



City of Richmond

Formal Meeting Minutes

900 East Broad Street
Richmond, VA 23219
www.richmondgov.com/cityclerk

Monday, May 11, 2020

6:00 PM

Council Chamber, 2nd Floor - City Hall
(Virtual Meeting)

Councilmembers Present

The Honorable Cynthia Newbille, President
The Honorable Chris Hilbert, Vice President (late arrival)
The Honorable Andreas Addison
The Honorable Kim Gray
The Honorable Michael Jones
The Honorable Kristen Larson
The Honorable Stephanie Lynch
The Honorable Ellen Robertson
The Honorable Reva Trammell

President Cynthia Newbille called the meeting to order at 6:01 p.m., and presided.

ELECTRONIC PARTICIPATION

City Clerk Candice Reid, in accordance with Ordinance No. 2020-093, adopted April 9, 2020, announced the meeting would be held through electronic communication means. City Clerk Reid stated notice of the meeting was provided to the public through a public information advisory issued on May 5, 2020, and through Legistar on the city website in accordance with usual practice. She also stated members of the public were encouraged to provide comments in writing prior to the meeting and all comments received prior to 10:00 a.m. on Monday, May 11, 2020, were provided to Council members. Ms. Reid indicated that members of the public who signed up to speak and provide comment would be called to speak at the appropriate time.

Invocation was offered by Pastor Eric W. Carroll of the Ascension Church RVA, 9507 Hull Street Road, Richmond, VA.

Members of Council and staff recited the Pledge of Allegiance.

Vice President Chris Hilbert joined the meeting at 6:04 p.m.

CITIZEN SPEAKER GUIDELINES

Upon the President's request, Deputy City Clerk RJ Warren provided citizen speaker guidelines.

APPOINTMENTS AND REAPPOINTMENTS

There were no appointment/reappointment items for consideration.

AWARDS AND PRESENTATIONS

There were no awards or presentations.

CITIZEN COMMENT

There were no citizen comment speakers.

AGENDA REVIEW AND AMENDMENTS

Councilor Ellen Robertson moved to amend the agenda as follows:

ORD. 2020-083

To amend Ord. No. 2019-041, adopted May 13, 2020, which adopted the Fiscal Year 2019-2020 General Fund Budget and made appropriations pursuant thereto, by re-appropriating a \$1,352,558.00 portion of the Fiscal Year 2018-2019 fund balance excess, assigned by Res. No. 2019-R016, adopted Jun. 24, 2019, to the General Fund Cash Transfer for Capital Projects program, and to appropriate these transferred funds to the Fiscal Year 2019-2020 Capital Budget by increasing estimated revenues and the amounts appropriated to the Universal Access, Community Center Enhancements, Tredegar/Brown's Island Accessible Walk Improvements, and RAA Building and Property Improvements projects by a total of \$1,352,558.00 for the purpose of providing additional funding for those projects.

To be continued to Tuesday, May 26, 2020

ORD. 2020-090

To authorize the special use of the property known as 2852 Hull Street for the purpose of a single-family detached dwelling, upon certain terms and conditions.

To be amended and continued to Monday, June 8, 2020

RES. 2020-R013

To request that the Mayor propose a Fiscal Year 2020-2021 General Fund Budget that provides for an appropriation of [\$221,770.00] the amount deemed necessary to cover the costs for a third-party equity analysis to measure equity in the City and that further provides for equity training for a core group of City employees and appointed and elected officials for the purpose of eliminating inequities through improved City policy. (As Amended)

To be continued to Monday, July 27, 2020

ORD. 2018-236

To amend ch. 26, art. V, div. 2 of the City Code by adding therein new sections 26-370-26-374, concerning a real estate tax deferral program for real estate owned and occupied as a sole dwelling, for the purpose of establishing a new real estate tax deferral program for real estate owned and occupied as a sole dwelling.

To be continued to Tuesday, May 26, 2020

ORD. 2019-343

To amend City Code §§ 30-402.2, 30-411.3, 30-412.2, 30-413.3, 30-413.13, 30-414.2, 30-416.2, 30-418.2, 30-419.4, 30-420.1, 30-426.1, 30-428.1, 30-430.1, 30-433.2, 30-433.11, 30-434.1, 30-436.1, 30-438.1, 30-440.1, 30-442.1, 30-444.2, 30-446.2, 30-447.2, 30-447.11, 30-448.1, 30-450.1, 30-457.1, concerning permitted principal uses, and 30-1220, concerning definitions related to zoning, and to amend ch. 30, art. VI of the City Code by adding therein a new div. 14 (§§ 30-697—30-697.3), concerning short-term rentals. (As Amended)

To be continued to Tuesday, May 26, 2020

ORD. 2020-041

To amend and reordain Ord. No. 2017-129, adopted Oct. 9, 2017, which authorized the special use of the property known as 1704 Arlington Road for the purpose of illuminated canopy signage, to modify the permitted uses, upon certain terms and conditions.

To be continued to Tuesday, May 26, 2020

Councilor Kristen Larson informed members she believed Council should take additional time available to consider the FY 2021 budget related ordinances scheduled for consideration later that evening. Councilor Larson stated the additional time would allow Council to better understand the fiscal impact of the COVID-19 pandemic.

Councilor Kim Gray stated she agreed with Councilor Larson, and expressed her concerns about the COVID-19 pandemic's impact on citizen participation throughout the budget discussion process.

Vice President Chris Hilbert stated he agreed with Councilor Larson, and that he was concerned the proposed FY 2021 budget did not fully take into account the impact of the COVID-19 pandemic, specifically the impact on the restaurants located within the city.

Councilor Michael Jones stated due to the uncertainty of the full impact of the pandemic, he believed Council should adopt the proposed FY 2021 budget that evening and proceed with budget amendments in the future.

President Cynthia Newbille informed members that Council staff would work with city administration to continuously review the impact of COVID-19 on city finances, and would subsequently provide Council with suggestions regarding proposed amendments to the FY 2021 budget.

