

City of Hampton

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov



Agenda

Wednesday, August 10, 2016

6:30 PM

Council Chambers

City Council Legislative Session

Mayor Donnie R. Tuck
Vice Mayor Linda D. Curtis
Councilmember Jimmy Gray
Councilmember W.H. "Billy" Hobbs
Councilmember Will Moffett
Councilmember Teresa V. Schmidt
Councilmember Chris Snead

STAFF: Mary Bunting, City Manager
Vanessa T. Valldejuli, City Attorney
Katherine K. Glass, CMC, Clerk of Council

WELCOME TO THE HAMPTON CITY COUNCIL MEETING

Because of the large number of matters that need consideration, the City Council has established a meeting format and certain guidelines for citizen participation. These help ensure that everyone who wishes to speak can do so, and that the Council can benefit from hearing as many different people as possible in the shortest time.

ORDER OF BUSINESS

Agenda items are taken up one at a time in the order in which they are listed. Matters on the consent agenda are routine and are adopted by one motion without separate discussion. However, items can be moved from the consent agenda to the regular agenda upon request by a citizen or a member of the Council. Keep in mind that the agenda is for the convenience of the public and the Council, and that it can be altered by the Council at any time without prior notice when the Council considers it in the public's interest to do so.

CITIZENS ARE INVITED TO PARTICIPATE

The City Council has adopted a three (3) minute time limit policy for individuals desiring to address issues before this body. If you wish to address the City Council on a public hearing item, please sign in before the meeting on the sign-up sheets located in the lobby of City Hall. Please include your name and the subject on which you wish to speak, including the docket number if it is an item on the agenda. Speaking on topics not appearing on the agenda as public hearing items is handled under the public comment portion of the meeting.

If you are with a group of people, you may want to have a spokesman or two present your position to the Council and have others in agreement recognized by standing. The Council will always try to hear everyone who wishes to speak on a subject, but sometimes discussion has to be limited due to time. If the previous speaker has stated your position, you may make that known by reference (for example, "I agree with the position stated by Mr. Jones and have nothing further to add").

Meetings of the Council are formal proceedings, and all comments are recorded. For that reason, you are requested not to speak from your seat or out of turn. When you are called by the presiding officer, please follow these steps:

- (1) Come forward to the speaker's podium.
- (2) State your name and address
- (3) State your conclusion and give facts and other data to back it up.
- (4) If you represent a group or organization, ask the others to rise and be recognized.
- (5) If you have a written statement, give it and other supportive material to the Clerk for the record.

The above guidelines are intended to encourage the greatest possible participation by citizens at Council meetings. They can be modified at any time by the Council at its discretion and without prior notice. Thank you for taking your time to participate in the Council meeting. Good government depends on the interest and involvement of you and your fellow citizens. We invite you to return.

CALL TO ORDER/ROLL CALL**INVOCATION - Councilmember Jimmy Gray****PLEDGE OF ALLEGIANCE TO FLAG****MAYOR'S COMMENTS**

1. [16-0197](#) Motion to Deviate from the Order of Business Set Forth in § 2-43 of the city code

CONSENT AGENDA

2. [16-0185](#) Approval of the minutes from the special session (Retreat Part I) held on July 6, 2016, and the special session, work session, and legislative session of July 13, 2016.
3. [16-0265](#) Resolution to Appropriate the Additional Allocation From the Virginia Department of Transportation for the Fiscal Year 2017 Urban Maintenance Program
4. [16-0267](#) Resolution Approving the Transfer of \$217,458 from North King Street Phase 3 Bond Project to Buckroe Ave Reconstruction-Phase I Bond Project and \$142,500 from North King Street Phase 2 Bond Project to Newmarket Creek Trail Bond Project
5. [16-0269](#) Resolution Authorizing the Transfer from the City of Hampton to the Economic Development Authority of the City of Hampton Two Lots in the Shell Road Area: LRSNs: 13002595 and 13002596, also known as 700 Shell Road.
6. [16-0271](#) Resolution Requesting the Virginia Department of Transportation (VDOT) to Program into the 6-Year Improvement Plan to Authorize the City Manager or her Designee to Execute Agreements and Appropriation of Funds for the Following Nine (9) Projects
7. [16-0272](#) Resolution Approving Participation in and Appropriation of the 2016-2017 Virginia Homelessness Solution Program (VHSP) Grant in the amount of \$1,039,438 through the Department of Housing and Community Development
8. [16-0274](#) Resolution determining Alvean Lyons, Inc., to be the only source practicably available from which to procure the services of the families forward initiative for Hampton families and authorizing the negotiation and execution of a contract with Alvean Lyons, Inc., as a "Sole Source"
9. [16-0278](#) Resolution Approving a Variable Width Utility Easement to Virginia Electric and Power Company ("Dominion") Totaling 8,599 Square Feet, More or Less, Through City Properties Located At 9 Woodland Road (LRSN 12000817) and W. County Street (LRSN 12000815) for the

