

INTRODUCED: November 13, 2018

AN ORDINANCE No. 2018-297

As Amended

To create the Navy Hill Development Advisory Commission and announce the Council’s intent to hold public hearings, all for the purpose of providing for the Council’s consideration of a development proposal in the area generally bounded on the west by N. 5th St., on the north by E. Leigh St., on the east by N. 10th St., and on the south by E. Marshall St.

Patrons – Ms. Gray and Ms. Trammell

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: DEC 10 2018 AT 6 P.M.

WHEREAS, The NH District Corporation, in affiliation with The NH Foundation and Capital City Development, LLC, submitted a North of Broad / Downtown Redevelopment Proposal to the City on February 9, 2018, hereinafter the “Proposal,” in response to a Request for Proposals for the North of Broad/Downtown Neighborhood Redevelopment Project issued by the City on November 9, 2017; and

WHEREAS, the Council of the City of Richmond (the “Council”) anticipates that the Mayor of the City of Richmond will introduce ordinances providing for transactions that concern

AYES: 8 NOES: 1 ABSTAIN: _____

ADOPTED: DEC 17 2018 REJECTED: _____ STRICKEN: _____

a “Navy Hill Development” resulting from the Proposal (the “Ordinances”), for the review and consideration of which the Council desires to set out procedures as described in this ordinance;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the Council hereby establishes the Navy Hill Development Advisory Commission (the “Commission”) pursuant to the following provisions:

A. **Purpose.** The Commission is created for the purpose of providing the Council with advice concerning the development contemplated by the Ordinances. For purposes of section 2-761 of the Code of the City of Richmond (2015), as amended, the Commission is classified as “advisory.”

B. **Composition.**

1. **Appointment.** The Commission shall consist of nine members appointed by the Council. The Council shall appoint a Chairman and a Vice Chairman. No later than ten working days after the date on which both the Chairman and the Vice Chairman have taken the requisite oath of office administered by the City Clerk, the Chairman and Vice Chairman shall meet, in compliance with all requirements of the Virginia Freedom of Information Act, codified as sections 2.2-3700 through 2.2-3714 of the Code of Virginia (1950), as amended (the “Act”), to nominate the remaining seven members of the Commission.

2. **Qualifications.** The Council anticipates that the Chairman and Vice Chairman will have experience with large development projects, preferably including a public component, or with legal matters and local taxation matters. The Council anticipates that the membership of the Commission as a whole will include expertise in legal matters,

tax increment financing, entertainment and sporting facility attendance and finance, real estate development, public finance, and local taxation.

C. **Duties.** The Commission shall seek to validate the assumptions, projections, costs, and benefits of the development contemplated by the Ordinances and the likely impact of that development on the City.

D. **Conduct of Affairs.**

1. **Quorum.** Five members of the Commission shall constitute a quorum.

2. **Officers.** The Commission shall have a Chairman and a Vice Chairman appointed as set forth in section 1(B)(1) of this ordinance. The Commission may select from its members such other officers as it may deem necessary to discharge its functions.

3. **Duration.** The Commission shall continue in existence until it has submitted the report called for by section 1(D)(5)(b) of this ordinance.

4. **Meetings.** The Commission shall meet as often as it deems necessary in order to complete its duties within the time prescribed by this ordinance. In accordance with section 2-796(c) of the Code of the City of Richmond (2015), as amended, the Commission's meetings shall be subject to the provisions of the Act.

5. **Reporting.**

a. The Commission shall provide a report on the progress of its work at each meeting of the Council's Organizational Development Standing Committee.

b. No later than 90 calendar days following the date on which the Council has appointed a majority of the Commission's members, the Commission shall furnish the Council with a final report detailing its findings pursuant to section 1(C) above.

6. **Records.** The Commission shall keep minutes of its meetings in accordance with the Act. All records shall be maintained as provided in section 2-798(a) of the Code of the City of Richmond (2015), as amended, and subject to public disclosure as provided in the Act.

7. **Procedures.** The Commission may adopt rules of procedure or bylaws not inconsistent with this ordinance to govern the conduct of its meetings and affairs.

8. **Staff and Resources.** The Office of the Council Chief of Staff shall provide such staff and resources as may be necessary to assist the Commission in performing the duties imposed by this ordinance. It is estimated that the operating costs of the Commission will be approximately \$5,000 plus 40 staff hours.

9. **Access to Information.** It is the intent of this ordinance that the Commission have full access to all information that the Commission deems necessary to the performance of its duties under this ordinance, including, where permitted by law, information deemed confidential.

§ 2. That the Council hereby announces its intent to conduct four public hearings on the Ordinances in a manner consistent with the following guidelines:

- A. The public hearings should be scheduled at convenient times for the public.
- B. One public hearing should be held in each of the northwest, northeast, southeast, and southwest quadrants of the city.
- C. All members of the Council should endeavor to attend each public hearing in its entirety.
- D. Interested groups or organizations are encouraged to select one spokesperson to appear on their behalf.