Councilor Ellen Robertson expressed her support to adopt the proposed FY 2021 budget and to proceed with monthly updates from Council staff and city administration regarding proposed budget amendments.

The motion to amend the agenda was seconded and approved: Ayes 5, Jones, Robertson, Lynch, Addison, Newbille. Noes 4, Larson, Gray, Trammell, Hilbert.

CONSENT AGENDA

The following ordinances and resolutions were considered:

ORD. 2020-046

To rezone the property known as 2925 Garland Avenue from the UB Urban Business District and the PE-7 Brookland Park Boulevard / North Avenue Parking Exempt Parking Overlay District to the R-6 Single-Family Attached Residential District.

ORD. 2020-047

To amend and reordain Ord. No. 2003-375-337, adopted Dec. 8, 2003, which authorized the special use of the property known as 1100-1102 West Cary Street and 20-22 South Harrison Street for the purpose of certain enumerated uses in accordance with such ordinance, to allow an outdoor pergola, upon certain terms and conditions.

ORD. 2020-048

To authorize the special use of the property known as 3412 R Street for the purpose of two single family attached dwellings and one single family detached dwelling, upon certain terms and conditions.

ORD. 2020-089

To amend Ord. No. 2014-222-204, adopted Nov. 10, 2014, as previously amended by Ord. No. 2018-328, adopted Jan. 14, 2019, which authorized the special use of the property known as 2319 Grove Avenue for the purpose of authorizing an expansion to an existing day nursery, to modify the fencing requirements for the roof-top play area, upon certain terms and conditions.

ORD. 2020-100

To close, to public use and travel, a portion of an alley in the block bounded by East Canal Street, South Foushee Street, East Cary Street, and South 1st Street consisting of 680± square feet, upon certain terms and conditions.

ORD. 2020-101

To close, to public use and travel, certain alleys in the block bounded by East Jackson Street, North 8th Street, East Leigh Street, and North 7th Street consisting of 8,665± square feet, upon certain terms and conditions.

ORD. 2020-102

To amend the schedule of classifications and assigned ranges incorporated into section I of the Pay Plan adopted by Ord. No. 2018-319 on Jan. 14, 2019, for the purpose of revising the wording of certain classification titles and changing the pay ranges of certain classification titles, and to amend section III(B)(6) of the Pay Plan to revise the classification and assigned ranges for persons occupying unclassified positions in the courts for whom compensation is not fixed directly or indirectly by statute adopted by the General Assembly of Virginia.

ORD. 2020-109

To amend City Code §§ 26-27 and 26-29, concerning the City's tax amnesty program, for the purpose of providing for the 2020 tax amnesty period's application to tangible personal property and real estate taxes.

RES. 2020-R030

To request that the Mayor amend the Administrative Regulations of the City, to the extent permitted by law, to exclude from substance detection testing the testing of City employees and applicants for employment with the City, except for public safety personnel and applicants for public safety positions, for marijuana use.

RES. 2020-R031

To express the Council's support for the adoption of the City of Richmond Strategic Plan to End Homelessness 2020-2030 and any enabling legislation, including any budget amendments, to implement the City of Richmond Strategic Plan to End Homelessness 2020-2030.

President Cynthia Newbille requested that all members of Council be added as co-patrons to ORD. 2020-109.

There were no further comments or discussions and the **Consent Agenda was unanimously adopted.**

BUDGET RELATED PAPERS

The following ordinances were considered:

ORD. 2020-049

To adopt the General Fund Budget for the fiscal year commencing Jul. 1, 2020, and ending Jun. 30, 2021, and to appropriate the estimated revenues for such fiscal year for the objects and purposes stated in such budget. (As Amended)

ORD. 2020-050

To adopt the Special Fund Budgets for the fiscal year commencing Jul. 1, 2020, and ending Jun. 30, 2021, and to appropriate the estimated receipts of the Special Revenue funds for the said fiscal year. (As Amended)

ORD. 2020-051

To accept a program of proposed Capital Improvement Projects for the fiscal year beginning Jul. 1, 2020, and for the four fiscal years thereafter; to adopt a Capital Budget for the fiscal year beginning Jul. 1, 2020; and to determine the means of financing the same. (As Amended)

ORD. 2020-053

To appropriate and to provide funds for financing the school budget for the fiscal year commencing Jul. 1, 2020, and ending Jun. 30, 2021. (As Amended)

ORD. 2020-054

To adopt the Debt Service Fund Budget for the fiscal year commencing Jul. 1, 2020, and ending Jun. 30, 2021, and to appropriate the estimated expenditures from the Debt Service Fund for the said fiscal year.

ORD. 2020-055

To adopt the Internal Service Fund Budgets for the fiscal year commencing Jul. 1, 2020, and ending Jun. 30, 2021, and to appropriate the estimated receipts of the Internal Service funds for the said fiscal year.

ORD. 2020-056

To adopt the Department of Parks, Recreation and Community Facilities' Richmond Cemeteries Budget for the fiscal year commencing Jul. 1, 2020, and ending Jun. 30, 2021, and to appropriate the estimated receipts of the Richmond Cemeteries for the said fiscal year for the operation and management of the facilities.

ORD. 2020-057

To adopt the Department of Public Works' Parking Enterprise Fund Budget for Fiscal Year 2020-2021, and to appropriate the estimated receipts of the Department of Public Works' Parking Enterprise Fund for the said fiscal year for the operation and management of parking facilities.

ORD. 2020-058

To adopt the Electric Utility Budget for the fiscal year commencing Jul. 1, 2020, and ending Jun. 30, 2021; to appropriate the estimated receipts of the Electric Utility for the said fiscal year; and to make appropriations from the Electric Utility Renewal Fund or Operating Fund for renewing, rebuilding or extending the plant and distribution system of the Electric Utility and for the purchase of vehicles.

