



City of Richmond

900 East Broad Street
Richmond, VA 23219
www.rva.gov/office-city-clerk

Meeting Minutes Governmental Operations Standing Committee

Wednesday, July 27, 2022

2:00 PM

Council Chamber, 2nd Floor - City Hall

Committee Members and Others in Attendance

The Honorable Kristen Nye – Chair
The Honorable Michael Jones – Member
The Honorable Andreas Addison – Council Member
The Honorable Stephanie Lynch – Council Member

Debra Bowles, Assistant City Clerk
Haskell Brown, City Attorney
Joyce Davis, Interim Council Chief of Staff
Candice Reid, City Clerk
RJ Warren, Deputy City Clerk

Absent

The Honorable Katherine Jordan – Vice Chair

Call to Order

Chair Kristen Nye called the meeting to order at 2:14 p.m., and presided.

Chamber Emergency Evacuation Announcement and Citizen Speaker Guidelines

Upon the Chair's request, Assistant City Clerk Debra Bowles provided information on the appropriate manner in which the Council Chamber is to be evacuated in the event of an emergency along with citizen speaker guidelines.

Public Comment Period

Daniel Klein, representing coalition of tree stake holders groups, requested that the Governmental Operations Standing Committee consider reinstating the Urban Forestry Commission and move the commission from under the direction of the Land Use, Housing and Transportation Standing Committee to the Governmental Operations Standing Committee. Mr. Klein stated that reinstating the Urban Forestry Commission is one of the objectives of the Richmond 300 Master Plan, and an objective of the climate emergency resolution, RES. 2021-R049, adopted September 13, 2021. Mr. Klein also stated the city has allocated funding for a city urban forester position, and the Office of Sustainability has

allocated \$250,000.00 of American Rescue Plan Act (ARPA) funds to the development of an urban forest master plan. Mr. Klein finalized his statement by stating that the commission would need staff support and hoped that the new urban forester position would have administrative time to serve in that capacity on the commission.

Chair Kristen Nye asked Deputy Chief Administrative Office (DCAO) for Operations Bob Steidel for an update on the urban forester position.

DCAO Steidel informed the committee that the position is in the recruitment phase and that one of the responsibilities of the position would be to work with the commission in an administrative capacity, should the Urban Forestry Commission be reinstated.

Amy Wentz, co-founder of Southside ReLeaf, stated that she echoed the comments of Daniel Klein. Ms. Wentz also stated that Southside ReLeaf and partners submitted a letter to Council to reiterate the updating of the Urban Forestry Commission bylaws to realign the commission with the Richmond 300 Master Plan, RVAH2O Clean Water Plan and RVAgreen 2050 Ambassador Program. Ms. Wentz further stated that she agrees with moving the Urban Forestry Commission under the oversight of the Governmental Operations Standing Committee.

Chair Kristen Nye informed Ms. Wentz that the committee would request that Council President Cynthia Newbille consider moving the Urban Forestry Commission under the purview of the Governmental Operations Standing Committee.

Approval of Minutes

There were no corrections or amendments to the meeting minutes of Wednesday, June 22, 2022, and the committee approved the minutes as presented.

[CD.2022.260](#) June 22, 2022 Governmental Operations Committee Meeting Minutes

Attachments: [20220622 Gov Ops Mins - DRAFT](#)

Board Vacancies

Interim Council Chief of Staff (CCOS) Joyce Davis provided background information relating to the 2022 City Charter Review Commission. Ms. Davis stated that the goal of the commission is to provide a comprehensive review of Richmond's City Charter to Council. Ms. Davis also introduced Andrew "Andy" Block, Director of the State and Local Government Law Clinic at the University of Virginia (UVA) School of Law.

