



**City Of Richmond, Virginia
Office of the City Clerk**

Request to Withdraw Legislation

Paper Number: Ord. No. 2020-170

Chief Patron: Councilor Kimberly Gray

Introduction Date: July 27, 2020

Chief Patron Signature: Per email request

For Office Use Only

Attestation: *Candice Reid* 12/07/2020

Effective Date: December 7, 2020

From: [Bieber, Craig K. - City Council Office](#)
To: [Thaxton, Dominique J. - Clerk's Office](#); [Reid, Candice D. - Clerk's Office](#); [Warren Jr., Richard A. - Clerk's Office](#)
Cc: ["Kimberly Gray"](#)
Subject: FW: FW: Withdrawal of Ordinance 2020-170
Date: Thursday, December 3, 2020 5:00:49 PM

Confirmation of withdrawal.

Craig

From: Kimberly Gray [mailto:kimbgray@gmail.com]
Sent: Thursday, December 3, 2020 4:41 PM
To: Bieber, Craig K. - City Council Office <Craig.Bieber@richmondgov.com>
Subject: Re: FW: Withdrawal of Ordinance 2020-170

CAUTION: This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

Confirmed! Thanks!

On Thu, Dec 3, 2020 at 4:40 PM Bieber, Craig K. - City Council Office <Craig.Bieber@richmondgov.com> wrote:

From: Thaxton, Dominique J. - Clerk's Office
Sent: Thursday, December 3, 2020 4:27 PM
To: Gray, Kimberly B. - City Council <Kimberly.Gray@richmondgov.com>
Cc: Bieber, Craig K. - City Council Office <Craig.Bieber@richmondgov.com>; Reid, Candice D. - Clerk's Office <Candice.Reid@richmondgov.com>; Warren Jr., Richard A. - Clerk's Office <RJ.Warren@richmondgov.com>
Subject: Withdrawal of Ordinance 2020-170

Good Afternoon Councilor Gray,

I hope this email finds you well. By way of this email, can you please confirm your desire to withdraw Ordinance 2020-170? I have attached the ordinance and request form for your review. Thank you.

Warm Regards,

Dominique J. Thaxton

Assistant City Clerk
Office of the City Clerk
City of Richmond
[900 E. Broad St., Ste. 200](#)
[Richmond, VA 23219](#)
[Office: \(804\) 646-5011](#)
Fax: (804) 646-7736

INTRODUCED: July 27, 2020

AN ORDINANCE No. 2020-170

To change the use of the City-owned real estate known as the Annie Giles Community Resource Center and located at 1400 Oliver Hill Way so that such City-owned real estate will be used as an inclement weather shelter for homeless persons in the city of Richmond when the outdoor or wind chill temperature falls to 40 degrees Fahrenheit or below and when the outdoor temperature rises to 92 degrees Fahrenheit or higher, when there is a forecast of accumulation of one inch or more of rain, snow, sleet or other precipitation within a 24-hour period, or when there is a forecast that includes a warning for a hurricane, tornado or high winds.

Patron – Ms. Gray

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: SEP 14 2020 AT 6 P.M.

WHEREAS, pursuant to Ordinance No. 2015-212-201, adopted September 28, 2015, the City acquired an interest as ground lessee in the real estate located at 1400 Oliver Hill Way, pursuant to Ordinance No. 2015-211-200, the City acquired the improvements on the real estate located at 1400 Oliver Hill Way, and by Ordinance No. 2018-240, adopted October 8, 2019, the City named the improvements located at 1400 Oliver Hill Way as the “Annie Giles Community Resource Center;” and

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____

WHEREAS, pursuant to section 8-12(c)(2) of the Code of the City of Richmond (2015), as amended, the Council adopted Ordinance No. 2019-245, adopted October 14, 2019, to change the use of the Annie Giles Community Resource Center so that it may be used as a cold weather shelter for homeless persons in the city of Richmond when the outdoor or wind chill temperature falls to 40 degrees Fahrenheit or below, which use expired on April 15, 2020, pursuant to Ordinance No. 2019-245, adopted October 14, 2019; and

WHEREAS, section 8-12(d)(2) of the Code of the City of Richmond (2015), as amended, provides that no city-owned real estate shall be used as a cold weather shelter for homeless persons until (a) the Chief Administrative Officer has submitted to the Council (1) evidence that the Chief Administrative Officer has caused to be held one or more public meetings to allow public comment on the proposed use of such City-owned real estate as a cold weather shelter for homeless persons, together with the substance of any public comment made at any such meetings, and (2) a written plan for operating a cold weather shelter on the City-owned real estate proposed to be used as a cold weather shelter for homeless persons that includes the specific periods of time during which such City-owned real estate is proposed to be used as a cold weather shelter for homeless persons, and (b) the Council has approved the use of such City-owned real estate as a cold weather shelter for homeless persons in the manner provided by section 8-12(c)(2) of the Code of the City of Richmond (2015), as amended; and

