

AN ORDINANCE No. 2017-128

To declare that a public necessity exists and to authorize the Chief Administrative Officer or the designee thereof, for and on behalf of the City of Richmond, to acquire, at a tax delinquent judicial sale, the property located at 2113 Warwick Avenue and to authorize the Chief Administrative Officer or the designee thereof to accept title to such property for the purpose of implementing a stormwater best management practice on the property and permanently maintaining the property in accordance with such practice.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JULY 24 2017 AT 6 P.M.

WHEREAS, pursuant to sections 58.1-3970 and 58.1- 3970.1 of the Code of Virginia (1950), as amended, the City of Richmond is authorized to acquire tax delinquent properties sold pursuant to sections 58.1-3965 through 58.1-3974 of the Code of Virginia (1950), as amended, or pursuant to any other provision of law for the enforcement of tax liens; and

WHEREAS, the property located at 2113 Warwick Avenue, with Tax Parcel No. S007-1632/011, is eligible to be sold at a judicial sale for delinquent taxes; and

WHEREAS, the City desires to acquire the aforesaid property for the purpose of implementing a stormwater best management practice on the property and permanently maintaining the property in accordance with such practice; and

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: JULY24 2017 REJECTED: _____ STRICKEN: _____

WHEREAS, any such acquisition is subject to the approval of the Circuit Court of the City of Richmond; and

WHEREAS, upon acquisition, the City desires to obtain title to the aforesaid property for the purpose of implementing a stormwater best management practice on the property and permanently maintaining the property in accordance with such practice; and

WHEREAS, the Chief Administrative Officer's authority to accept title to the aforesaid property is contingent upon the City's acquisition of the aforesaid property and is, therefore, null and void if the Circuit Court of the City of Richmond should reject the City's offer to acquire;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That pursuant to sections 58.1-3970 and 58.1-3970.1 of the Code of Virginia (1950), as amended, the Chief Administrative Officer, or the designee thereof, is hereby authorized to acquire, at a tax delinquent judicial sale, the property located at 2113 Warwick Avenue, with Tax Parcel No. S007-1632/011, for the purpose of implementing a stormwater best management practice on the property and permanently maintaining the property in accordance with such practice.

§ 2. That the acquisition is necessary for the public purpose of implementing a stormwater best management practice on the property and permanently maintaining the property in accordance with such practice.

§ 3. That upon acquisition of the property, the Chief Administrative Officer, or the designee thereof, is hereby authorized on behalf of the City of Richmond to accept title to the property located at 2113 Warwick Avenue, with Tax Parcel No. S007-1632/011, for the purpose

of implementing a stormwater best management practice on the property and permanently maintaining the property in accordance with such practice.

§ 4. This ordinance shall be in force and effect upon adoption.



CITY OF RICHMOND
INTRACITY CORRESPONDENCE

O & R REQUEST

4-6617
JUN 5 2017

Office of the
Chief Administrative Officer

O&R REQUEST

DATE: June 5, 2017 EDITION: 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor

Handwritten initials and date 6/10/17

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

Handwritten initials

THROUGH: Lenora Reid, Finance Deputy Chief Administrative Officer

THROUGH: John Wack, Director of Finance

Handwritten initials JPD and note JAMES DUNN FOR JOHN WACK

THROUGH: Robert Steidel, Public Utilities Director & Interim Deputy Chief Administrative Officer

Handwritten initials and date June 17

FROM: Jennifer Hatchett, Stormwater Utility Administrator

Handwritten initials JH and date 6.5.17

RE: TO DECLARE THAT A PUBLIC NECESSITY EXISTS AND TO AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO ACQUIRE AND TRANSFER THROUGH THE TAX DELINQUENT JUDICIAL SALE PROCESS BY A SPECIAL WARRANTY DEED, PROPERTIES LOCATED AT 2113, 2115 AND 2119 WARWICK AVENUE TO ESTABLISH A PERMANENT STORMWATER EASEMENT.

ORD. OR RES. No. _____

PURPOSE: To declare that a public necessity exists and to authorize the Chief Administrative Officer or designee, through the tax delinquent sale process, to petition the Court to acquire outright the said properties located at 2113, 2115 and 2119 Warwick Avenue under VA Code 58.1-3970.1.