Director of the State and Local Government Law Clinic at UVA Andrew Block stated that the clinic allows law students the opportunity to solve problems that need to be addressed regarding government concerns. Mr. Block also stated that the students would provide free and non-partisan legal and policy research for the commission and Council. Mr. Block further stated that the students would provide resources, ideas and proposals that could be helpful to resolve issues within the City Charter. Mr. Block informed the standing committee that

Professor Richard Schragger, an expert in city government, charters and governance issues, will also be overseeing students in the program.

Interim CCOS Joyce Davis stated that information regarding how student services will be engaged with the commission will be provided in future discussions.

Assistant City Clerk Debra Bowles reviewed board applications for consideration by the committee.

Chair Kristen Nye stated that the applicants for the 2022 City Charter Review Commission were a diverse group based upon residence and employment.

Interim CCOS Joyce Davis stated that the applicants have substantial experience within local government, law and health policy; however, the commission is missing applications for the citizen-at-large position.

Member Michael Jones moved to forward the following board appointments to Council with the recommendation to approve, which was seconded and unanimously approved.

2022 City Charter Review Commission:

Dr. Bre'Auna Beasley

Rachael Deane

William Echelberger, Jr.

Kyle Elliott

Travis Gunn

Dr. Thad Williamson

Executive Director for Richmond Retirement System (RRS) Leo Griffin stated that the RRS endorses Carlin Gibson to serve as a trustee on the Richmond Retirement System board.

Member Michael Jones moved to forward the following board appointment to Council with the recommendation to approve, which was seconded and unanimously approved.

Richmond Retirement System:

Carlin Gibson, Sr.

Member Michael Jones moved to forward the following board appointment to Council with the recommendation to approve, which was seconded and unanimously approved.

Sister Cities Commission:

Lakayla Bonaparte

A copy of the following report has been filed.

[CD.2022.288](#) July 27, 2022 Quarterly Board Vacancy Report - Governmental
Operations Standing Committee

Attachments: [July 27, 2022 Governmental Operations Quarterly Vacancy Report](#)

Paper(s) for Consideration

The following ordinance was considered:

[ORD.
2022-219](#)

To repeal City Code §§ 11-19-11-50, concerning sound control, to repeal City Code § 26-929, concerning advertising and vehicles carrying sound devices on streets, and to amend ch. 11, art. II of the City Code by adding therein new §§ 11-32-11-38 for the purpose of modifying the City's sound control program.

Patrons: Stoney, President Newbille, Jordan, Lambert, Jones and Nye

Attachments: [Ord. No. 2022-219](#)

Richmond Police Department (RPD) Civilian Deputy Chief Victoria Pearson provided an introduction to ORD. 2022-219 regarding noise control within the city. Deputy Chief Pearson noted recommended changes regarding noise violations within the city, such as violations changing from a criminal penalty to a civil penalty and a new category regarding street performers has been added. Deputy Chief Pearson also referred to noise violations near schools, places of worship and health care facilities. Ms. Pearson stated that a school zone's decibel reading would be the same as a residential area; however, places of worship and health care facilities would need to place public notice that services are in session or that the health facility is recognizing a quiet zone. Deputy Chief Pearson informed the committee that the proposed civil penalties include \$50 for the first offense, \$100 for the second offense within seven days, and \$500 for the third offense and any subsequent offense within a fourteen day or two-week period.

Chair Kristen Nye inquired on amplified sound in a park setting without a permit and asked that the ordinance be reviewed to ensure that police and the Department of Parks and Recreation have the tools needed to enforce city policies. Chair Nye also stated that the civil fine of \$50 needs to be reconsidered and possibly increased to \$100. Chair Nye inquired further regarding residential property and asked if the violation would be imposed on the property or on an individual.

Deputy Chief Pearson stated there would be a review of the amplified sound within a park setting without a permit, and the increase of fines would be considered prior to finalizing the proposed ordinance. Deputy Chief Pearson also informed the committee that the violation would be imposed on the location and imposed on any individual that creates, allows, or assists in the violation, and stated that every hour that the noise continues is a new offense.

