

ORDINANCE NO. 2010-35

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, and any subsequent amendments thereto adopted pursuant to the requirements of the Code of Virginia, 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:

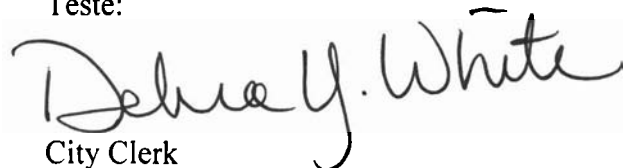
CHAPTER 31.1 STORMWATER MANAGEMENT

| <i>Code section</i> | <i>Description</i> | <i>Fee</i> |
|---------------------|-------------------------|---------------------------------------|
| 31.1-51(a) | Stormwater utility fee: | |
| | Residential accounts | One ERU times \$7.00 |
| | Nonresidential accounts | Actual number of ERUs times \$7.00 |

3. That this ordinance shall take effect on July 1, 2010 and shall be applicable to all bills rendered after July 1, 2010.

ADOPTED by the Council of the City of Portsmouth, Virginia, at a meeting held on May 11, 2010.

Teste:


City Clerk

AN ORDINANCE TO AMEND AND RE-ENACT ORDINANCE NO. 2009-37 AND TO IMPOSE AND LEVY 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.

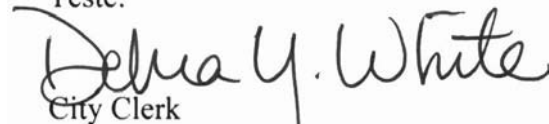
BE IT ORDAINED by the Council of the City of Portsmouth, Virginia:

1. That Ordinance No. 2009-37 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 this ordinance shall take effect on July 1, 2010.

ADOPTED by the Council of the City of Portsmouth, Virginia, at a meeting held on May 11, 2010.

Teste:


City Clerk

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.

The rates for all water that passes through meters to customers within the corporate limits of the City and to customers in the Cities of Chesapeake and Suffolk shall be as set forth in Appendix A of this Code, and any amendments thereto.

Sec. 38-117. Rates for disposal of sewage.

(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 set forth in Appendix A of this Code, and any amendments thereto.

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 \$4.24 per 1,000 gallons or \$3.1715 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 \$6.36 per 1000 gallons or \$4.7572 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: <ul style="list-style-type: none"> (1) For the first 3.0 million gallons of water per day of water supplied during a billing period \$6.36 per 1,000 gallons or \$4.7572 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 \$5.088 per 1,000 gallons or \$3.8058 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 \$3.8943 per 1,000 gallons or \$2.9134 per 100 cubic feet of water supplied.

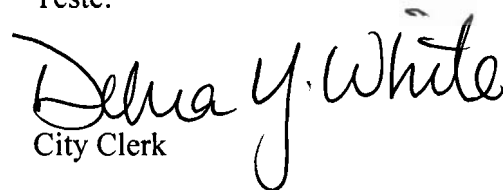
38-117(a) Charges for the disposal of sewage discharged into the city system will be based upon the water delivered to the premises as measured by meters used for this purpose at the rate of \$3.31 per 1,000 gallons or \$2.4790 per 100 cubic feet. The minimum charge for such service shall be \$2.86 per month.

38-117(c) Charges for sewer service for dwelling units in premises with unmetered water connections shall be \$16.57 per month.

3. That this ordinance shall take effect on July 1, 2010 and shall be applicable to all bills rendered after July 1, 2010.

ADOPTED by the Council of the City of Portsmouth, Virginia, at a meeting held on May 11, 2010.

Teste:


City Clerk

AN ORDINANCE TO APPROPRIATE \$41,926,023 IN THE FY 2010-2011 CAPITAL IMPROVEMENT FUND AND \$12,669,000 IN THE FY 2010-2011 PUBLIC UTILITIES CAPITAL IMPROVEMENT FUND.

