



# City of Richmond

## Work Session Minutes

### Governmental Operations Standing Committee

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Friday, October 22, 2021

10:30 AM

Council Chamber, 2<sup>nd</sup> Floor

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#### Committee Members and Staff in Attendance

The Honorable Kristen Larson – Chair  
The Honorable Katherine Jordan – Vice Chair  
The Honorable Michael Jones – Member

The Honorable Ann-Frances Lambert, Council Member – *early departure*  
The Honorable Ellen Robertson, Vice President – *late arrival*  
Debra Bowles, Assistant City Clerk  
Haskell Brown, Interim City Attorney  
Joyce Davis, Interim Council Chief of Staff  
Tabrica Rentz, Acting Deputy City Attorney  
RJ Warren, Deputy City Clerk

#### Call to Order

Chair Kristen Larson called the meeting to order at 10:46 a.m. and presided.

#### Evacuation Announcement

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.

#### Discussion Item(s)

*Chair Kristen Larson reminded those in attendance that the purpose of the work session was to have an informal discussion regarding the proposed changes to the City Charter.*

Chief Administrative Officer (CAO) Lincoln Saunders spoke regarding item 51 of the City Charter recommendations, regarding the City Attorney. CAO Saunders noted that the City Attorney reports to City Council per the City Charter; however, a large percentage of the City Attorney's work relates to administration. Mr. Saunders stated that this is problematic and suggested that one consideration is to amend §4.17 of the charter to allow the Mayor to appoint a separate attorney to serve as general counsel to the City Mayor and administration; and to represent the Mayor in matters where the City Attorney renders that he cannot offer legal services to the administrative offices of the city due to a conflict of interest.

After much discussion, it was determined that more information was needed and that the item would be revisited at the regular meeting of the Governmental Operations Standing Committee on Wednesday, October 27<sup>th</sup>.

*Vice President Ellen Robertson arrived and was seated at 10:54 a.m.*

*Chair Larson noted that item 52 of the proposed changes, regarding the printing of the budget, was previously discussed and there was no consensus; therefore, the item did not need to be reconsidered.*

*Chair Larson also noted that item 53 had previously been discussed and it was determined that the item could move forward; however, it had not been determined if item 53 will require a charter change.*

Director of Budget and Strategic Planning Jason May stated that a meeting with the City Attorney to determine if item 53 requires a charter change was requested by the committee; however, that meeting has not taken place.

CAO Saunders also commented on item 53 stating that amending the charter to provide flexibility of the date to present the Capital Improvement Plan (CIP) budget, then establishing by resolution or code the date that the CIP budget is to be presented to City Council, would allow ample time for Council to review the CIP budget.

*Chair Larson stated that item 54 regarding interdepartmental General Fund transfers had been discussed previously and additional discussion is needed.*

CAO Saunders agreed that item 54 needs further consideration and stated that the item is a priority for the Mayor. Mr. Saunders stated that there would be additional discussion by administration and he would return to the October 27<sup>th</sup> committee meeting with an update.

*Chair Larson opened discussion on item 55 regarding the electric utility.*

Deputy Chief Administrative Officer (DCAO) for Operations Robert Steidel, explained that the recommendation means a change in the operations portfolio. Mr. Steidel stated the electric utility could operate through Department of Public Utilities (DPU) or the Department of Public Works (DPW); however, all funding is currently through DPW. Mr. Steidel also stated that electricity is not a city utility and that the change would allow operational efficiency.

DCAO Steidel also spoke on item 56, which is a companion item to item 55. Mr. Steidel stated that item 56 recommends removing the electric utility from a referendum. Mr. Steidel further stated that the city has not had an electric utility for approximately 40 years and the electric utility is an operating asset to DPW; therefore, there is need for a referendum.