ORD. 2020-059

To adopt the Gas Utility Budget for the fiscal year commencing Jul. 1, 2020, and ending Jun. 30, 2021; to appropriate the estimated receipts of the Gas Utility for the said fiscal year; and to make appropriations from the Gas Utility Renewal Fund or Operating Fund for renewing, rebuilding or extending the plant and distribution system of the Gas Utility and for the purchase of vehicles. (As Amended)

ORD. 2020-060

To adopt the Department of Public Utilities' Stores Internal Service Fund Budgets for the fiscal year commencing Jul. 1, 2020, and ending Jun. 30, 2021, and to appropriate the estimated receipts of the Department of Public Utilities' Stores Internal Service Funds for the said fiscal year.

ORD. 2020-061

To adopt the Stormwater Utility Budget for the fiscal year commencing Jul. 1, 2020, and ending Jun. 30, 2021; to appropriate the estimated receipts of the Stormwater Utility for the said fiscal year; and to make appropriations from the Stormwater Utility Renewal Fund or Operating Fund for renewing, rebuilding or extending the stormwater utility and for the purchase of vehicles. (As Amended)

ORD. 2020-062

To adopt the Water Utility Budget for the fiscal year commencing Jul. 1, 2020, and ending Jun. 30, 2021; to appropriate the estimated receipts of the Water Utility for the said fiscal year; and to make appropriations from the Water Utility Renewal Fund or Operating Fund for renewing, rebuilding or extending the plant and distribution system of the Water Utility and for the purchase of vehicles. (As Amended)

ORD. 2020-063

To amend and reordain the fees set forth in Appendix A of City Code § 8-274(a)(2), (concerning the issuance of permits and conditions for concessions) for the purpose of providing for permit fees for the issuance of permits for concessions in public parks and playgrounds of the City.

ORD. 2020-068

To authorize the issuance of general obligation public improvement bonds of the City of Richmond in the maximum principal amount of \$33,000,000 to finance the cost of school projects and general capital improvement projects of the City for the following purposes and uses: construction, reconstruction, improvements and equipment for public schools; construction, reconstruction, improvement and equipment for various infrastructure needs, including traffic control facilities, streets, sidewalks and other public ways, bridges, storm sewers, drains and culverts, and refuse disposal facilities; participation in redevelopment, conservation and community development programs, including the construction, reconstruction, improvement and equipment for targeted public facilities included in these programs; construction, reconstruction, improvements and equipment for public institutional, operational, cultural, educational and entertainment buildings and facilities, including but not limited to the theaters, parks, playgrounds, cemeteries, libraries and museums; acquisition of real property therefor as appropriate; and the making of appropriations to the City's Economic Development Authority ("EDA") to be used by the EDA to finance capital expenditures or to make loans or grants to finance capital expenditures for the purposes of promoting economic development; to authorize the Director of Finance, with the approval of the Chief Administrative Officer, for and on behalf of the City, to sell such bonds for such capital improvement projects, to provide for the form, details and payment of such bonds; to authorize the issuance of notes of the City in anticipation of the issuance of such bonds; and to authorize the issuance of taxable bonds, for the same purposes and uses, in the same maximum principal amount and payable over the same period as such general obligation public improvement bonds.

ORD. 2020-069

To authorize the issuance of general obligation public improvement bonds of the City of Richmond in the maximum principal amount of \$9,976,000 to finance the cost of capital improvement projects of the stormwater utility of the City for the following purposes and uses: replacement of and upgrades to the stormwater facilities, including but not limited to, construction, reconstruction, improvements, rehabilitation and upgrades of stormwater sewers and associated facilities; new and replacement infrastructure of the storm sewer system, drainage structures, catch basins, ditches, storm sewer pipes, culverts, green infrastructure; acquisition of real property therefor as appropriate; and equipment for various infrastructure needs; and authorizes the Director of Finance, with the approval of the Chief Administrative Officer, for and on behalf of the City, to sell such bonds for such capital improvement projects, to provide for the form, details and payment of such bonds and to authorize the issuance of notes of the City in anticipation of the issuance of such bonds, and to authorize the issuance of taxable bonds, for the same purposes and uses, in the same maximum principal amount and payable over the same period as such general obligation public improvement bonds.

ORD. 2020-070

To cancel all authorized but unissued notes authorized by the City of Richmond in Fiscal Years 2016-2017 and 2017-2018, to authorize the issuance of general obligation equipment notes of the City of Richmond in the maximum principal amount of \$4,867,332 to finance the cost of equipment for the following purposes and uses: acquisition of computer, radio, office, solid waste collection, office furniture and miscellaneous equipment and vehicles for the various departments, bureaus and agencies of the City, and equipment for City schools; and to authorize the Director of Finance, with the approval of the Chief Administrative Officer, for and on behalf of the City, to sell equipment notes to finance the acquisition of such equipment, and to authorize the issuance of taxable notes, for the

same purposes and uses, in the same maximum principal amount and payable over the same period as such general obligation equipment notes.

ORD. 2020-071

To cancel all authorized but unissued bonds authorized by the City of Richmond in Fiscal Years 2016-2017, to authorize the issuance of public utility revenue bonds of the City of Richmond in the maximum principal amount of \$103,007,500 to finance the cost of capital improvement projects of the gas, water and wastewater utilities and public utilities buildings and facilities for the following purposes and uses: enlargement, extension, repair, replacement, improvement and equipping of the gas plant and transmission lines; enlargement, extension, repair, replacement, improvement and equipping of the waterworks plant and transmission lines; enlargement, extension, repair, replacement, improvement and equipping of the wastewater plant and intercepting lines; construction, reconstruction, repair, replacement, and improvement of sanitary and storm water sewers, pumping stations, drains and culverts; construction, reconstruction, repair, replacement, improvement and equipping of public utility buildings and facilities therefor, including but not limited to the stores division; and acquisition of real property and real property rights (including without limitation easements and rights-of-way) therefor as appropriate; to authorize the Director of Finance, with the approval of the Chief Administrative Officer, for and on behalf of the City, to sell such bonds for such capital improvement projects; to provide for the form, details and payment of such bonds; to approve the form of supplemental indenture of trust; to authorize the issuance of notes of the City in anticipation of the issuance of such bonds; and to authorize the issuance of taxable bonds, for the same purposes and uses, in the same maximum principal amount and payable over the same period as such public utility revenue bonds.