WHEREAS, the City Manager has submitted to the City Council the Capital Improvement Program for FY 2011 through 2015 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 \$41,926,023 in the FY 2011-2015 Capital Improvement Fund and \$12,669,000 in the FY 2011-2015 Public Utilities Capital Improvement Fund, be, and the same hereby are, appropriated for expenditure in the following categories and amounts to implement the FY 2010-2015 Capital Improvement Program:

Capital Improvement Fund:

| | | |
|---|---------------|--------------|
| Drainage and Street Improvements | \$ 9,204,223 | |
| Education | \$ 1,375,000 | |
| Industrial and Economic Development | \$ 208,000 | |
| Leisure Services | \$ 322,400 | |
| Municipal Facilities | \$ 30,816,400 | |
| Total Capital Improvement Fund | | \$41,926,023 |
| Public Utilities Capital Improvement Fund | | \$12,669,000 |

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 \$33,187,997.

3. That the five-year FY 2011-2015 Capital Improvement Program is approved with fiscal years 2012 through 2015 being non-appropriated subsequent planning years.

4. That this ordinance shall take effect on July 1, 2010.

ADOPTED by the Council of the City of Portsmouth, Virginia, at a meeting held on May 11, 2010.

Teste:
Debra White
City Clerk

AN ORDINANCE TO APPROPRIATE \$547,938,307 FOR THE OPERATION OF CITY GOVERNMENT DURING THE FISCAL YEAR BEGINNING JULY 1, 2010.

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, 2010.

A. GENERAL FUND

| | |
|--|-----------------------|
| General Government | |
| City Council | 451,128 |
| City Clerk | 315,152 |
| City Assessor | 764,158 |
| City Attorney | 1,337,198 |
| City Manager | 1,004,605 |
| City Treasurer | 1,785,490 |
| Civil Service Commission | 64,400 |
| Registrar | 522,123 |
| Commissioner of the Revenue | 1,427,287 |
| Finance | 1,868,769 |
| Human Resource Management | 946,335 |
| Management & Legislative Affairs | 352,283 |
| Marketing and Communications | 1,496,329 |
| Procurement and Risk Management | 1,101,066 |
| Support to Civic Organizations | 331,206 |
| Judicial | 17,411,132 |
| Public Health | 1,199,327 |
| Public Safety | 64,590,320 |
| Public Works | 14,518,294 |
| Parks, Recreation and Cultural | 11,208,414 |
| Community & Economic Development | 5,128,222 |
| Debt Service | 22,671,183 |
| Transfers and Contingencies | 61,334,145 |
| Non-Departmental and Public Transportation | 6,532,824 |
| Total Appropriations | \$ 218,361,390 |

B. BEHAVIORAL HEALTHCARE SERVICES FUND

| | | |
|------------------------|---------------|---------------|
| Operating Expenditures | \$ 11,671,633 | |
| Total Appropriations | | \$ 11,671,633 |

C. CEMETERY PERPETUAL CARE FUND

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

D. CITY GARAGE FUND

| | | |
|------------------------|--------------|--------------|
| Operating Expenditures | \$ 6,377,576 | |
| Debt Service | 1,629,560 | |
| Total Appropriations | | \$ 8,007,136 |

E. COMMUNITY PLANNING AND DEVELOPMENT PROGRAM

| | | |
|------------------------|--------------|--------------|
| Operating Expenditures | \$ 2,649,926 | |
| Total Appropriations | | \$ 2,649,926 |

F. COMPREHENSIVE SERVICES FUND

| | | |
|------------------------|--------------|--------------|
| Operating Expenditures | \$ 9,138,607 | |
| Total Appropriations | | \$ 9,138,607 |

G. GOLF ENTERPRISE FUND

| | | |
|------------------------|--------------|--------------|
| Operating Expenditures | \$ 1,892,181 | |
| Debt Service | 381,288 | |
| Total Appropriations | | \$ 2,273,469 |

