

INTRODUCED: May 13, 2024

AN ORDINANCE No. 2024-136

To amend City Code §§ 2-1336, concerning definitions related to webpages for development and capital improvements projects, 2-1337, concerning general requirements, and 2-1339, concerning exclusions, and to repeal § 2-1338, concerning project webpage requirements.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: MAY 28 2024 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That sections 2-1336, 2-1337, and 2-1339 of the Code of the City of Richmond (2020) be and is hereby **amended** as follows:

Sec. 2-1336. Definitions.

For purposes of this division, the following words, terms and phrases shall have the meanings ascribed to them in this section, except where the context clearly indicates that a different meaning is intended:

“~~[Active project]~~ Project” means a project that is funded fully or partially and is being developed and implemented as part of the City’s capital improvement program.

AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: MAY 28 2024 REJECTED: _____ STRICKEN: _____

“City expenditure” means a disbursement of City funds, a granting of an interest in or other right to use City-owned property, the provision by the City of a tax credit, rebate, or similar incentive, or the provision of any other City asset or in-kind service with monetary value.

~~[“*Pending project*” means a project that is funded fully or partially and is in the scoping, design, or planning phases.]~~

~~“*Project*” means any one or more of the following:~~

~~(1) — A capital improvement project included in the City’s capital improvement program for which at least \$5,000,000 has been appropriated or for which the total planned appropriation over the course of the project is \$5,000,000 or more.~~

~~(2) — A project to attract, retain or expand a business, or a group of affiliated businesses, within the boundaries of the city of Richmond for the purpose of job creation, job enhancement, or job retention that involves a significant contribution from the City.~~

~~(3) — A project that results in the development or redevelopment of a specific geographic area within the boundaries of the city of Richmond that involves a significant contribution from the City and is not a project described in subsections (1) or (2) of this definition.~~

~~“*Significant contribution*” means one or more City expenditures reasonably attributable to any phase of a project, whether made directly to a business or to a political subdivision, that, when considered together, total \$3,000,000 or more.]~~

Sec. 2-1337. General requirements.

The ~~[department of information technology]~~ City shall ~~[maintain on the website of the City a webpage entitled “development and capital improvement projects.” The purpose of this webpage is to provide]~~ publish at an internet accessible location ~~[at which]~~ public information

concerning projects [~~is electronically published for public access. For each project, the webpage shall contain a hyperlink to a subsidiary page dedicated to that project. The department of information technology shall establish procedures whereby, as the department of information technology deems appropriate, either (i) the employee or employees with responsibility for managing a project or an aspect of a project submits the information required by section 2-1338 to the department of information technology on a regular basis and the department of information technology updates the subsidiary webpage for that project or (ii) the employee or employees with responsibility for managing a project or an aspect of a project update the subsidiary webpage for that project with the information required by section 2-1338 on a regular basis~~]. Updates to such information shall be made on a quarterly basis, unless there has been no change in status since the initial publication or most recent update. Project information and updates may include a project summary, City expenditure, ordinances or resolutions, project schedules, public meetings, milestones, or other information deemed by the Chief Administrative Officer or the designee thereof to be matters of public interest.

Sec. 2-1339. Exclusions.

No provision of Section [~~2-1338~~] 2-1337 shall be construed to require the disclosure, through the subsidiary webpage for a project or otherwise, of any information or record (i) of which applicable law prohibits the disclosure, (ii) that may be withheld from disclosure pursuant to applicable law, or (iii) of which no officer, employee or agency of the City is the custodian.

§ 2. That section 2-1338 of the Code of the City of Richmond (2020) is hereby **repealed** as follows:

~~[Sec. 2-1338. Project webpage requirements.~~

~~(a) — The subsidiary webpage for each project required by section 2-1337 shall include, to the extent applicable to that project, either the following information or a hyperlink to the location of that information for that project:~~

~~(1) — A project summary.~~

~~(2) — The value and source of all City expenditures and private funding for the project, itemized by each source.~~

~~(3) — Information and documents authorizing, depicting or outlining details about the project, including, but not limited to, the following:~~

~~a. — Pending or adopted ordinances or resolutions.~~

~~b. — Written reports, studies, presentations, surveys, maps, drawings or other materials prepared for the Council, the City Planning Commission, or similar bodies; for submission to state or federal regulatory bodies; or for the use of the employee or employees with responsibility for managing a project or an aspect of a project.~~

~~c. — Executed contracts with all contract documents, including contract modifications that make changes to, extend, or renew the contract.~~