ORD. 2020-072

To amend Appendix A of the City Code by increasing the fee for section 4-307, concerning the annual fee for a breeding permit, per dog or cat.

ORD. 2020-073

To amend Appendix A of the City Code for section 4-275 (concerning impoundment and violation notice and fee for board and care) for the purpose of establishing a separate adoption fee for puppies.

ORD. 2020-074

To amend City Code § 12-95, (concerning athletic activities, adult leagues, tennis tournaments, tennis camps, and softball tournaments) for the purpose of removing the separate fees for softball tournaments and for the recreation centers known as Pine Camp Art and Recreation Center and portions of Hickory Hill Community Center, and to amend Appendix A of the City Code for section 12-95 (concerning athletic activities, adult leagues, tennis tournaments, tennis camps, and softball tournaments) for the purpose of establishing revised charges for such activities.

ORD. 2020-075

To amend City Code § 12-108, concerning a nonresident fee for nonresidents of the City renting facilities or enrolling in Department of Parks, Recreation and Community Facilities athletic activities or classes, for the purpose of increasing the nonresident fee for the rental of any facility, park or equipment from the Department of Parks, Recreation and Community Facilities.

ORD. 2020-076

To amend and reordain City Code § 12-94, (concerning the reservation of picnic shelters and the rental fee for picnic packs), for the purpose of including the fee for reservation of picnic shelters and removing the fee for picnic packs, and to amend the fees set forth in Appendix A of the City Code for City Code §§ 8-281, (concerning the permit processing fee for the use of public grounds, parks, playfields and playgrounds) to increase the cost of the permit processing fee, and 12-94, (concerning picnic shelter fees), for the purpose of removing the fee for rental of picnic packs.

ORD. 2020-077

To amend ch. 13, art. V, div. 3 of the City Code by adding therein new §§ 13-203 and 13-204, to concerning establishing fees for employees of the City's Department of Fire and Emergency Services

who conduct Fire Prevention Code inspections on commercial and institutional properties in the City, and to amend Appendix A of the City Code by adding therein new fees for City Code § 13-203, for the purpose of establishing the fees to be charged for employees of the City's Department of Fire and Emergency Services who conduct Fire Prevention Code inspections on commercial and institutional properties in the City.

ORD. 2020-078

To amend City Code § 13-190, concerning the removal and closure of underground storage tanks, for the purpose of including aboveground storage tanks as subject to removal and closure, and to amend the fees set forth in Appendix A of the City Code for City Code § 13-190, for the purpose of establishing a new fee for the removal of aboveground storage tanks.

ORD. 2020-079

To amend § 30-930.6 of the City Code, concerning certificates of appropriateness, for the purpose of establishing a fee for filing an application for a certificate of appropriateness, and to amend Appendix A of the City Code by adding therein new fees for City Code §§ 30-930.6, concerning certificates of appropriateness, and 30-1020.4(a), concerning fees for filing an application for a certificate of zoning compliance, of the City Code, to establish new charges for such services.

ORD. 2020-080

To amend and reordain City Code §§ 8-279 (concerning fees for use of public parks) for the purpose of revising the fees for weddings and to establish fees for rafting in the James River Park Systems, and to amend and reordain the fees set forth in Appendix A of the City Code for sections 8-277 (concerning fees for the use of the Dogwood Dell Amphitheater and Carillon in Byrd Park), 8-278 (concerning fees for the use of City-owned equipment), 8-279 (concerning fees for use of public parks), and 8-284(b) and (c) (concerning meeting fees) of the City Code.

ORD. 2020-081

To adopt the Wastewater Utility Budget for the fiscal year commencing Jul. 1, 2020, and ending Jun. 30, 2021; to appropriate the estimated receipts of the Wastewater Utility for the said fiscal year; and to make appropriations from the Wastewater Utility Renewal Fund or Operating Fund for renewing, rebuilding or extending the plant and distribution system of the Wastewater Utility and for the purchase of vehicles. (As Amended)

ORD. 2020-082

To ~~amend the schedule of classifications and assigned ranges incorporated into section I of the Pay Plan for the purpose of revising the wording of certain classification titles and changing the pay ranges of certain classification titles; to amend section II(B) of the Pay Plan to provide a 2% pay increase for classified and unclassified permanent City employees who are not in the step-based pay system for police and fire employees; and to~~ amend sections III(B)(4), III(B)(11), III(B)(12), III(B)(25)(e), III(B)(36), and III(B)(40), of the Pay Plan to (i) suspend police and fire career development, (ii) provide the Commonwealth Attorney's Office with \$884,474 for salary supplements and \$202,138 for Virginia Retirement System contributions and the Commonwealth Attorney with a \$51,074 salary supplement and a \$10,306 Virginia Retirement System contribution, ~~(iii)~~ (iii) provide the Sheriff's Office with \$2,236,106 for salary supplements and the Sheriff with a \$41,301.20 supplement, ~~(iv)~~ (iv) to suspend the education incentive for police and fire program until Jun. 30, 2021, ~~(iv) to change the living wage,~~ and (v) to add the new "Driver Pump Operator" classification to the step-based pay system for sworn fire and police officers. (As Amended)

Citizens were provided an opportunity to offer comments in writing regarding ORD. 2020-049 prior to the Formal City Council meeting and public hearing. All written comments received by the Office of the City Clerk were provided to members of the Council prior to the meeting and are included as an Appendix to the May 11, 2020 Formal City Council meeting minutes.

Public Hearing Speakers

Kevin Pelletier, Virginia Organizing member, addressed Council and expressed his concerns regarding the potential impact the COVID-19 pandemic would have on eviction rates in the city. Mr. Pelletier informed Council that members of Virginia Organizing strongly recommended that Council

allocate \$2,900,000.00 to the Affordable Housing Trust Fund and allocate \$400,850.00 to the Eviction Diversion Program. Mr. Pelletier stated Virginia Organizing supported the proposal put forth by members of Richmonders Involved in Strengthening our Communities (RISC), at the April 27, 2020 Formal Council meeting, that requested Council pass a resolution directing \$800,000.00 be allocated to the Affordable Housing Trust Fund and the Eviction Diversion Program, as funds become available in FY 2021.