REASON: The properties are tax delinquent parcels that the city seeks to acquire for the purpose of DPU's construction of a Stormwater Best Management Practice.

RECOMMENDATION: Approval is recommended by the City Administration

RECEIVED

JUN 21 2017

OFFICE OF CITY ATTORNEY

BACKGROUND: The properties are needed to implement a project that will help in meeting reduction requirements for pollutants such as nitrogen, phosphorus and total suspended solids. The project will improve 1,500 feet of a tributary to Goodes Creek, restoring and repairing the original creek bed and reducing stream bank erosion. It will reduce nutrient pollution by more than 200 pounds each of nitrogen and phosphorus, and over 100,000 pounds of sediment, resulting in a cleaner James River and Chesapeake Bay.

The central design component is to capture previously untreated stormwater and stream-flow from a closed stormwater conveyance system in order to provide water quality and ecological improvements. Concurrently this project will re-establish a previously abandoned stream bed along Minefee Street and create a beneficial wetland.

In addition, the nutrient reductions achieved through this project will generate needed nutrient credits that can be used as an internal nutrient credit bank for use by City departments to reduce the amount credits currently being purchased from outside sources. For example, currently the Department of Public Works must purchase credits from outside sources in order to offset nutrient pollutants generated during land disturbing processes. The credits from this project can be used to reduce the need for DPW to purchase these credits from outside sources.

The City endeavors to return properties to productive use and to own and maintain the appurtenances that shall be installed on the property.

FISCAL IMPACT / COST: There is no current fiscal impact to the city as all legal related costs of the sale of the property will be paid for out of the proceeds from the sale per section 58.1-3965, 58.1-3967 and 58.1-3969 of the Code of Virginia. The Department of Public Utilities is willing to trade the nutrient credits generated through this project at no cost to other City departments in lieu of paying the taxes due on the property which is estimated around \$5000.00.

FISCAL IMPLICATIONS: The property will be removed from the tax rolls and shown as City property and maintained by the Department of Public Utilities.

BUDGET AMENDMENT NECESSARY: No

REVENUE TO CITY: None

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: June 26, 2017

CITY COUNCIL PUBLIC HEARING DATE: July 26, 2017

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Planning Commission - June 19, 2017

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: None

O&R Request

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AFFECTED AGENCIES: Community Development, Law Department, Finance Department, Assessor's Office, Real Estate Services, Public Utilities

RELATIONSHIP TO EXISTING ORD. OR RES.: None

REQUIRED CHANGES TO WORK PROGRAM(S): None

ATTACHMENTS: Attachment A – Property Information Sheet
Attachment B – GIS map (plat)

STAFF:

Jennifer Hatchett, DPU Stormwater Administrator Rosemary Green, DPU Technical Services Deputy Director II
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[Print](#)**Property: 2113 Warwick Ave Parcel ID: S0071632011****Assessments****Assessments**

Assessment Year	Land Value	Improvement Value	Total Value	Reason
2017	\$8,000	\$0	\$8,000	Reassessment
2016	\$11,000	\$0	\$11,000	Reassessment
2015	\$11,000	\$0	\$11,000	Reassessment
2014	\$15,000	\$0	\$15,000	Reassessment
2013	\$27,000	\$0	\$27,000	Reassessment
2012	\$27,000	\$0	\$27,000	Reassessment
2011	\$27,000	\$0	\$27,000	CarryOver
2010	\$27,000	\$0	\$27,000	Reassessment
2009	\$27,000	\$0	\$27,000	Reassessment
2008	\$27,000	\$0	\$27,000	Reassessment
2007	\$40,000	\$0	\$40,000	Reassessment
2006	\$8,200	\$0	\$8,200	Reassessment
2005	\$7,000	\$0	\$7,000	Reassessment
2004	\$2,300	\$0	\$2,300	Reassessment
2003	\$2,300	\$0	\$2,300	Reassessment
2002	\$2,300	\$0	\$2,300	Reassessment
2001	\$2,280	\$0	\$2,280	Reassessment
1998	\$2,000	\$0	\$2,000	Not Available