Chair Kristen Nye requested to be added as a co-patron to ORD. 2022-219.

Member Michael Jones inquired about vehicles that carry sound devices to enhance the bass volume.

Deputy Chief Pearson stated that the proposed ordinance would address the vehicle itself and anything an individual has done to enhance the sound.

There were no further comments or discussions and Member Michael Jones moved to continue ORD. 2022-219 to the September 28, 2022, Governmental Operations Standing Committee meeting, which was seconded and unanimously approved.

The following resolution was considered:

[RES.](#)
[2022-R048](#)

To declare a public necessity to amend ch. 30 of the City Code and to initiate an amendment to the City's zoning ordinance to make such lawful changes as may be necessary to implement rezoning of properties along Richmond Highway, Midlothian Turnpike, and Hull Street to the TOD-1 Transit-Oriented Nodal District by requesting that the Chief Administrative Officer cause to be conducted a study to determine whether and, if so, how the City's zoning ordinance lawfully may be amended to permit the rezoning of properties along Richmond Highway, Midlothian Turnpike, and Hull Street to the TOD-1 Transit-Oriented Nodal District.

Patrons: Addison, Lynch, Jones and Nye

Attachments: [Res. No. 2022-R048](#)

Councilor Andreas Addison introduced RES. 2022-048 stating that the future development and vitality of the city's Southside has been part of a discussion over the past several months within the Land Use, Housing and Transportation Standing committee. Mr. Addison also stated that the proposed resolution would allow the implementation of land use rezoning and transit opportunities within the Southside.

Director for Planning and Development Review Kevin Vonck informed committee members that a study has been done regarding implementation of the Richmond 300 Master Plan for land use in the Southside area.

Deputy Director for Planning and Development Review Maritza Pechin shared the future land use map with the committee and clarified with Councilor Addison that the result should be rezoning of specified areas as stated within the proposed resolution. Ms. Pechin stated that the current zoning ordinance does not have many zoning categories and the city is working toward a comprehensive rewrite of the zoning ordinance.

Director Vonck stated that the TOD-1 Transit-Oriented Nodal District zoning may not be appropriate for all specified areas; however, it could be appropriate for much of the area. Mr. Vonck informed the committee that a Request for Proposal (RFP) for a rewrite of the zoning ordinance is in process and could assist with the rezoning of future land use.

Member Michael Jones stated that he is appreciative of anything that will encourage development and help with transit within the Southside area of the city. Member Jones also requested to be added as a co-patron of RES. 2022-R048.

Councilor Stephanie Lynch thanked Councilor Addison for working on RES. 2022-R048 and stated that the resolution impacts districts that have areas within the Southside of the city. Ms. Lynch also stated that public transit in the Southside area is very important for citizens.

Chair Kristen Nye requested to be added as a co-patron of RES. 2022-R048.

There were no further comments or discussions and Member Michael Jones moved to forward RES. 2022-R048 to Council with the recommendation to approve, which was seconded and unanimously approved.

Presentation(s)

City Auditor's Annual Report

Audit Manager Bret Lewis provided a presentation regarding the City Auditor's Office. Mr. Lewis stated that the department's goal is a 90% audit completion rule; however, 89% of scheduled audits were completed, four were partially completed, and one audit was worked on in conjunction with the Inspector General's office as of June 30, 2022. Mr. Lewis also stated that two non-audit services, the Fiscal and Efficiency Review and the Service Efforts and Accomplishments Community Survey, were completed. Mr. Lewis informed committee members that all audits are placed on the city's website under the auditor's page for review. Mr. Lewis noted that during Fiscal Year 2022 (FY22), the department identified \$656,000.00 of cost savings or dollar impacts, continued to maintain government audit standards, and passed the three-year peer review, and updated the department's policy/procedures manual to comply with new government audit standards as issued by the Government Accountability office (GAO). Mr. Lewis provided the follow-up results for FY22 stating there were 309 concurred recommendations from FY19 – FY21, and that 236 of the recommendations were closed or removed. Mr. Lewis concluded his presentation stating that staff have begun the FY23 approved audit plan, will continue to work on critical cyber security areas, and are currently working with administration to close additional audit recommendations and issues.