§ 3. 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 Allen Jackson, Richmond City Attorney
Richmond Office of the City Attorney

THROUGH Lou Brown Ali *MKB on Behalf*
Council Chief of Staff

FROM William E. Echelberger, Jr, Council Budget Analyst *[Signature]*

COPY Kimberly B. Gray, 2nd District Representative
Haskell Brown, Deputy City Attorney
Meghan K. Brown, Deputy Council Chief of Staff *MKB*
Craig K. Bieber, 2nd District Liaison

DATE November 1, 2018

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TITLE Procedures for Council Review of the North of Broad Proposal

RECEIVED

NOV - 1 2018

OFFICE OF CITY ATTORNEY

This is a request for the drafting of an Ordinance Resolution

REQUESTING COUNCILMEMBER/PATRON

Kimberly B. Gray, 2nd District

SUGGESTED STANDING COMMITTEE

Organizational Development Committee

ORDINANCE/RESOLUTION SUMMARY

The Patron requests an ordinance to set out the procedures for Council's review of the North of Broad Proposal as follows:

1. **Council Advisory Commission:** Council shall appoint a nine (9) member commission composed of experts in fields relevant to review of the North of Broad Development proposal, and any legislation submitted to City Council related to such proposal.
 - a. This Council Advisory Commission shall be known as the North of Broad Development Advisory Commission.
 - b. Council shall initially appoint a Chairman, and Vice-Chairman of the North of Broad Development Advisory Commission who shall both have broad experience with large development projects, preferably those that include a public component, or with legal and local taxation matters.
 - c. Within ten (10) business days of appointment, the Chairman, and Vice-Chairman of the North of Broad Development Advisory Commission shall:
 - i. Complete an assessment of the expertise that will be helpful to the Commission and Council in their review of the North of Broad Development Proposal. Potential areas of expertise that may be helpful include:
 1. Legal,
 2. Tax increment Financing,
 3. Entertainment and sporting facility attendance and finance,

4. Real estate development,
 5. Public finance, and
 6. Local taxation.
- ii. Provide City Council with their nominees for appointment of the remaining seven (7) members of the Commission. Such nominees shall be subject to final approval by City Council.
 - iii. City Council may increase or decrease the number of Advisory Committee members upon the recommendation of the Advisory Committee Chairman.
- d. The Advisory Commission shall seek to validate the assumptions, projections, costs, and benefits of the North of Broad Development Proposal, and its likely impact on the City of Richmond.
 - e. The Advisory Commission shall complete its work and provide a report to City Council within ninety (90) days of confirmation of its members by City Council,
 - f. Up to \$5,000 from such amounts as are already appropriated to City Council may be expended for support of the Advisory Commission's work.
 - g. The Advisory Commission shall provide monthly updates on its progress at each meeting of City Council's Organizational Development Standing Committee.
 - h. The City Administration shall allow the Advisory Commission full access to information relevant its work, including confidential information, provided that members of the commission execute a non-disclosure agreement before gaining access to such confidential information.
2. **Council Public Hearings:** Council shall conduct four (4) public hearings on the North of Broad Development Proposal.
- a. These public hearing shall be schedule in January and February 2019, at a convenient time for the public.
 - b. One public hearing shall be held in each of the Northwest, Northeast, Southeast, and Southwest areas of the City.
 - c. All members of City Council shall endeavor to attend each public hearing in its entirety.
 - d. Groups shall be encourage to select one spokesperson to appear on their behalf.

BACKGROUND

- On November 9, 2017 the City of Richmond issued a Request for Proposals (RFP) for redevelopment of the area bounded by East Leigh Street, North 10th Street, East Marshall Street, and North 5th Street.
 - The RFP had a deadline of February 9, 2018, which is approximately 90 days after issuance of the RFP.
 - The redevelopment area includes approximately 21 acres of publicly owned property, including the Coliseum's 7.3-acre site.
 - The proposal from the NH District Group was submitted in response to a Request for Proposals issued in November 2017.
- In response to this Request for Proposals, the NH District Group submitted its proposal for redevelopment of the area bounded by East Leigh Street, North 10th Street, East Marshall Street, and North 5th Street. This proposal
 - Is commonly referred to as the North of Broad Development.

- o Publicly available information indicates a total project cost of approximately \$1.4 billion to include:
 - **Public Improvements** include renovation or replacement of several public facilities including: \$220 million for a 17,500-seat replacement for the Richmond Coliseum, a \$10 million rehabilitation of the historic Blues Armory, and the construction of a new GRTC transfer plaza for bus riders, and other infrastructure.
 - **Private Development** Envisions 2,800 apartments and condominiums, a 527-room hotel, 176,000 square feet of street-level storefront space for retail and restaurants.
 - **VCU Development** Includes a Virginia Commonwealth University medical office building.
- Full details of the NH District Groups proposal, and the changes negotiated by the administration, are not currently available.
- Publicly available information indicates that:
 - o The public improvements included in the NH District Group proposal are to be financed, in whole or in part, through a tax increment financing district (TIF).
 - o The private development would be financed through private sources affiliated with NH District Corp.
 - o No information is available on potential funding sources for the proposed Virginia Commonwealth University medical office building.
- The patron believes that the North of Broad Development is likely the single largest economic development proposal in the history of the City of Richmond.
- The patron believes that it is incumbent on Richmond City Council to perform its review, and potential approval, of the North of Broad Development Proposal with the due diligence expected by the public for a project of such magnitude, and with full opportunity for it to receive public comment.
- The Advisory Commission will be staffed to provide oversight support by the Office of the Council Chief of Staff.

FISCAL IMPACT STATEMENT

Fiscal Impact Yes No

Budget Amendment Required Yes No

Estimated Cost or Revenue Impact

There is no revenue or expenditure impact. Funding is included in City Council's budget for review of development proposals. Up to \$5,000 will be made available for logistics of the Advisory Commission.

Attachment/s Yes No