

INTRODUCED: September 8, 2025

AN ORDINANCE No. 2025-210

As Amended

To amend City Code § 2-1351, concerning definitions related to open data and a transparency program, and to amend ch. 2, art. VII, div. 4 of the City Code by adding therein a new section 2-1361, concerning a Freedom of Information Act request library, for the purpose of establishing an online Freedom of Information Act library.

Patrons – Ms. Gibson and Ms. Abubaker

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: OCT 14 2025 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That section 2-1351 of the Code of the City of Richmond (2020) be and is hereby **amended** and reordained as follows:

Sec. 2-1351. Definitions.

For the purposes of this division, the words or terms used in this division shall be interpreted as set forth in this section, except where the context clearly indicates that a different meaning is intended:

Agency means a board, commission, department, office, or like organizational unit of the City.

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____

Agency head means the highest ranking appointed, elected, or designated authority for an agency.

Data means factual, geospatial, narrative, qualitative, quantitative, statistical, tabular, or textual information, and datasets that are maintained or created by or on behalf of the City.

Dataset means a named collection containing related data, including metadata, formatted or organized in a prescribed or specific manner, such as in tabular form.

Freedom of Information Act Request Library means a publicly available webpage to publish public records requests, provided documentation, and associated costs.

Legal encumbrance means a restriction on the use of data deriving from intellectual property rights under Federal or State law or from a contract to which the City is a party.

Machine-readable means any widely accepted, nonproprietary, platform-independent method for formatting data that permits automated processing of such data and facilitates search capabilities.

Open data means data that is made available to the public on the internet in an open format with no fee, legal encumbrance, or registration requirement.

Open data coordinator means a City employee designated by a deputy chief administrative officer for all of the agencies that deputy chief administrative officer is assigned to coordinate, or by the Chief Administrative Officer to represent those agencies the heads of which no deputy chief administrative officer is assigned to coordinate, to perform the duties set forth in Section 2-1355(b) and elsewhere in this division.

Open data management team means the open data program manager and all open data coordinators.

Open data portal means <https://data.richmondgov.com/> or a successor website established and maintained by or on behalf of the City.

Open data program manager means the Chief Administrative Officer or the designee thereof.

Open data review officer means a City employee designated by the Chief Administrative Officer to identify and resolve questions related to the appropriateness of the publication of data.

Open dataset means a dataset, published on the open data portal, access to which is free and open to the public without a requirement for registration.

Open format means a widely accepted, machine-readable, nonproprietary, platform-independent method of formatting and transmitting data that provides automated processing, analysis, and search functions.

Protected data means data access to which an agency is required by law to deny.

Sensitive data means data access to which an agency is allowed by law to deny.

§ 2. That Chapter 2, Article VII, Division 4 of the Code of the City of Richmond (2020) be and is hereby amended by **adding therein a new section** numbered 2-1361 as follows:

Sec. 2-1361. Freedom of Information Act Request Library.

(a) All requests for public records made pursuant to the Virginia Freedom of Information Act (Code of Virginia, §2.2-3700 et seq.) shall be made available to the Open Data Program Manager. The Open Data Program Manager shall ensure that all requests for public records made pursuant to the Virginia Freedom of Information Act [~~(Code of Virginia, § 2.2-3700 et seq.)~~], including requests made of the City Council, Mayor, city departments, and city boards and commissions, are published on the city's website via a Freedom of Information Act Request Library, with the exception of request for public records in the possession of the Richmond Police

Department, the Richmond Fire Department, the Department of Social Services, or the Department of Emergency Communications, Preparedness and Response.

(b) The Freedom of Information Act Request Library shall include the following for each request received:

- (1) The receipt date for each request;
- (2) The completion date for each request, if applicable;
- (3) A copy or summary of each request;
- (4) The department or departments responsible for fulfilling each request;
- (5) Any fees or costs assigned for fulfilling each request; and
- (6) Access to any materials produced in response to each request.