H. HEALTH INSURANCE FUND

| | | |
|------------------------|---------------|---------------|
| Operating Expenditures | \$ 18,786,839 | |
| Total Appropriations | | \$ 18,786,839 |

I. INFORMATION TECHNOLOGY FUND

| | | |
|------------------------|--------------|--------------|
| Operating Expenditures | \$ 5,038,291 | |
| Debt Service | 177,855 | |
| Total Appropriations | | \$ 5,216,146 |

J. LAW LIBRARY FUND

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

K. NEW PORT COMMUNITY DEVELOPMENT AUTHORITY

| | | |
|------------------------|------------|------------|
| Operating Expenditures | \$ 960,220 | |
| Total Appropriations | | \$ 960,220 |

L. OTHER POST EMPLOYMENT BENEFITS FUND

| | | |
|------------------------|--------------|--------------|
| Operating Expenditures | \$ 2,500,000 | |
| Total Appropriations | | \$ 2,500,000 |

M. PARKING AUTHORITY FUND

| | | |
|------------------------|------------|--------------|
| Operating Expenditures | \$ 880,496 | |
| Debt Service | 882,547 | |
| Total Appropriations | | \$ 1,763,043 |

N. PUBLIC UTILITY FUND

| | | |
|------------------------|---------------|---------------|
| Operating Expenditures | \$ 32,292,790 | |
| Debt Service | 8,959,020 | |
| Total Appropriations | | \$ 41,251,810 |

O. RECREATION FUND

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

P. RISK MANAGEMENT AND INSURANCE FUND

| | | |
|------------------------|--------------|--------------|
| Operating Expenditures | \$ 6,152,797 | |
| Total Appropriations | | \$ 6,152,797 |

Q. SOCIAL SERVICES FUND

| | | |
|------------------------|---------------|---------------|
| Operating Expenditures | \$ 29,169,432 | |
| Total Appropriations | | \$ 29,169,432 |

R. STORMWATER MANAGEMENT FUND

| | | |
|------------------------|--------------|--------------|
| Operating Expenditures | \$ 5,794,641 | |
| Total Appropriations | | \$ 5,794,641 |

S. WASTE MANAGEMENT FUND

| | | |
|------------------------|---------------|---------------|
| Operating Expenditures | \$ 15,194,279 | |
| Debt Service | 930,841 | |
| Total Appropriations | | \$ 16,125,120 |

T. WILLETT HALL FUND

| | | |
|------------------------|------------|------------|
| Operating Expenditures | \$ 386,625 | |
| Total Appropriations | | \$ 386,625 |

U. PUBLIC SCHOOLS

| | | |
|-------------------------|----------------|----------------|
| School Operating Fund | \$ 133,021,395 | |
| Other Funds | 31,968,991 | |
| Economic Stimulus Funds | 2,005,330 | |
| Total Appropriations | | \$ 166,995,716 |

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 U 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

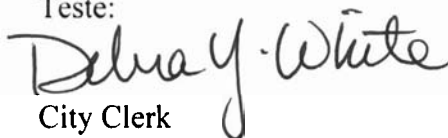
City Manager is authorized to reduce spending as necessary in order to prevent expenditures from exceeding available revenue sources.

(e) The appropriation for Public Schools consists of an appropriation of local funds from the City of \$48,171,651. 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, 2010.

ADOPTED by the Council of the City of Portsmouth, Virginia, at a meeting held on May 11, 2010.

Teste:

A handwritten signature in black ink that reads "Delray White". The signature is written in a cursive style with a large initial "D" and a long, sweeping underline.


City Clerk

AN ORDINANCE ADOPTING THE FY 2010-2011 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. 2009-39, adopted on May 12, 2009, is hereby repealed.
3. That this ordinance shall take effect on July 1, 2010.

ADOPTED by the Council of the City of Portsmouth, Virginia, at a meeting held on May 11, 2010.

Teste:

City Clerk