CITY OF VIRGINIA BEACH
“COMMUNITY FOR A LIFETIME”

CITY COUNCIL
MAYOR ROBERT M. “BOBBY” DYER, At Large
VICE MAYOR JAMES L. WOOD, Lynnhaven – District 5
JESSICA P. ABBOTT, Kempsville – District 2
MICHAEL F. BERLUCCHI, Rose Hall – District 3
BARBARA M. HENLEY, Princess Anne – District 7
LOUIS R. JONES, Bayside – District 4
JOHN D. MOSS, At Large
AARON R. ROUSE, At Large
GUY K. TOWER, Beach – District 6
ROSEMARY WILSON, At Large
SABRINA D. WOOTEN, Centerville – District 1

CITY COUNCIL AGENDA
October 6, 2020

MAYOR ROBERT M. “BOBBY” DYER
PRESIDING

I. CITY MANAGER’S BRIEFINGS - City Council Chamber - 3:00 PM

A. CHILDREN’S SERVICES ACT
   Aileen Smith, Director – Human Services

B. COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY (C-PACE) UPDATE
   Bobby Tajan, Director – Planning and Community Development

C. MOTORIZED SCOOTER FRANCHISE AGREEMENT AMENDMENTS
   Brian Solis, Assistant to the City Manager for Special Projects

D. RESORT AREA OUTDOOR CAFÉ FRANCHISE AGREEMENT AMENDMENTS
   Emily Archer, Senior Planner/Urban Designer – Strategic Growth Office

E. PANDEMIC FINANCIAL RELIEF AND ASSISTANCE
   Patrick Duhaney, City Manager

II. COUNCIL LIAISON REPORTS

III. CITY COUNCIL COMMENTS

IV. CITY COUNCIL AGENDA REVIEW

V. INFORMAL SESSION - City Council Chamber - 5:00 PM

A. CALL TO ORDER – Mayor Robert M. “Bobby” Dyer

B. CITY COUNCIL ROLL CALL

C. RECESS TO CLOSED SESSION
VI. FORMAL SESSION - City Council Chamber - 6:00 PM

A. CALL TO ORDER – Mayor Robert M. “Bobby” Dyer

B. INVOCATION

C. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

D. ELECTRONIC ROLL CALL OF CITY COUNCIL

E. CERTIFICATION OF CLOSED SESSION

F. MINUTES

1. INFORMAL and FORMAL SESSION September 15, 2020
2. SPECIAL SESSION September 22, 2020

G. MAYOR’S PRESENTATION

RECOGNITION – 2020 Sister Cities Association of Virginia Beach (SAVB) Youth Ambassador

H. PUBLIC COMMENT

1. ALLOCATION OF EDWARD BYRNE JUSTICE ASSISTANCE GRANT
   Law Enforcement Purposes
2. 2021 LEGISLATIVE AGENDA

I. PUBLIC HEARINGS

1. LEASE OF CITY PROPERTY
   a. Parking Use Agreement at Lynnhaven Municipal Marina with Chick's Marina Properties, LLC (13 spaces between 4 a.m. - 4 p.m. & 24 spaces between 4 p.m. - 4 a.m.)
   b. 1113 Atlantic Avenue (deWitt Cottage)

J. FORMAL SESSION AGENDA

1. CONSENT AGENDA

K. ORDINANCES/RESOLUTIONS

1. Resolutions to REFER to Planning Commission six (6) Ordinances pertaining to the City Zoning Ordinance (CZO): *(a-e Requested by Vice Mayor Wood, Council Member Jones and Council Member Tower)
   a. AMEND Section 102 re establish short term rental overlay districts
   b. ADD Article 23, Sections 2300 to 2303 re establish regulations and requirements to short term rentals in each overlay district
   c. AMEND Official Zoning Map by the designation and incorporation of property into short term rental overlay districts re West Shore Drive, East Shore Drive, North End, and Oceanfront Resort District
   d. AMEND Sections 401, 501, 506, 601, 901, 1110, 1125, 1521 and 2203 and Section 5.2 of the Oceanfront Resort District Form-Based Code re requirements and use of short term rentals and overlays
e. **ESTABLISH** transitional rules for the review of short term rental Conditional Use Permits in overlay districts
f. **AMEND** Section 241.2 re **establish additional safety requirements to short-term rentals** (Requested by Council Member Henley)

2. Ordinance to **AUTHORIZE** the City Manager to **EXECUTE** a Lease of City-Owned Property for up to five (5) years with Back Bay Wildfowl Guild, Inc. at 1113 Atlantic Avenue re **the deWitt Cottage**

3. Ordinance to **AUTHORIZE** the acquisition of property in fee simple re **Princess Anne Plaza** **North London Bridge Creek Pump Station Project, CIP# 7-089** and the acquisition of temporary and permanent easements, either by agreement or condemnation