In the event that the requester ~~[is]~~ or their minor dependents are the subject of any materials produced in response to a request, the Open Data Program Manager may entirely withhold or withhold in part those materials from publication to the Freedom of Information Act Request Library consistent with any applicable exclusion found in the Virginia Freedom of Information Act, as amended, or any other law. For purposes of this subsection, a request made by an attorney on behalf of a client shall be treated as a request made by the client.

§ 3. This ordinance shall be in force upon adoption.

DATE: September 8, 2025
TO: The Honorable Members of City Council
THROUGH: RJ Warren, Council Chief of Staff
THROUGH: Will Perkins, Senior Legislative Services Manager
FROM: The Honorable Kenya Gibson, Councilmember 3rd District
RE: To amend City Code § 2-1351, concerning definitions related to open data and a transparency program, and to amend ch. 2, art. VII, div. 4 of the City Code by adding therein a new section 2-1360, concerning a Freedom of Information Act request library, for the purposes of establishing an online Freedom of Information Act library.

CNL-2025-0014

PURPOSE: This ordinance requires the establishment of an online Freedom of Information Act (FOIA) request library.

BACKGROUND: The city's open data and transparency program exists to promote access by the public to useable and readable data (Sec. 2-1350, et. seq.) including public records. The City of Newport News recently established a FOIA Request Archive for residents to submit, track and receive documents related to public records requests. The city's website now publishes the following information for each public records request:

- The receipt date for each request;
- A copy or summary of each request;
- The status of each request;
- Any fees or costs assigned for fulfilling each request; and
- A link to download materials produced in response to each request.

Patron wishes to promote transparency in government and pursue a similarly accessible online FOIA library in the City of Richmond.

COMMUNITY ENGAGEMENT: Residents, civic associations and community organizations care about transparency in City Hall. This ordinance is part of a broader push from Councilmember Gibson to improve trust in our local government.

STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL: A thriving City Hall (that gets things done): To transform Richmond's local government into a model public-sector organization that stewards resources effectively, meets community needs, and has the trust of residents.

FISCAL IMPACT: Administration is already in the process of procuring and adopting a new Freedom of Information Act (FOIA) software. This ordinance is meant to codify its existence and so should not incur additional expenses above those already budgeted. That said, administration estimates total annual cost of \$300,000 to \$350,000 plus ongoing data storage costs for this legislation. Please see attached FIS memo for more detail.

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: September 8, 2025

CITY COUNCIL PUBLIC HEARING DATE: September 24, 2025

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Government Operations Standing Committee

AFFECTED AGENCIES: Office of Chief Administrative Officer,
City Attorney's Office

Department of Information Technology

RELATIONSHIP TO EXISTING ORD. OR RES.: None

ATTACHMENTS: Draft Ordinance; "2025-08-30-OSC-FOIAFIS.pdf"

STAFF: Will Perkins, Senior Legislative Services Manager, (804-382-7811)

Fiscal Impact Statement

Total annual cost: \$300,000 – \$350,000 plus ongoing data storage costs

Technology Infrastructure: Ongoing and increasing as the amount of data increases.

- There is the potential for significant quantity of hosted data over time. Making this data available — in perpetuity — in a secure, resilient environment will require an expansion of the City's current capabilities.

Staffing Requirements: \$300,000-\$350,000

- Three FTE positions needed minimum (three FOIA Librarians). FOIA Librarians review each proposed response for potential disclosure of sensitive or personally identifiable information.
- Potential FOIA Officers overtime costs.

Revenue Impact: Minimal positive offset from fees associated with the additional expected FOIA requests.

Context:

- Current FOIA volume: The city processes approximately 5,500 requests annually.
- Each request requires an estimated 0.5 and 1 hour of additional processing for web publication.
- Risk mitigation costs for potential inadvertent disclosure claims have not been quantified.

MOTION

To amend Ordinance No. 2025-210, which amends City Code § 2-1351, concerning definitions related to open data and a transparency program, and to amend ch. 2, art. VII, div. 4 of the City Code by adding therein a new section 2-1361, concerning a Freedom of Information Act request library, for the purpose of establishing an online Freedom of Information Act library, to modify certain exceptions.