Lauren Whitley, Richmond Public Defender's Office deputy public defender, spoke in opposition to Ord. No.2020-049 due to the withdrawal of additional funding to supplement Richmond Public Defender's office employee salaries. Ms. Whitley stated Richmond public defenders and staff had continuously worked to represent clients during the COVID-19 pandemic and requested salary supplements be reexamined in the future. Ms. Whitley requested members of Council sign a memorandum of understanding to support Richmond public defenders in the future.

Councilor Kim Gray stated she did not believe the proposed FY 2021 budget took into consideration the full potential impact of the COVID-19 pandemic. Councilor Gray expressed support for the Eviction Diversion Program, Richmond Public Defender's office and the Richmond court system.

Councilor Kristen Larson stated she would prefer Council to pass the Richmond Public School's budget that evening and to continue consideration of the remaining FY 2021 budget related ordinances, to allow additional time to review the impact of COVID-19.

Councilor Michael Jones expressed his support for adopting the proposed FY 2021 budget and to address potential budget amendments in the future.

Councilor Stephanie Lynch stated FY 2021 budget amendments would be required in the future to provide funding for city priorities. Ms. Lynch requested Council to examine potential funding from the sale of city owned property and revenue from taxes on grey machines within the city. She also stated Council should prepare for federal funding provided by the CARES Act stimulus package.

Vice President Chris Hilbert suggested Council receive bi-weekly updates from Council staff and city administration regarding the impact of the pandemic on the FY 2021 budget, rather than on a monthly schedule.

President Cynthia Newbille stated the amended FY 2021 budget before Council was the first of many amended versions of the budget. President Newbille also stated city administration and Council staff would provide Council with monthly updates on potential budget amendments necessary to address the COVID-19 pandemic's impact on city finances.

There were no further comments or discussions and the **Budget Related Ordinances were adopted:** Ayes 5, Jones, Robertson, Lynch, Addison, Newbille. Noes 4, Larson, Gray, Trammell, Hilbert.

REGULAR AGENDA

The following ordinance was considered:

ORD. 2020-094

To amend Ord. No. 2019-188, adopted Jul. 22, 2019, which authorized the Chief Administrative Officer to submit a Consolidated Plan and Annual Action Plan to the U. S. Department of Housing and Urban Development (HUD) as an application for the receipt of Community Development Block Grant (CDBG) funds, HOME Investment Partnership (HOME) funds, Emergency Solutions Grant (ESG) funds and Housing Opportunities for Persons with AIDS (HOPWA) funds; accepted funds from the U. S. Department of Housing and Urban Development in the total amount of \$7,480,634.00; and appropriated \$7,480,634.00 for various projects, for the purpose of re-appropriating surplus funds, appropriating received program income, and adjusting certain project activities.

Daniel Mouer, Department of Housing and Community Development housing and community development administrator, was available to provide information regarding the proposed ordinance.

Vice President Chris Hilbert shared his appreciation of the Department of Housing and Community Development's work and expressed his support for ORD. 2020-094.

There were no further comments or discussions and **ORD. 2020-094 was unanimously adopted.**

The following resolution was considered:

RES. 2020-R028

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 classify licensed outpatient opioid treatment facilities as medical clinics or to otherwise permit licensed outpatient opioid treatment facilities in such additional zoning districts as the Director of Planning and Development Review may deem appropriate 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 the extent permitted by law, to classify licensed outpatient opioid treatment facilities as medical clinics or to otherwise permit licensed outpatient opioid treatment facilities in such additional zoning districts as the Director of Planning and Development Review may deem appropriate.

Councilor Stephanie Lynch provided an introduction and additional information regarding the proposed resolution.

Vice President Chris Hilbert expressed his support for amending the zoning requirements for outpatient opioid treatment facilities.

Councilor Kim Gray stated her concerns with adopting a resolution regarding amendments to a zoning ordinance prior to a study being conducted and receiving input from citizens.

Councilwoman Reva Trammell informed members she was not able to address the proposed resolution with citizens and business owners due to the COVID-19 pandemic.

Councilor Ellen Robertson inquired if the city attorney could provide clarification regarding the proposed resolution's request for a study. Councilor Robertson stated she supported the resolution, because she believed a study was necessary.

Interim City Attorney Haskell Brown informed members that the proposed resolution initiates the process for amending the zoning ordinance. Mr. Brown stated the resolution also requests that a study be conducted regarding potential outpatient opioid treatment facility locations.

Councilor Gray inquired if the proposed resolution could be amended to only request a study and not address the process of amending the city zoning ordinance.

Interim City Attorney Brown informed members that an ordinance would be required to officially amend the city zoning ordinance regarding outpatient opioid treatment facilities. Mr. Brown stated the proposed resolution would need to be heavily amended or withdrawn and reintroduced to remove language regarding the process for amending the city zoning ordinance.

Councilor Lynch stated she preferred Council adopt the RES. 2020-028 as written, and informed members that Council would still need to review and adopt a subsequent ordinance to amend the city zoning ordinance.

Councilwoman Trammell stated her concerns that the public did not have an opportunity to participate in review of the proposed resolution and informed members she believed the resolution should be continued.

Councilor Robertson requested the city attorney confirm that the adoption of an ordinance would still be required before any official change was made to the city zoning ordinance regarding outpatient opioid treatment facilities.

Interim City Attorney Brown confirmed that the proposed resolution before Council would not amend the city zoning ordinance and that an ordinance would be required in the future to take such action.

President Newbille stated any such ordinance would require public notice and a public hearing that would provide the public with additional opportunities to participate in discussions regarding amendments to the city zoning ordinance related to outpatient opioid treatment facilities.