*Chair Larson stated that having completed the explanation of items 55 and 56, the items could move forward. Chair Larson requested information on item 57 regarding a parking utility.*

DCAO Steidel stated that item 57 would allow the city an opportunity to adopt a parking utility, an operation that would bring revenue to the city via fees and charges to individuals. Mr. Steidel also stated that a parking utility does not necessarily mean additional staffing would be required.

*Chair Larson stated that item 57 will move forward; however, administration has been asked to follow-up with Councilor Ann-Frances Lambert regarding additional information on a parking utility.*

*Chair Larson requested information regarding item 58, regarding Council approved projects.*

Deputy Director and City Engineer M. Khara informed committee members that item 58 would allow language to be placed within an initial project ordinance to approve the project and allow direct execution of the project as opposed to having two separate ordinances to accomplish the same goal. Mr. Khara explained that having two separate ordinances has placed a hold on projects for several weeks prior to execution of the project.

CAO Saunders reminded the committee that at the October 1<sup>st</sup> work session, there was discussion regarding regular reporting of changes that administration would approve without using the ordinance process. Mr. Saunders also stated that there will be additional discussion regarding language specifics.

*Chair Larson requested information regarding item 59, the striking of marijuana from the Substance Abuse Policy.*

CAO Lincoln Saunders stated that the City Charter specifically names marijuana as a reason to forfeit one's position as an employee. Mr. Saunders stated that to be consistent with state law, marijuana needs to be stricken from the City Charter.

*Chair Larson stated that item 59 can be moved forward and requested information regarding item 60.*

Deputy Director M. Khara stated that item 60 is a duplicate of item 37, which allows for pedestrian improvements and adds the term "traffic calming."

*Committee Member Michael Jones requested clarification on the property owner's responsibility of the cost for traffic calming.*

Mr. Khara stated that a neighborhood can request traffic improvements; however, DPW may not have funding to implement the improvements. Mr. Khara also stated that upon completion, improvements could increase the property value which helps the property owner offset costs thru increased property taxes.

DCAO Steidel informed Mr. Jones that the recommendation is specific to development programs for projects that are presented to the city.

*Chair Kristen Larson stated that additional discussion is needed to clarify the balance of responsibility.*

DCAO Steidel stated that all recommendations through item 64 reference additional language pertaining to development. Mr. Steidel also stated that the changes pertain to § 2.03 and § 2.04 of the City Charter. Mr. Steidel further stated that he could provide the committee with a document that provides all suggested changes of items 60 to 64.

*Chair Larson requested the document be provided to committee members by the Wednesday, October 27<sup>th</sup>, Governmental Operations Standing Committee meeting.*

*Chair Kristen Larson requested that the committee review the recommendations prepared by Vice President Ellen Robertson, beginning at item 14.*

Vice President Ellen Robertson provided introductory remarks regarding the current form of city government, stating that at the end of the current four year term, the current government will have been in place for twenty (20) years. Ms. Robertson stated an assessment that provides a detailed review of the city government's effectiveness should be completed to determine if a major overhaul should or should not be considered. Ms. Robertson also stated that there are many groups that are concerned about the lack of consistency in city operations, the increase of turnover in critical positions, and the inability to provide strength within the current government. Vice President Robertson further stated that the proposed changes are to create collaboration and put processes in place to make Richmond "one city", and that the proposed recommendations could raise meaningful discussion.

Vice President Robertson stated that item 14 would place the Mayor as the presiding officer of City Council and the vice presiding officer would be the Council member that has the most years of continuous service.

Councilor Ann-Frances Lambert stated that she is not in favor of using the longest continuous term as the credential for the vice presiding officer, but that consideration of a councilor that has served a minimum of one term should be considered.

Ms. Robertson stated the purpose of using the most continuous years is to provide a sense of order.

