-66 AND APPENDIX A 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 (2006) be amended and reordained to read as follows:

Sec. 16-64. Monthly rates for collection and disposal of trash and garbage; generally.

The service charge for the collection and disposal of trash and garbage shall be as set out in Appendix A to this Code. 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 monthly rate charged for service shall be as set out in Appendix A to this Code.

(c) For each additional pick-up, a charge shall be assessed, as set out in Appendix A to this Code

2. That Appendix A to the Code of the City of Portsmouth, Virginia (2006) be amended and reordained as follows:

CHAPTER 16. GARBAGE AND REFUSE

<i>Code Section</i>	<i>Description</i>	<i>Fee</i>
16-64	Rates for dwellings, per dwelling unit, per month	\$ 32.00
16-66(b)	The monthly rate for regularly-scheduled service in the downtown commercial district shall be \$32.00 per container multiplied by the number of pick-ups per week.	

16-66(c) For each additional pick-up, per container \$10.00

3. That this ordinance shall take effect on July 1, 2008.

ADOPTED by the Council of the City of Portsmouth, Virginia at a meeting held on May 13, 2008.

Teste:

Delma Y. White
City Clerk

AN ORDINANCE TO AMEND AND RE-ENACT ORDINANCE NO. 2007-53 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. 2007-53 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 Paragraph 1 of Ordinance 2007-53 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 be \$1.21 on each \$100.00 assessed valuation thereof.

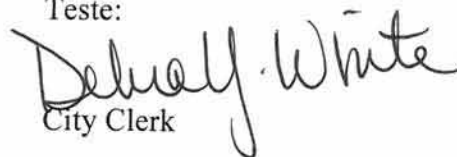
(b) Public service corporations:

The tax on real estate of public service corporations shall be \$1.21 on each \$100.00 assessed valuation thereof.

3. That this ordinance shall take effect on July 1, 2008.

ADOPTED by the Council of the City of Portsmouth, Virginia, at a meeting held on May 13, 2008.

Teste:


City Clerk

AN ORDINANCE TO AMEND APPENDIX A OF THE CODE OF THE CITY OF PORTSMOUTH, VIRGINIA (2006), BY AMENDING CERTAIN FEES AND CHARGES CONTAINED THEREIN PERTAINING TO PLANNING, SUBDIVISION, AND OTHER DEVELOPMENT.

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

1. That the below-listed charges contained in Appendix A of the Code of the City of Portsmouth, Virginia (2006) be amended and reordained to read as follows:

CHAPTER 9.1 CHESAPEAKE BAY PRESERVATION AREA OVERLAY DISTRICT

<i>Code Section</i>	<i>Description</i>	<i>Fee</i>
9.1-12(c)(1)	Fee for application for exception to the performance standards for the Chesapeake Bay Preservation Area Overlay District	\$275.00

CHAPTER 32. STREETS, SIDEWALKS, AND LOCAL IMPROVEMENTS

<i>Code Section</i>	<i>Description</i>	<i>Fee</i>
32-5(a)	Application fee for vacation of street, alley, easement, right-of-way, or other public way; appointment of viewers	\$110.00

CHAPTER 33. SUBDIVISIONS

<i>Code Section</i>	<i>Description</i>	<i>Fee</i>
33-5	Subdivision application and review fees:	
33-5(a)(1)a	Minor plat (subdivision or condominium), per application	\$55.00
33-5(a)(1)b	Major, preliminary---For residential, \$11.00 per lot with a minimum fee of \$110; for land zoned commercial or industrial, \$27.00 per lot with a minimum fee of \$110.00.	
33-5(a)(1)c	Major, final---For residential, \$11.00 per lot with a minimum fee of \$110.00; for land zoned commercial or industrial, \$27.00 per lot with a minimum fee of \$110.00.	
33-5(a)(2)	Subdivision variance, per application	220.00
33-5(a)(3)	Plat vacation, per application	55.00

33-5(a)(4)	Modification, resubdivisions, relocation of lot lines, per application	55.00
33-5(a)(5)	Modification without new lots or new improvements	55.00

CHAPTER 39. WETLANDS

<i>Code Section</i>	<i>Description</i>	<i>Fee</i>
39-25	Wetland application fees:	
	Single-family dwellings	\$55.00
	All other uses	165.00
	After commencement of land disturbance	165.00

CHAPTER 40. ZONING

<i>Code Section</i>	<i>Description</i>	<i>Fee</i>
40-3	Planning and zoning fees and charges:	
	(4) Extension application	\$55.00
	(5) Housing use permit application, plus, per unit	660.00 33.00
	(6) Parking special exception	110.00
	(7) Rezoning application	880.00
	(8) Rezoning (conditional) application	880.00
	(11) Use Permit application	660.00

2. That this ordinance shall take effect on July 1, 2008.

ADOPTED by the Council of the City of Portsmouth, Virginia, at a meeting held on May 13, 2008.

Teste:

Debra Y. White
City Clerk

AN ORDINANCE TO APPROPRIATE \$562,218,266 FOR THE OPERATION OF CITY GOVERNMENT DURING THE FISCAL YEAR BEGINNING JULY 1, 2008.

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, 2008.