There were no further comments or discussions and **Res. 2020-R028 was adopted:** Ayes 7, Jones, Robertson, Larson, Lynch, Addison, Hilbert, Newbille. Noes 2, Gray, Trammell.

MOTIONS

Councilor Ellen Robertson moved that the following ordinance entitled:

ORD. 2020-090

To authorize the special use of the property known as 2852 Hull Street for the purpose of a single-family detached dwelling, upon certain terms and conditions.

be amended and continued to Monday, June 8, 2020, as follows:

Page 3, Line 9

After the word “and”, strike the word “undated” and insert the text “dated March 2, 2019, and the plans entitled ‘Site Plan,’ prepared by Isaias Amaya, and dated December 4, 2019”

Page 3, Line 11

After the words “referred to”, insert the word “together”

There were no comments or discussion, and **the motion was seconded and unanimously approved.**

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Councilor Andreas Addison moved to approve the minutes of the following Richmond City Council meetings: Special Meetings held on Monday, March 16, 2020, at 3:00 p.m.; Thursday, April 2, 2020, at 3:30 p.m.; Thursday, April 9, 2020, at 3:30 p.m.; Monday, April 20, 2020 at 1:00 p.m.; Formal Council Session held on Monday, April 27, 2020, at 6:00 p.m.

The motion was seconded and unanimously approved.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS

City Council will hold a public hearing on the following ordinances and resolutions on Tuesday, May 26, 2020, at 6:00 p.m.:

ORD. 2020-110

To amend Ord. No. 2019-041, adopted May 13, 2019, which adopted the Fiscal Year 2019-2020 General Fund Budget and made appropriations pursuant thereto, by reducing total appropriations by

\$11,782,826, transferring funds from various agencies and non-departmental programs and the Budget and Revenue Stabilization Contingency Reserve, and appropriating the transferred funds to various agencies and non-departmental programs; and to amend Ord. No. 2019-042, which adopted the Fiscal Year 2019-2020 Special Fund Budget and made appropriations thereto, by increasing estimated revenues and the amount appropriated to the Department of Housing and Community Development's Affordable Housing - Non CDBG Areas special fund by \$1,000,000.00 to provide for affordable housing initiatives.

Patron: Mayor Stoney

This ordinance was introduced and committee referral waived pursuant to Rule VI(B)(3)(c).

ORD. 2020-112

To establish a residential permit parking district in the Historic Jackson Ward neighborhood.

Patron: Mayor Stoney

This ordinance was introduced and referred to the Land Use, Housing and Transportation Standing Committee meeting on Tuesday, May 19, 2020, at 1:00 p.m.

ORD. 2020-113

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Deed of Quitclaim of Utility Easement Portion between the City of Richmond and FW-VA The Village Shopping Center, LLC, for the purpose of releasing a portion of a utility easement to FW-VA The Village Shopping Center, LLC.

Patron: Mayor Stoney

This ordinance was introduced and referred to the Land Use, Housing and Transportation Standing Committee meeting on Tuesday, May 19, 2020, at 1:00 p.m.

ORD. 2020-114

To amend ch. 26, art. I of the City Code, concerning taxation, by adding therein a new § 26-3, concerning the application of payments for taxes, for the purpose of providing that the Director of Finance shall not be required to credit all payments of local levies first against the most delinquent account and may instead credit such payments, to the extent permitted by law, in the manner deemed appropriate where the taxpayer has entered into a bona fide payment agreement with the City.

Patron: Mayor Stoney

This ordinance was introduced and referred to the Finance and Economic Development Standing Committee meeting on Thursday, May 21, 2020, at 1:00 p.m.

ORD. 2020-115

To amend Appendix A of the City Code for section 12-120(a)(20), concerning rates and discounts for parking facilities operated by the City.

Patron: Mayor Stoney

This ordinance was introduced and referred to the Finance and Economic Development Standing Committee meeting on Thursday, May 21, 2020, at 1:00 p.m.

RES. 2020-R035

To accept and approve a budget review process for the City's Fiscal Year 2020-2021 annual budget.

Patron: Mayor Stoney

This resolution was introduced and committee referral waived pursuant to Rule VI(B)(2).

RES. 2020-R036

To urge the city of Richmond's small businesses, real estate companies, and landlords, who receive governmental financial assistance during the COVID-19 pandemic, to share the benefits of such financial assistance with the employees and tenants of such entities, as applicable, to minimize employment terminations and housing evictions within the city of Richmond.

Patron: Councilor Jones

This resolution was introduced and referred to the Finance and Economic Development Standing Committee meeting on Thursday, May 21, 2020, at 1:00 p.m.

City Council will hold a public hearing on the following ordinances on Monday, June 8, 2020, at 6:00 p.m.:

ORD. 2020-111

To declare the property known as 1201 Porter Street to be blighted property pursuant to Va. Code § 36-49.1:1 and to approve a spot blight abatement plan for such property.

Patron: Mayor Stoney

This ordinance was introduced and referred to the Land Use, Housing and Transportation Standing Committee meeting on Tuesday, May 19, 2020, at 1:00 p.m.

ORD. 2020-116

To amend City Code §§ 21-67 and 21-68, concerning public procurement, for the purpose of conforming the sections to the requirements of Va. Code §§ 2.2-4302.2 and 2.2-4303.1.

Patron: Mayor Stoney

This ordinance was introduced and referred to the Governmental Operations Standing Committee meeting on Thursday, May 28, 2020, at 12:00 p.m.

ORD. 2020-117

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Records Management System User Agreement between the City of Richmond and Virginia Commonwealth University for the purpose of contracting for the use of equipment and materials as allowed by Va. Code § 15.2-1736 by allowing the Virginia Commonwealth University Police Department to become an operational user of the Department of Police's records management system for the input, retrieval, and storage of records and facilitating interoperability between the Department of Police and the Virginia Commonwealth University Police Department.

Patron: Mayor Stoney

This ordinance was introduced and referred to the Governmental Operations Standing Committee meeting on Thursday, May 28, 2020, at 12:00 p.m.