~~d. — Project schedule.~~

~~(4) — Project status updates on a quarterly basis for all active projects and as deemed appropriate for pending projects.~~

~~(5) — The status of any permit application needed for the project.~~

~~(6) — A list of City expenditures, in the same format as the City's payment register, with City expenditures that do not appear on the payment register due to the nature of the expenditure listed separately.~~

~~(7) — A list of any future milestones that may be set forth in a contract to which the City is a party.~~

~~(8) — Details concerning performance measures and benchmarking requirements, to the extent such measures or requirements are set forth in a contract to which the City is a party, and status updates about the progress towards meeting such measures and requirements, updated on a quarterly basis for all active projects and as deemed appropriate for pending projects.~~

~~(9) — Project contact information, such as a contact person name, address, telephone number, electronic mail address, or any other contact information deemed appropriate.~~

~~This subsection shall be liberally construed to encourage the inclusion on the subsidiary webpage of each project of all information that may be of interest to the public, whether or not such information is described in this subsection.~~

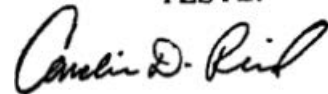
~~(b) — Each subsidiary webpage for a project shall provide for a feature by which the public, City employees, and other users have the ability to provide feedback.]~~

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

APPROVED AS TO FORM:

CITY ATTORNEY'S OFFICE

A TRUE COPY:
TESTE:



City Clerk



City of Richmond

900 East Broad Street
2nd Floor of City Hall
Richmond, VA 23219
www.rva.gov

Master

File Number: Admin-2024-0276

File ID: Admin-2024-0276

Type: Request for Ordinance or Resolution

Status: Regular Agenda

Version: 1

Reference:

In Control: City Clerk Waiting Room

Department:

Cost:

File Created: 04/02/2024

Subject:

Final Action:

Title:

Internal Notes:

Code Sections:

Agenda Date: 05/13/2024

Indexes:

Agenda Number:

Patron(s):

Enactment Date:

Attachments: WD - Webpage for CIP AATF.pdf

Enactment Number:

Contact:

Introduction Date:

Drafter: Adam.Hohl@rva.gov

Effective Date:

Related Files:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	4/5/2024	Robert Steidel	Approve	4/3/2024
1	2	4/5/2024	Adam Hohl - FYI	Notified - FYI	
1	3	4/17/2024	Charles Todd	Approve	4/8/2024
1	4	4/17/2024	Sabrina Joy-Hogg	Approve	4/18/2024
1	5	4/17/2024	Adam Hohl - FYI	Notified - FYI	
1	6	4/29/2024	Jeff Gray	Approve	4/19/2024
1	7	4/30/2024	Lincoln Saunders	Approve	5/8/2024
1	8	5/6/2024	Mayor Stoney	Approve	5/16/2024
1	9	5/6/2024	Adam Hohl - FYI	Notified - FYI	

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File Admin-2024-0276

City of Richmond

Intracity Correspondence

O&R Transmittal

DATE: March 14, 2024

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor

THROUGH: J.E. Lincoln Saunders, Chief Administrative Officer

THROUGH: Sabrina Joy-Hogg, Deputy Chief Administrative Officer

THROUGH: Charles Todd, Director of Information Technology

FROM: Robert Steidel, Deputy Chief Administrative Officer

RE: Amend [ORD 2015-192 <https://richmondva.legistar.com/LegislationDetail.aspx?ID=2459485&GUID=ED4344B5-EEDE-429B-8FFB-91F9E09002E8&Options=ID|Text|&Search=2015-192>](https://richmondva.legistar.com/LegislationDetail.aspx?ID=2459485&GUID=ED4344B5-EEDE-429B-8FFB-91F9E09002E8&Options=ID|Text|&Search=2015-192) Pertaining to Webpages for Development and Capital Improvement Projects

ORD. OR RES. No.