A. GENERAL FUND

General Government	
City Council	440,969
City Clerk	363,066
City Assessor	885,687
City Attorney	1,575,660
City Manager	1,255,826
City Treasurer	1,875,278
Civil Service Commission	79,400
Registrar	617,704
Commissioner of the Revenue	1,527,697
Finance	2,047,863
Human Resource Management	1,217,607
Management & Legislative Affairs	572,053
Communications	398,220
Marketing	1,089,810
Procurement and Risk Management	1,270,061
Support to Civic Organizations	592,500
Judicial	20,210,482
Public Health	1,327,506
Public Safety	58,649,079
Public Works	16,613,031
Parks, Recreation and Cultural	12,122,609
Community & Economic Development	7,820,623
Debt Service	26,567,390
Transfers and Contingencies	64,222,664
Non-Departmental and Public	
Transportation	1,891,690
Total Appropriations	\$ 225,234,475

B. BEHAVIORAL HEALTHCARE SERVICES FUND

Operating Expenditures	\$ 12,161,890	
Total Appropriations		\$ 12,161,890

C. CEMETERY PERPETUAL CARE FUND

Operating Expenditures	\$ 100,000	
Total Appropriations		\$ 100,000

D. CITY GARAGE FUND

Operating Expenditures	\$ 7,601,360	
Debt Service	2,364,436	
Total Appropriations		\$ 9,965,796

E. COMMUNITY PLANNING AND DEVELOPMENT PROGRAM

Operating Expenditures	\$ 2,874,926	
Total Appropriations		\$ 2,874,926

F. COMPREHENSIVE SERVICES FUND

Operating Expenditures	\$ 8,684,352	
Total Appropriations		\$ 8,684,352

G. INFORMATION TECHNOLOGY FUND

Operating Expenditures	\$ 5,203,601	
Debt Service	658,317	
Total Appropriations		\$ 5,861,918

H. GOLF ENTERPRISE FUND

Operating Expenditures	\$ 2,269,459	
Debt Service	639,313	
Total Appropriations		\$ 2,908,772

I. HEALTH INSURANCE FUND

Operating Expenditures	\$ 21,925,806	
Total Appropriations		\$ 21,925,806

J. LAW LIBRARY FUND

Operating Expenditures	\$ 33,757	
Total Appropriations		\$ 33,757

K. PARKING AUTHORITY FUND

Operating Expenditures	\$ 1,021,032	
Debt Service	909,688	
Total Appropriations		\$ 1,930,720

L. PUBLIC UTILITY FUND

Operating Expenditures	\$ 29,093,556	
Debt Service	8,212,904	
Total Appropriations		\$ 37,306,460

M. RECREATION FUND

Operating Expenditures	\$ 600,000	
Total Appropriations		\$ 600,000

N. RISK MANAGEMENT AND INSURANCE FUND

Operating Expenditures	\$ 6,913,255	
Total Appropriations		\$ 6,913,255

O. STORMWATER MANAGEMENT FUND

Operating Expenditures	\$ 4,871,023	
Total Appropriations		\$ 4,871,023

P. SOCIAL SERVICES FUND

Operating Expenditures	\$ 27,341,863	
Total Appropriations		\$ 27,341,863

Q. WASTE MANAGEMENT FUND

Operating Expenditures	\$ 12,211,624	
Debt Service	1,069,226	
Total Appropriations		\$ 13,280,850

R. WILLETT HALL FUND

Operating Expenditures	\$ 386,000	
Total Appropriations		\$ 386,000

S. PUBLIC SCHOOLS

School Operating Fund	\$ 151,785,863	
Other Funds	28,050,540	
Total Appropriations		\$ 179,836,403

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 \$49,791,970. 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, 2008.

ADOPTED by the Council of the City of Portsmouth, Virginia, at a meeting held on
May 13, 2008.

Teste:

Debra Y. White

City Clerk

AN ORDINANCE ADOPTING THE FY 2008-2009 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 there is hereby adopted 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 as Exhibit A and made a part hereof.
2. That Ordinance No. 2007-55 is hereby repealed.
3. That this ordinance shall take effect on July 1, 2008.

ADOPTED by the Council of the City of Portsmouth, Virginia, at a meeting held on May 13, 2008.

Teste:

Delray-White
City Clerk

AN ORDINANCE TO APPROPRIATE \$21,680,729 IN THE FY 2008-2009 CAPITAL IMPROVEMENT FUND AND \$ 19,280,000 IN THE FY 2008-2009 PUBLIC UTILITIES CAPITAL IMPROVEMENT FUND.

WHEREAS, the City Manager has submitted to the City Council the Capital Improvement Program for FY 2009 through 2013 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 \$21,680,729 in the FY 2008-2009 Capital Improvement Fund and \$19,280,000 in the FY 2008-2009 Public Utilities Capital Improvement Fund, be, and the same hereby are, appropriated for expenditure in the following categories and amounts to implement the 2008-2009 Capital Improvement Program:

Capital Improvement Fund:

Drainage and Street Improvements	\$ 2,939,040
Education	\$ 1,000,000
Industrial and Economic Development	\$ 7,000,000
Leisure Services	\$ 5,130,000
Municipal Facilities	\$ 5,446,000
Parking Authority	\$ 165,239
Total Capital Improvement Fund	\$ 21,680,729
Public Utilities Capital Improvement Fund	\$ 19,280,000

2. It is the intent of the City to make certain expenditures in connection with the planning, design, acquisition, construction and equipping of the projects herein approved which the City reasonably expects to be reimbursed as permitted by Section 1.150-2 of the regulations pursuant to the Internal Revenue Code of 1986, as amended, from the proceeds of one or more issues of bonds issued to fund the projects. As of the date of this ordinance, the maximum projected amount of general obligation bonds and notes to be issued is not expected to exceed \$16,707,000.

3. That the five-year FY 2009-2013 Capital Improvement Program is approved with years 2010 through 2013 being non-appropriated subsequent planning years.

4. That this ordinance shall take effect on July 1, 2008.

ADOPTED by the Council of the City of Portsmouth, Virginia, at a meeting held on May 13, 2008.

Teste:

Debra Y. White
City Clerk