4. Ordinance to **AUTHORIZE** a temporary encroachment into a portion of City-Owned Property known as Treasure Canal in Bay Island adjacent to 2233 Spinnaker Circle re **construct and maintain a proposed boat lift**

5. Resolution to **AUTHORIZE** the issuance and sale of General Obligation Refunding Bond, Series 2020, in an aggregate principal amount not to **EXCEED** $3,445,000 and the execution and delivery of certain documents prepared in connection therewith

6. Ordinance to **RESERVE** Fund Balance within the General Fund for the Pandemic Financial Relief and Assistance Reserve and **APPROPRIATE** $10-Million in grants to United Way and FY2020-21 Emergency Medical Services (EMS) Operating Budget re **emergency assistance for residents and nonprofit volunteer rescue squads**

7. Ordinance to **APPROPRIATE** $2.4-Million of Fund Balance in the General Fund and $831,851 of Fund Balance in the Waste Management Enterprise Fund re **purchase replacement vehicles and equipment**

8. Ordinances to **ACCEPT** and **APPROPRIATE**:
   
a. $29,000 from the Department of Forestry to FY2020-21 Parks and Recreation Operating Budget and to **AUTHORIZE** local match re **tree plantings and review / update the Urban Forest Management Plan**

b. $36,000 from Virginia Department of Criminal Justice Services to FY2020-21 Police Department Operating Budget re **purchase of sanitizing equipment**

c. $48,000 from the Department of Motor Vehicles (DMV) to the FY 2020-21 Police Department Operating Budget and to **AUTHORIZE** 50% in-kind match re **overtime related to the enforcement of DUI laws**

d. $48,200 from the Department of Motor Vehicles (DMV) to the FY2020-21 Police Department Operating Budget and to **AUTHORIZE** 50% in-kind match re **overtime related to the enforcement of seat belt laws**

e. $288,975 from the Department of Homeland Security to the FY 2020-21 Police Operating Budget and **TRANSFER** $5,075 within the FY2020-21 Police Operating Budget to provide the required local grant match re **marine patrol equipment**

f. $39,258,497 from the United States Department of Treasury CARES Act Coronavirus Relief Fund to FY2020-21 Grant Fund re **reimbursable expenses**
9. Ordinances to **TRANSFER:**

   a. $180,000 within the Waste Management Enterprise Fund and **AUTHORIZE** 7.5 temporary part-time positions re **Apprenticeship Program**

   b. $1.5-Million within the Stormwater Enterprise Fund re **debt service payments**

L. **PLANNING**

1. **DONALD H. & DIANE F. HORSLEY** for a **Variance** to Section 4.4(b) of the Subdivision Regulations re **minimum 150-foot lot width and street line frontage requirements** at 3340 Ives Road DISTRICT 7 – PRINCESS ANNE

   RECOMMENDATION: APPROVAL

2. **LATIFAH PIVOTT & ANTHONY PIVOTT** for a **Conditional Use Permit** re **family day care** at 4494 Cherrywood Lane DISTRICT 1 – CENTERVILLE

   RECOMMENDATION: APPROVAL

3. **DALE WOODEN** for a **Conditional Use Permit** re **home occupation** at 6336 Blackwater Road DISTRICT 7 – PRINCESS ANNE

   RECOMMENDATION: APPROVAL

M. **APPOINTMENTS**

2040 VISION TO ACTION COMMUNITY COALITION  
BAYFRONT ADVISORY COMMISSION  
BOARD OF BUILDING CODE APPEALS  
CHESAPEAKE BAY ALCOHOL SAFETY ACTION PROGRAM  
CLEAN COMMUNITY COMMISSION  
COMMUNITY ORGANIZATION GRANT REVIEW & ALLOCATION COMMITTEE  
COMMUNITY SERVICES BOARD  
GREEN RIBBON COMMITTEE  
HEALTH SERVICES ADVISORY BOARD  
HOUSING ADVISORY BOARD  
HUMAN RIGHTS COMMISSION  
INVESTIGATIVE REVIEW PANEL  
MILITARY ECONOMIC DEVELOPMENT ADVISORY COMMITTEE  
MINORITY BUSINESS COUNCIL  
OLD BEACH DESIGN REVIEW COMMITTEE  
OPEN SPACE ADVISORY COMMITTEE  
PARKS AND RECREATION COMMISSION  
PUBLIC LIBRARIES BOARD  
RESORT ADVISORY COMMISSION  
TRANSITION AREA/INTERFACILITY TRAFFIC AREA CITIZENS ADVISORY COMMITTEE  
VIRGINIA BEACH COMMUNITY DEVELOPMENT CORPORATION  
WETLANDS BOARD
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N. UNFINISHED BUSINESS

O. NEW BUSINESS

P. ADJOURNMENT

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PUBLIC COMMENT
Non-Agenda Items
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If you are physically disabled or visually impaired and need assistance at this meeting, please call the CITY CLERK'S OFFICE at 385-4303.

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