Member Michael Jones asked what challenges the department is experiencing in completing audits, and what opportunities are in the future that relate to the department's function.

City Auditor Louis Lassiter stated that all departments are short staffed which impacts the timeliness of getting requested information back to the Auditor's office. Mr. Lassiter also stated that the city has many opportunities through audits to assist in efficiency processes, automation, customer service and service delivery to residents.

Chair Kristen Nye stated that as a member of the Audit Committee she has seen the recommendations from audit staff, but many times the closed audit recommendations are not shared. Ms. Nye asked if there would be a different format to inform Council of recommendations, such as policy recommendations.

Auditor Lassiter stated that he would be willing to talk with Chair Nye to determine the best way to provide the requested information.

A copy of the following presentation has been filed.

[CD.2022.268](#) Fiscal Year 2022 City Auditor's Annual Report

Attachments: [FY22 Performance Measure Audit Presentation](#)

Wastewater and Stormwater Rates

Director of the Department of Public Utilities (DPU) April Bingham provided information regarding the stormwater and wastewater rates for Fiscal Year 2023 (FY23). Director Bingham stated that all utilities are enterprise funds, meaning each utility must be funded from user fees. Ms. Bingham informed the committee that rates are increasing due to aging infrastructure and noted that some parts of the infrastructure are almost 100 years old. Ms. Bingham also stated that the cost to customers is based upon the customer's use of the utility system.

Director Bingham stated that the stormwater utility was established in 2009 and was designed to protect residential, commercial, industrial, and public properties within the city. Ms. Bingham also stated that customers can apply for credit to stormwater bills based upon low impact development on their property. Ms. Bingham also stated that the stormwater utility helps improve economic opportunities with better drainage and helps with public health. Ms. Bingham further stated that the city does not pay adjacent cities or owners for stormwater overflows originating outside of the city, and does not pay adjacent cities for stormwater overflows that form within the city and flow outside of the city. Director Bingham stated that customers were notified of the Fiscal Year 2023 (FY23) rate increase effective July 1, 2022, and informed the committee that if there were no increases through 2027, the city could lose approximately \$64,000,000.00. Ms. Bingham informed committee members that relief has been provided to many customers through the Cares Act and the American Rescue Plan Act (ARPA) funds based upon the impact of the Covid-19 pandemic. Director Bingham also stated that DPU started restoring late fees in November 2021 and is working to help customers become up to date on their utility payments.

Member Michael Jones shared his appreciation for the work ethic of DPU employees to handle many issues of citizens in an expeditious manner and asked if there are any remaining funds to assist citizens and senior citizens.

Director Bingham stated that there are additional funds that can be considered other than the Cares Act and ARPA, and citizens should contact DPU for assistance.

Chair Kristen Nye asked how there would be a cost savings to the consumer with the purchase of energy saving appliances when the city is raising the utility cost.

Deputy Director of Finance for DPU Billy Vaughan responded by stating the city is relying on more usage of higher volume commercial industrial customers to minimize the impact on residential customers. Mr. Vaughan also stated that a study will be conducted over several months regarding utility affordability.

Chair Nye also stated that the stormwater credit is not easy to access, and citizens need to be educated on the process.

Director Bingham stated that DPU is working to be more proactive to help citizens understand the stormwater process.

A copy of the following presentation has been filed.

[CD.2022.286](#) Wastewater and Stormwater Rates

Attachments: [DPU Rates Presentation](#)

Discussion Item(s)

There were no discussion items.

Staff Report

Interim Council Chief of Staff (CCOS) Joyce Davis provided committee members with the staff report.

Adjournment

There being no further business, the meeting adjourned at 4:16 p.m.