*Member Michael Jones asked if the purpose of the recommendation is to move from the current form of government or to include the Mayor within the body of Council. Mr. Jones stated a concern would be the separation of power between Council and administration. Mr. Jones also stated that the current form of government has done a poor job of informing citizens of government processes.*

Vice President Robertson stated that the recommendation would not mean a new form of government but a government, that would have an at-large Mayor and an at-large election of Council. The Council would continue to be the legislative body; however, there would not be term limits for Council members or for the Mayor. Ms. Robertson stated that consistency and sustainability needs to be built into city government to offer continuity in representation and positions of authority and power.

*Chair Kristen Larson stated that additional conversation is needed to discuss recommendations related to city government structure.*

Councilor Ann-Frances Lambert thanked Vice President Robertson for the recommendations regarding government structure changes and stated that Council member salaries need to be discussed.

Ms. Robertson stated that she would be willing to work with the state, Council and Mayor to discuss recommendations.

*Councilor Ann-Frances Lambert left at 12:17 p.m.*

*Chair Larson stated that item 13 should move forward based upon the previous work session, and items 14 – 17 are related to the city's form of government.*

Ms. Robertson stated that item 18 refers to the city's Master Plan. Ms. Robertson reminded the committee that upon presentation of the Master Plan, Council could only vote to adopt or reject; however, there have been many proposed amendments to the current plan.

Interim City Attorney Haskell Brown stated that it was previously suggested to change the City Charter to conform to state law concerning the Master Plan. Mr. Brown also stated the law allows the governing body a greater role and flexibility in adopting the Master Plan.

Vice President Robertson requested that the Interim City Attorney offer assistance in providing the proper language for the charter change.

CAO Lincoln Saunders requested to see the language regarding the charter change for the Master Plan prior to being forwarded.

*Chair Larson stated that item 18 can move forward.*

Vice President Robertson stated that item 20 was previously discussed within the conversation of government elections. Ms. Robertson stated that item 21 has been removed and item 22 was previously discussed regarding the tolls at the Robert E. Lee Bridge. Item 23 regarding trains blocking crossings is a major concern, especially within the 6<sup>th</sup> voter District.

Interim City Attorney Haskell Brown stated that the office will research item 23 and will report back to the committee; however, the change may need to occur federally.

Vice President Robertson spoke on item 24 regarding inmate labor.

*Chair Kristen Larson stated that item 24 will need to be reviewed to determine its relationship to the City Charter.*

Interim City Attorney Brown stated that item 24 is covered within the Code of Virginia; however, it will be reviewed by the City Attorney's office.

*Chair Larson stated item 25 is related to the possession of marijuana.*

CAO Lincoln Saunders stated that changes have been made regarding city policies; however, this item is specific to the City Charter.

*Chair Larson stated there was a consensus previously regarding marijuana and requested consideration of item 26 regarding historic districts.*

*Chair Kristen Larson requested information regarding the next step on amending the City Charter.*

Interim City Attorney Haskell Brown stated that the charter amendments are sent to the state as one bill for consideration with all requested changes. Mr. Brown also stated that City Council has the choice of presenting one resolution for all changes that achieved consensus or presenting multiple resolutions that would be voted on independently.

*Chair Larson stated that the work sessions have been productive and thanked each person for participating, and announced that the next regularly scheduled Governmental Operations Standing Committee meeting would be on Wednesday, October 27<sup>th</sup>. Ms. Larson further stated that a summary will be provided on all items that are moving forward for consideration. Ms. Larson also stated that the November 24<sup>th</sup> standing committee meeting will need to be rescheduled.*

Interim Council Chief of Staff (CCOS) Joyce Davis noted that the December 13<sup>th</sup> City Council meeting is the final date for approval of requested changes to the City Charter.

*Chair Larson stated that the goal is to have the legislation approved by City Council in early December so that it can be included with Council's legislative agenda. Ms. Larson reminded committee members and other persons in attendance, that the items for consideration would be the first group approved by consensus of the committee and that additional items would be reviewed and presented in the next year.*

*A copy of the material provided has been filed.*

## **Adjournment**

There being no further business, the meeting adjourned at 12:37 p.m.