ORD. 2020-118

To amend Ord. No. 91-220-208, adopted Jul. 8, 1991, which authorized use of the properties known as 1704 and 1706 Floyd Avenue, containing 4847.82 square feet located on the north side of Floyd Avenue between Vine Street and Allen Avenue, being more completely described as follows: beginning at a point being 43.00 feet west of the west line of Vine Street, thence fronting 37.58 feet in a westerly direction along the north line of Floyd Avenue and extending back 129.00 feet between parallel lines, parallel to the west line of Vine Street, to the south line of a 10.75 foot wide east-west public alley, to be split into two separate lots, for the purpose of a two-family dwelling on each

property, to authorize a third dwelling unit at 1706 Floyd Avenue, together with accessory parking, upon certain terms and conditions.

Patron: Mayor Stoney (By Request)

This ordinance was introduced and referred to the Planning Commission meeting on Monday, June 1, 2020, at 1:30 p.m.

ORD. 2020-119

To amend Ord. No. 2019-089, adopted Apr. 22, 2019, which authorized the special use of the properties known as 5400 Hull Street Road, 5336 Hull Street Road, and 5348 Hull Street Road for the purpose of self-storage facilities and multifamily dwellings containing up to 245 dwelling units, to modify the site plans, upon certain terms and conditions.

Patron: Mayor Stoney (By Request)

This ordinance was introduced and referred to the Planning Commission meeting on Monday, June 1, 2020, at 1:30 p.m.

ORD. 2020-120

To authorize the special use of the property known as 7345 Longview Drive for the purpose of a wildlife rehabilitation facility accessory to an existing single-family detached dwelling, upon certain terms and conditions.

Patron: Mayor Stoney (By Request)

This ordinance was introduced and referred to the Planning Commission meeting on Monday, June 1, 2020, at 1:30 p.m.

ORD. 2020-121

To authorize the special use of the property known as 2100 West Cary Street for the purpose of a retail use on the ground floor, upon certain terms and conditions.

Patron: Mayor Stoney (By Request)

This ordinance was introduced and referred to the Planning Commission meeting on Monday, June 1, 2020, at 1:30 p.m.

ORD. 2020-122

To authorize the special use of the property known as 301 West 6th Street for the purpose of a multifamily dwelling containing up to 350 dwelling units, upon certain terms and conditions.

Patron: Mayor Stoney (By Request)

This ordinance was introduced and referred to the Planning Commission meeting on Monday, June 1, 2020, at 1:30 p.m.

ORD. 2020-123

To rezone the properties known as 400 Maury Street and 418 Maury Street from the M-2 Heavy Industrial District to the TOD-1 Transit-Oriented Nodal District and the property known as 401 Maury Street from the B-7 Mixed-Use Business District to the TOD-1 Transit-Oriented Nodal District.

Patron: Mayor Stoney (By Request)

This ordinance was introduced and referred to the Planning Commission meeting on Monday, June 1, 2020, at 1:30 p.m.

ORD. 2020-124

To declare that a public necessity exists and to authorize the acquisition by gift, purchase, condemnation, or otherwise of the property known as 1201 Porter Street for the public purpose of implementing a Spot Blight Abatement Plan adopted in accordance with Va. Code § 36-49.1:1 for such property.

Patron: Mayor Stoney

This ordinance was introduced and referred to the Planning Commission meeting on Monday, June 1, 2020, at 1:30 p.m.

REPORTS OR ANNOUNCEMENTS BY MEMBERS OF THE COUNCIL

Members of Council provided reports and announcements regarding respective district meetings and activities.

ADJOURNMENT

There being no further business before the Council, the meeting adjourned at 8:21 p.m.

CITY CLERK

From: [Anne Forrester](#)
To: [City Clerk's Office](#)
Subject: statement for city council meeting tonight
Date: Monday, April 27, 2020 3:49:20 PM

CAUTION: This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

Good afternoon,
The following is my comment for the city council meeting tonight.

My name is Anne Forrester and I am an ESL teacher in RPS. I want to echo the statements that my colleagues have made and will make about the importance of maintaining funding to new positions and resources for English Learners. These resources include, but are not limited to the 10 new ESL teacher positions and, ESL compliance positions, and the Newcomer Programs. My students are overwhelmingly newcomers to the US and are mainly assessed for growth on their advancing English proficiency. Since school has been closed, my students have lost access to the main content to which they are assessed, language, since most of my students live in spanish speaking homes in communities that are also mostly spanish speaking. If and when school resumes, my students will need extra support to make the gains that will be expected of them. The RPS LEIP team has worked tirelessly this year to get our program where it should have been years ago. We have made progress, but there is much still to do. It's imperative that we have the resources and staff in place to continue making equity in education a reality for our English learners when we return from this extended closure.

thanks,

Anne Forrester

From: [Freida Ann McNeil](#)
To: [Newbille, Cynthia I. - City Council](#); [Reid, Candice D. - Clerk's Office](#); negahan.brown@richmondgov.com
Subject: Girls For A Change Comment - Richmond Public Schools Budget
Date: Monday, May 4, 2020 12:55:25 PM
Attachments: [RPS Budget Comments 5-2020.docx](#)

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Thank you for receiving Girls For A Change's comments on the RPS Budget.

Freida Ann McNeil, MSW
Consultant
Girls For A Change

Unapologetic about my intellect and drive!

#BlackGirlMagic=Natural Intellect&Hard Work!

Comments from: Angela Patton, CEO Girls For A Change

Greetings, and Thank You for this Opportunity!

Girls For A Change has been engaged with RPS students for over 15 years. We have seen the needs and have crafted our programs to place emphasis on Black girls and other girls of color in the Richmond community. Our programs target skill building, social emotional wellness, experiences, exposure, and an introduction to Social Change as a vehicle to develop and hear their "Voices".

Our experience leads us to stress the importance of "playing the hand we are dealt" during this crisis with significant financial challenges. The events surrounding the Covid-19 pandemic have placed immeasurable stress on RPS students, leadership, staff and parents. The added burdens are not a secret, food shortages, domestic violence, incessant murders, and a new culture of daily reports of death, suffering, and shortages.