PURPOSE: To amend [ORD 2015-192 <https://richmondva.legistar.com/LegislationDetail.aspx?ID=2459485&GUID=ED4344B5-EEDE-429B-8FFB-91F9E09002E8&Options=ID|Text|&Search=2015-192>](https://richmondva.legistar.com/LegislationDetail.aspx?ID=2459485&GUID=ED4344B5-EEDE-429B-8FFB-91F9E09002E8&Options=ID|Text|&Search=2015-192), which created Chapter 2 Administration Article VII Public Records Division 3 Webpages for Development and Capital Improvement Projects from City Code

BACKGROUND: Richmond City Council adopted [ORD 2015-192 <https://richmondva.legistar.com/LegislationDetail.aspx?ID=2459485&GUID=ED4344B5-EEDE-429B-8FFB-91F9E09002E8&Options=ID|Text|&Search=2015-192>](https://richmondva.legistar.com/LegislationDetail.aspx?ID=2459485&GUID=ED4344B5-EEDE-429B-8FFB-91F9E09002E8&Options=ID|Text|&Search=2015-192) in 2016, which required the maintenance and quarterly updates to a webpage on the City's website entitled "Development and Capital Improvement Projects". The intent of the webpage was to provide an internet location at which public information concerning projects would be published for public access.

Currently the City's departments responsible for the management of capital projects dutifully update these project pages located on the City's website: [List of Capital Improvement Projects <https://www.rva.gov/capital-improvement-projects/list-capital-improvement-projects>](https://www.rva.gov/capital-improvement-projects/list-capital-improvement-projects). However, since [ORD 2015-192 <https://richmondva.legistar.com/LegislationDetail.aspx?ID=2459485&GUID=ED4344B5-EEDE-429B-8FFB-91F9E09002E8&Options=ID|Text|&Search=2015-192>](https://richmondva.legistar.com/LegislationDetail.aspx?ID=2459485&GUID=ED4344B5-EEDE-429B-8FFB-91F9E09002E8&Options=ID|Text|&Search=2015-192)

[ID=2459485&GUID=ED4344B5-EEDE-429B-8FFB-91F9E09002E8&Options=ID|Text|&Search=2015-192>](#) was adopted and put into practice, there have been significant advancements in how the City administration conducts public information and engagement regarding capital projects. Notably, the Department of Budget and Strategic Planning has developed an interactive [Capital Project Dashboard](#) <https://cor.maps.arcgis.com/apps/dashboards/b77c76ba1e1a47a09734b7eb8d5a508b>. The Capital Project Dashboard is also updated quarterly, is map-based to allow members of the public to view projects within a particular area or council district, and is generally designed to be more engaging to the public. Because of these current and future developments, the original webpage prescribed by [ORD 2015-192](#) <https://richmondva.legistar.com/LegislationDetail.aspx?ID=2459485&GUID=ED4344B5-EEDE-429B-8FFB-91F9E09002E8&Options=ID|Text|&Search=2015-192> has become a redundant and obsolete tool. The administration would respectfully request to amend City Code Chapter 2 Administration Article VII Public Records Division 3 Webpages for Development and Capital Improvement Projects to allow for greater flexibility in how this information is made available to the public, while retaining the requirement to make the information available and update on a routine basis.

COMMUNITY ENGAGEMENT: While specific community engagement has not been conducted regarding the potential repeal of this section of City Code, the intent of this ordinance is to further enhance and strengthen community engagement surrounding capital projects by eliminating unnecessary and duplicative reporting. Further, in coordination with the Finance & Administration portfolio and the Office of Strategic Communications, the agencies responsible for capital project management commit to proactively engaging the public on project updates via the City website, social media, community meetings, and other best practices as prescribed by project management standards.

STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL: Efficient & High Quality Service Delivery; Responsive, Accountable, and Innovative Government.

FISCAL IMPACT: Amendment of this section of code is expected to have a positive fiscal impact in eliminating a redundant reporting requirement for staff.

DESIRED EFFECTIVE DATE: Upon adoption.

REQUESTED INTRODUCTION DATE: April 22, 2024

CITY COUNCIL PUBLIC HEARING DATE: May 13, 2024

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Governmental Operations

AFFECTED AGENCIES: Departments of Information Technology, Public Works, Public Utilities, Parks Recreation and Community Facilities, and Budget and Strategic Planning

RELATIONSHIP TO EXISTING ORD. OR RES.: [ORD 2015-192](https://richmondva.legistar.com/LegislationDetail.aspx?ID=2459485&GUID=ED4344B5-EEDE-429B-8FFB-91F9E09002E8&Options=ID|Text|&Search=2015-192)
[2015-192](https://richmondva.legistar.com/LegislationDetail.aspx?ID=2459485&GUID=ED4344B5-EEDE-429B-8FFB-91F9E09002E8&Options=ID|Text|&Search=2015-192)

ATTACHMENTS:

STAFF: Robert Steidel, DCAO Operations, 804-646-1378
Charles Todd, DIT Director, 804-646-6271