Transmission and Distribution of Electrical Power

10. [16-0280](#) Resolution Approving the City of Hampton, Virginia's Participation in and Appropriation of the 2016-2017 Virginia Domestic Violence Victim Fund Program through the Hampton Commonwealth's Attorney's Office from the Virginia Department of Criminal Justice Services
11. [16-0282](#) Resolution Approving the City of Hampton, Virginia's Participation in and Appropriation of the 2016-2017 Victim Witness Program Grant from the Virginia Department of Criminal Justice Services
12. [16-0289](#) Resolution Approving the Appropriation of Funds to the Capital Projects Fund for Pine Chapel Road Pedestrian/Bicycle Trail Project
13. [16-0288](#) Resolution Renaming the Fulton Street Playground
14. [16-0284](#) Resolution Approving Fiscal Year 2016 Fourth Quarter Budget Adjustments
15. [16-0287](#) Resolution to Appropriate \$516,591 from Unassigned Fund Balance for the Peninsula Town Center payment
16. [16-0290](#) Resolution to Appropriate \$64,280 received from the National Flood Insurance Program's Grants Increased Cost of Compliance Insurance Program to the City of Hampton Grant Fund to Reimburse the City and Applicable Homeowners for Certain Eligible Expenses Related to the City's Participation in the Federal Emergency Management Agency's Severe Repetitive Loss Program
17. [16-0275](#) Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by Amending Chapter 15, Food and Food Establishments, Section 15-1, Section 15-3, Section 15-21, Section 15,26, Section 15-38, Section 15-40, Section 15-47, Section 15-50, Section 15-66, Section 15-66, Section 15-67, Section 15-74, Section 15-86, Section 15-87, Section 15-88, Section 15-96, Section 15-97, Section 15-98, Section 15-106, Section 15-107, Section 136, Section 137, Section 141 and Section 142, to make the Ordinance consistent with the current practices of the Health Department and to conform to state and federal law; the repeal of Section 15-4, Sections 15-22 - 15-25, Sections 15-27 - 15-37, Section 15-39, Sections 15-41 - 15-46, Section 15-48 - 15-49, Sections 15-51 - 15-56, Sections 15-68 - 15-73, Sections 15-108 - 15-118, Sections 15-138 -15-140 and Sections 15-143 - 15-173 to delete sections that are already covered by state law; and the renumbering of appropriate sections for efficiency.
18. [16-0277](#) Annual Review and Approval of the Hampton-Newport News Community Services Board FY 17 Performance Contract
19. [16-0266](#) Motion to Accept a donation of K-9 protective vests valued in excess of \$8,500 to the Hampton Police Division from the Atlantic K-9 Vest Fund pursuant to city code section 2-134(a).

PRESENTATIONS, PROCLAMATIONS, AWARDS**PUBLIC HEARINGS****Rezoning**

20. [16-0273](#) Rezoning Application No. 16-00009 by the City of Hampton to amend the proffered conditions from Rezoning No 1260 to expand the redevelopment options for the 20+/- acre property which is located on the southwest corner of Coliseum Drive and Pine Chapel Road [LRSN #13002049]

Use Permits

21. [16-0270](#) Use Permit Application No. 16-00006 by Hampton University to permit a private university use at 1414 N. Mallory Street [LRSN 12006101]

Ordinances**Resolutions**

22. [16-0276](#) Resolution to Authorize the Acquisition, by Negotiation or Condemnation, of Permanent and Temporary Easement Takes (Or Possible Fee Takes), Pursuant to § 25.1-100, Et Seq. of the Code of Virginia of 1950, as Amended, From Portions of Two Parcels - N. Armistead Avenue (LRSN 13002792) and 101 Marsh Loop (LRSN 13002788) - From Trail Creek Community, LLC for the Central Park Trail (Formerly Newmarket Creek Trail) Project
23. [16-0279](#) Resolution to Authorize the Acquisition, by Negotiation or Condemnation, of Permanent Drainage Easements, Pursuant to § 25.1-100, Et Seq. of the Code of Virginia of 1950, as Amended, From Portions of 51 Mary Peake Boulevard (LRSN 3004056), 58 Mary Peake Boulevard (LRSN 3004057), and 73 Mary Peake Boulevard (LRSN 3004084) for the Mary Peake Drainage Project

GENERAL ITEMS**Ordinances****Resolutions****Appointments**

24. [16-0138](#) Consideration of appointments to the Parks and Recreation Advisory Board

25. [16-0200](#) Consideration of appointments to the Purchasing and Procurement Oversight Committee
26. [16-0201](#) Consideration of appointments to the Hampton Economic Development Authority
27. [16-0205](#) Consideration of appointments to the Hampton Redevelopment & Housing Authority Citizen Board
28. [16-0208](#) Consideration of appointments to the Hampton Parking Authority
29. [16-0211](#) Consideration of appointments to the Board of Review of Real Estate Assessments
30. [16-0215](#) Consideration of appointments to the Hampton-Newport News Community Service Board
31. [16-0222](#) Consideration of appointments to the Peninsula Stadium Authority
32. [16-0223](#) Consideration of appointments to the Wetlands Board
33. [16-0285](#) Consideration of an appointment to Hampton Employees Retirement System Board (HERS)
34. [16-0286](#) Consideration of an appointment to Cultural Alliance of Greater Hampton Roads

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

MISCELLANEOUS NEW BUSINESS

PUBLIC COMMENT

ADJOURNMENT

Contact Info:

Clerk of Council, 757-727-6315, council@hampton.gov