WHEREAS, section 8-12(c)(2) of the Code of the City of Richmond (2015), as amended, provides that no use of city-owned real estate shall be changed except by ordinance adopted by the City Council; and

WHEREAS, if the Mayor believes that City-owned real estate other than the Annie Giles Community Resource Center should be used as an inclement weather shelter for homeless persons

in the city of Richmond when the outdoor or wind chill temperature falls to 40 degrees Fahrenheit or below and when the outdoor temperature rises to 92 degrees Fahrenheit or higher, when there is a forecast of accumulation of one inch or more of rain, snow, sleet or other precipitation within a 24-hour period, or when there is a forecast that includes a warning for a hurricane, tornado or high winds, he is encouraged to recommend to the Council an ordinance to change the use of such City-owned real estate in accordance with section 8-12(c)(2) of the Code of the City of Richmond (2015), as amended; and

WHEREAS, it is in the best interests of the City of Richmond that, notwithstanding section 8-12(d)(2) of the Code of the City of Richmond (2015), as amended, the City-owned real estate known as the Annie Giles Community Resource Center and located at 1400 Oliver Hill Way be used as an inclement weather shelter for homeless persons in the city of Richmond when the outdoor or wind chill temperature falls to 40 degrees Fahrenheit or below and when the outdoor temperature rises to 92 degrees Fahrenheit or higher, when there is a forecast of accumulation of one inch or more of rain, snow, sleet or other precipitation within a 24-hour period, or when there is a forecast that includes a warning for a hurricane, tornado or high winds;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, notwithstanding section 8-12(d)(2) of the Code of the City of Richmond (2015), as amended, and pursuant to section 8-12(c)(2) of the Code of the City of Richmond (2015), as amended, the use of the City-owned real estate known as the Annie Giles Community Resource Center, located at 1400 Oliver Hill Way, and identified as Tax Parcel No. E000-0452/072 in the 2020 records of the City Assessor is hereby changed such that such real estate shall be used as an inclement weather shelter for homeless persons in the city of Richmond when the outdoor or

wind chill temperature falls to 40 degrees Fahrenheit or below and when the outdoor temperature rises to 92 degrees Fahrenheit or higher, when there is a forecast of accumulation of one inch or more of rain, snow, sleet or other precipitation within a 24-hour period, or when there is a forecast that includes a warning for a hurricane, tornado or high winds.

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



Richmond City Council

The Voice of the People

Richmond, Virginia

Office of the Council Chief of Staff

Ordinance/Resolution Request

TO Haskell Brown, Interim City Attorney

THROUGH Lawrence Anderson, Council Chief of Staff

FROM Joyce L. Davis, Council Policy Analyst
Office of the Council Chief of Staff

COPY Kimberly B. Gray, 2nd District Council member
Tabrica Rentz, Interim Deputy City Attorney
Meghan Brown, Deputy Council Chief of Staff
Craig K. Bieber, 2nd District Liaison

DATE July 22, 2020

PAGE/s 1 of 2

TITLE Ordinance to Change the Use of the Property to be Used as an Inclement Weather Shelter

This is a request for the drafting of an **Ordinance** **Resolution**

REQUESTING COUNCILMEMBER/PATRON

Councilmember Kimberly B. Gray

SUGGESTED STANDING COMMITTEE

Education and Human Services

ORDINANCE/RESOLUTION SUMMARY

This O&R is requested for an ordinance to change the use of the property located at 1400 Oliver Hill Way so that it may be used as an inclement weather shelter and to have as its opening criteria when the outdoor temperature rises to 95 degrees Fahrenheit or higher or falls to 40 degrees or below.

BACKGROUND

This O&R is requested for an ordinance to change the use of the property located at 1400 Oliver Hill Way so that it may be used as an inclement weather shelter. The shelter is to be open when the outdoor temperature rises to 95 degrees Fahrenheit and when the outdoor or wind chill temperature falls to 40 degrees Fahrenheit or below.

This O&R is also requesting change the name of the Cold Weather Overflow Shelter to the Inclement Weather Shelter, which is to be used throughout the calendar year and to eliminate the practice and opening criteria for the Cold Weather Overflow Shelter, which is based on the practice of receiving referrals for homeless persons between the dates of October 1st through April 15th, when the temperature is 40 degrees Fahrenheit or less.

This proposed change considers all inclement weather conditions throughout the year during any season when inclement weather presents itself. The change will provide greater protection for unsheltered homeless persons in the City of Richmond against loss of life and against illness (heat related illness or hypothermia) caused or made worse by exposure to inclement weather conditions.

The requested introduction date is July 27, 2020.

FISCAL IMPACT STATEMENT

Fiscal Impact	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Budget Amendment Required	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Estimated Cost or Revenue Impact	\$ 0	

Attachment/s Yes No

Attachment: