



# City of Richmond

## Informal Meeting Minutes

900 East Broad Street  
Richmond, VA 23219  
[www.richmondgov.com/cityclerk](http://www.richmondgov.com/cityclerk)

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Monday, September 9, 2019

3:00 PM

Council Chamber, 2nd Floor - City Hall

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### **Councilmembers Present**

The Honorable Cynthia Newbille, President  
The Honorable Chris Hilbert, Vice President  
The Honorable Andreas Addison  
The Honorable Parker Agelasto  
The Honorable Kim Gray  
The Honorable Michael Jones  
The Honorable Kristen Larson  
The Honorable Ellen Robertson  
The Honorable Reva Trammell

### **Staff Present**

Lisa Braxton, Assistant City Clerk  
Haskell Brown, Deputy City Attorney  
Meghan Brown, Interim Council Chief of Staff  
Allen Jackson, City Attorney  
Candice Reid, City Clerk  
RJ Warren, Deputy City Clerk

Council President Cynthia Newbille called the meeting to order at 3:06 p.m. and presided.

Upon the President's request, Assistant City Clerk Lisa Braxton provided information on the appropriate manner in which the Council Chamber is to be evacuated in the event of an emergency.

### **Docket Review**

Assistant City Clerk Lisa Braxton reviewed the following agenda items as indicated:

#### **Consent Agenda:**

1. Ord. 2019-178 – retained on the Consent Agenda
2. Ord. 2019-193 – retained on the Consent Agenda
3. Ord. 2019-194 – retained on the Consent Agenda
4. Ord. 2019-195 – retained on the Consent Agenda
5. Ord. 2019-196 – retained on the Consent Agenda
6. Ord. 2019-197 – to be continued to Monday, September 23, 2019
7. Ord. 2019-198 – to be continued to Monday, September 23, 2019
8. Ord. 2019-200 – retained on the Consent Agenda
9. Ord. 2019-201 – retained on the Consent Agenda

10. Ord. 2019-202 – retained on the Consent Agenda
11. Ord. 2019-203 – retained on the Consent Agenda
12. Ord. 2019-204 – retained on the Consent Agenda
13. Ord. 2019-205 – retained on the Consent Agenda
14. Ord. 2019-206 – retained on the Consent Agenda
15. Ord. 2019-207 – retained on the Consent Agenda
16. Ord. 2019-209 – retained on the Consent Agenda
17. Ord. 2019-210 – retained on the Consent Agenda
18. Res. 2019-R014 – to be amended and considered
19. Res. 2019-R028 – retained on the Consent Agenda
20. Res. 2019-R029 – to be continued to Monday, September 23, 2019
21. Res. 2019-R030 – to be continued to Monday, September 23, 2019
22. Res. 2019-R031 – to be continued to Monday, September 23, 2019
23. Res. 2019-R032 – to be continued to Monday, September 23, 2019
24. Res. 2019-R033 – to be continued to Monday, September 23, 2019
25. Res. 2019-R034 – to be continued to Monday, September 23, 2019
26. Res. 2019-R035 – to be continued to Monday, September 23, 2019
27. Res. 2019-R036 – to be continued to Monday, September 23, 2019
28. Res. 2019-R037 – to be continued to Monday, September 23, 2019
29. Res. 2019-R038 – to be continued to Monday, September 23, 2019
30. Res. 2019-R039 – to be continued to Monday, September 23, 2019
31. Res. 2019-R040 – to be continued to Monday, September 23, 2019
32. Res. 2019-R041 – to be continued to Monday, September 23, 2019
33. Res. 2019-R042 – to be continued to Monday, September 23, 2019
34. Res. 2019-R043 – to be continued to Monday, September 23, 2019

Regular Agenda:

35. Ord. 2019-012 – to be continued to Monday, February 10, 2020

President Cynthia Newbille provided an introduction for a resolution to be introduced for expedited consideration, expressing the Council's support for ZAC, LLC to perform certain further commitments relating to certain properties located at 201 Orleans Street, 25 Nicholson Street, and

101 Nicholson Street in the event that Council should approve the rezoning applications of Ords. 2019-209 and 2019-210 later that evening at the Formal Session of Council.

City Attorney Allen Jackson stated that the resolution for expedited consideration needed to be considered prior to Council's review of Ords. 2019-209 and 2019-210 on the Consent Agenda.

Matthew Ebinger, Planning and Development Review principal planner, provided an introduction and answered questions regarding Ords. 2019-209 and 2019-210.

Mark Olinger, Planning and Development Review director, was available to answer questions regarding the potential traffic impact of Ords. 2019-209 and 2019-210 and a previous proposal for the properties referenced.

Ann Neil Cosby, ZAC, LLC representative, was also available to answer questions regarding the proposed legislation and stated that a traffic impact analysis was performed based on county requirements, and proffers are available if transportation improvements are required. Ms. Cosby explained, in greater details, the proposed community benefit agreement related to Ords. 2019-209 and 2019-210.

Bobby Vincent, Public Works director, and M. Khara, Public Works deputy director, also addressed concerns related to the potential traffic impact of proposed Ords. 2019-209 and 2019-210 and clarified the city's mitigation intention.

There were no further comments or discussions concerning Consent and Regular Agenda items reviewed.

### **Participatory Budgeting**

Matthew Slatts, Pauselab creative director, provided Council with a presentation regarding participatory budgeting, a democratic, community focused process that increases civic engagement for fair and effective spending of public funds. A copy of the presentation has been filed.

Councilor Andreas Addison stated that he will be introducing legislation requesting the utilization of the participatory budgeting process as a part of the city's fiscal year 2021 capital improvement program, later that evening at the Formal Session of Council.

### **Consideration of Navy Hill (NH) Development Advisory Commission Nominations**

Prior to Council considering the recommended appointments provided by the chair and vice chair of the Navy Hill Development Advisory Commission, Councilor Michael Jones nominated Dr. Hakim J. Lucas, Virginia Union University president, for consideration as one of the remaining members of the commission.

After discussion regarding the appointment process and the composition of the commission, Councilor Kim Gray moved to accept the nominations as presented by the chair and vice chair of the NH commission, which was seconded and failed: Ayes 4, Larson, Agelasto, Gray, Trammell. Noes 5, Jones, Robertson, Addison, Hilbert, Newbille.

After further discussion, Vice President Chris Hilbert moved to continue the deliberation of appointments of remaining members of the Navy Hill Development Advisory Commission to the next Informal Session of Council, and asked that questions of the nominees be distributed by either the Interim Council Chief of Staff or City Clerk for responses, which was seconded and approved: Ayes 6, Jones, Robertson, Larson, Addison, Hilbert, Newbille. Noes 3, Agelasto, Gray, Trammell.

*President Cynthia Newbille recessed the meeting at 4:52 p.m.*

*President Newbille reconvened the meeting at 5:02 p.m.*

**Closed Session Motion**

At 5:02 p.m., Councilor Kristen Larson moved that the City Council go into a closed meeting pursuant to Section 2.2-3711(A)(1) of the Code of Virginia for discussion of the performance or disciplining and separation from employment of a council liaison, an appointee and employee of the City Council; and 2.2-3711 (A)(8) consultation with legal counsel employed by the City Council regarding a legal matter requiring the provision of legal advice by such counsel, specifically the final order in the case of Bacon vs. City of Richmond.

The motion was seconded and approved: Ayes 7, Jones, Larson, Agelasto, Gray, Addison, Hilbert, Newbille. Noes None. Robertson and Trammell excused.

Councilor Michael Jones motioned to exit closed session. The motion was seconded and approved: Ayes 5, Jones, Robertson, Agelasto, Addison, Newbille. Noes None. Larson, Gray, Trammell and Hilbert excused. Councilors reconvened in open session at 5:31 p.m.

**CERTIFICATION OF CLOSED MEETING**

September 9, 2019

WHEREAS, the Council has convened in closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Council that such closed meeting was conducted in conformity with Virginia law:

NOW, THEREFORE,  
BE IT RESOLVED:

That the Council hereby certifies that to the best of each member's knowledge (i) only public matters lawfully exempt from open meeting requirements by Virginia law were discussed in the closed meeting to which this certifying resolution applies; and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Council.

WITNESS the following vote of Council members, as recorded by Candice D. Reid, City Clerk:

**CERTIFYING:**

Cynthia I. Newbille, President  
Christopher A. Hilbert, Vice President (excused)  
Andreas D. Addison  
Kimberly B. Gray (excused)  
Kristen N. Larson (excused)  
Parker C. Agelasto  
Ellen F. Robertson  
Reva M. Trammell (excused)  
Michael J. Jones

**DECLINING TO CERTIFY:**

Councilor Ellen Robertson moved that pursuant to Section 28 of the city's pay plan that the Council approve the separation agreement just discussed in closed session and authorize the Interim Council Chief of Staff to execute it on behalf of the Council and to take such other steps as may be necessary to implement its terms.

The motion was seconded and approved: Ayes 5, Jones, Robertson, Agelasto, Addison, Newbille. Noes None. Larson, Gray, Trammell and Hilbert excused.

## **Other Discussion**

Councilor Ellen Robertson also moved that Council hold work sessions on the 1<sup>st</sup>, 2<sup>nd</sup> and 4<sup>th</sup> Mondays of the month to discuss and receive additional presentations deemed necessary on the Navy Hill Development proposal. The motion was seconded and approved: Ayes 5, Jones, Robertson, Agelasto, Addison, Newbille. Noes None. Larson, Gray, Trammell and Hilbert excused.

Councilor Ellen Robertson further moved for the submittal of a request for proposal for a third-party external consulting firm to review the Navy Hill Development project. The motion was seconded and approved: Ayes 5, Jones, Robertson, Agelasto, Addison, Newbille. Noes None. Larson, Gray, Trammell and Hilbert excused.

## **Additional Closed Session Motion**

At 5:41 p.m., Councilor Parker Agelasto moved that the City Council go into a closed session pursuant to Section 2.2-3711(A)(7) and (A)(8) for consultation with legal counsel pertaining to actual litigation, where briefing in an open meeting would adversely affect the litigating posture of the City and with respect to a specific legal matter requiring the provision of legal advice by such counsel, specifically the appeal style of case, City of Richmond vs. Goldman.

The motion was seconded and approved: Ayes 5, Jones, Robertson, Agelasto, Addison, Newbille. Noes None. Larson, Gray, Trammell and Hilbert excused.

Councilor Ellen Robertson motioned to exit closed session. The motion was seconded and approved: Ayes 6, Robertson, Agelasto, Addison, Gray, Trammell, Addison, Newbille. Noes None. Jones, Larson and Hilbert excused. Councilors reconvened in open session at 5:59 p.m.

## **CERTIFICATION OF CLOSED MEETING**

September 9, 2019

WHEREAS, the Council has convened in closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Council that such closed meeting was conducted in conformity with Virginia law:

NOW, THEREFORE,  
BE IT RESOLVED:

That the Council hereby certifies that to the best of each member's knowledge (i) only public matters lawfully exempt from open meeting requirements by Virginia law were discussed in the closed meeting to which this certifying resolution applies; and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Council.

WITNESS the following vote of Council members, as recorded by Candice D. Reid, City Clerk:

### **CERTIFYING:**

Cynthia I. Newbille, President  
Christopher A. Hilbert, Vice President  
Andreas D. Addison  
Kimberly B. Gray  
Kristen N. Larson  
Parker C. Agelasto  
Ellen F. Robertson

### **DECLINING TO CERTIFY:**

Reva M. Trammell  
Michael J. Jones (excused)

**Adjournment**

There being no further business, the meeting adjourned at 6:01 p.m.

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CITY CLERK