As plans for opening the schools are developed, there is no value in underestimating the direct impact these conditions have on all of our stakeholders. We recognize the stabilizing role that daily school attendance offers our families. We must also acknowledge the roll that community partnerships play in teaching self-help, maintenance of hope, and the value of mutual support to aid the academic development and social emotional wellness of our stakeholders.

Girls For A Change has experienced RPS' growth in key areas of a response to the conditions of our students, their families, and the overall community. Expanded food opportunities both during and after school, increased access to technology, and connectivity to broadband support are crucial for both in and out of school time programs. We applaud RPS's commitment to in and out of school programming that both supports academic programs and expands access to key social emotional wellness tools, new skills, and self-initiated behavior management techniques.

As a long-time RPS community partner, we wish to make sure that Girls For A Change, along with other valuable programs provided by RPS community partners, is eligible to start in October with programming that will play a vital role in stabilizing our stakeholders in the "new normal" environment. Funding community partnerships will sustain momentum built over years of trials and miscues regarding what supports are required for our students to thrive. The data is in on social emotional wellness and the role that programming targeting both the academic and social emotional wellness needs of our students can play in improved academic outcomes.

Please play the winning hand and sustain RPS community partnerships by including funding in the budget for this valuable and productive programming.

From: [Amanda Slone](#)
To: [Mayor Levar Stoney](#); [Reid, Lenora G. - DCAO Of Finance And Administration](#); [Gray, Jeff L. - CAO](#); [Councilmembers](#); [Council Liaisons](#); [Reid, Candice D. - Clerk's Office](#); [Saunders, Lincoln - Mayor's Office](#); [Sledge, Leonard L. - DED](#); [Ebert, Sharon L. - DED](#)
Subject: Carytown
Date: Tuesday, May 5, 2020 1:24:36 PM

CAUTION: This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

Dear Mayor Stoney, Madam CAO, and City Councilmembers,

My name is Amanda Slone, and I'm the 2020 Carytown Merchants Association President. First of all, let me say I hope everyone is doing well and staying safe during these tough times.

I wanted to reach out to you in regards to funding for Carytown beautification for 2021. We are so appreciative of your help and support with this in the past. We have added monthly clean ups (pre-quarantine) for our community to chip in and help, and this past funding has allowed us to accomplish hiring a local landscaper who has been diligently cleaning and weeding the community. We've added cigarette bins all over, but Billy has spent a huge chunk of his time eliminating cigarettes and trash from the streets to keep it looking beautiful. Recently we were able to utilize those funds for mulching (it looks beautiful, I'm so excited to see the community getting some quarantine exercise walking safely around) and will be used in the fall for leaf removal and so much more. I feel we have really maximized this funding use and the community has noticed the impact of hiring Billy to maintain, so we truly thank you for support in years past.

Many of our local stores win "best of Richmond" contests and Carytown itself is always listed amongst the top things to do when visiting Richmond. We are the walking community for Richmond where families mill about, morning joggers race down the streets, people walk their dogs, and people spend the day. I've been coming to Carytown ever since I was a child (I went off to college and bounced right back home to Richmond), and it's truly a gem for Richmond. We have a deep passion for our area and make sure it helps welcome people to Richmond with a positive experience.

I run a business myself so I know funding and where to allocate money are hard decisions with all of these requests. Our volunteer board works so hard to make an impact on the community. With the hit of the COVID, we've taken a huge toll. Many businesses cannot afford to chip in this year and most likely we will lose the Watermelon Festival, our biggest financial support. I've been slashing costs but things were tight prior to this, causing a loss for us of \$27,000. We've come to the council meetings to appeal for funding for beautification this year and in years past. We wanted to plead for your help now more than ever to help us keep our community a beautiful and positive place for Richmonders and visitors to our amazing city. We are with you and working in the background to come up with amazing ways to relaunch our community and save our small businesses. The appearance of Carytown is so critical though for us to help get traffic and support our local community. We hope you will keep Carytown in mind for beautification funding for 2021.

I appreciate your time in advance and consideration. A huge thank you from all of us to all of you during these difficult times and your help in making Richmond our home. Please don't hesitate to reach out as well if there is anything Carytown can do to help. Please stay safe and healthy everyone!

Sincerely,

Amanda Slone



www.richmondbeasties.com

Check us out on [Facebook](#) and [Instagram](#)

Dear: Andreas D Addison

I am writing to you from the comfort and safety of my home, a small word, yet one that means so much in these recent times when home is not just the best place, but the only place to be during the covid-19 pandemic. Home is where we can feel secure from the uncertainty of the world around us; it is where we rest and prepare for the next day; it is where we celebrate and laugh and plan for the future. It is where we have a place for our possessions, where we establish bonds with our neighbors and family, where we know we belong.

But many Richmonders do not have secure housing and cannot take refuge from the uncertainty that is their daily life. They cannot rest and prepare for the next day when they are surrounded by threats to their safety and worry about how to pay bills and care for their family. They can't plan for the future when they don't know how they will pay the rent. With no permanent residence, possessions are limited to what you can carry from place to place. There's little bonding with neighbors when a revolving door of evictions brings someone new every month. It's hard to feel like you belong when you don't know where you will be living. Without the security of affordable housing there's not much energy for engaging in community activities or service, helping children succeed in school, enjoying leisure and recreation. Affordable housing is essential to basic survival.

Since 2018 Richmond has been a focus on the national stage as the city with the second highest eviction rate in the entire country. Since then, the City has taken steps to support eviction prevention, but these efforts must be stepped up at this time.

Currently, City Council 2021 FY budget has allocated \$2.9M for the Housing Trust Fund and \$485 thousand for the Eviction Diversion Fund. **As your constituent and a member of the local chapter of Virginia Organizing, I am asking you to fully support that funding and in addition to support the proposal by RISC that an additional \$800 thousand be allocated when available, \$600 thousand to the Housing Trust Fund and \$200 thousand to the Eviction Diversion Fund.** Doesn't everyone deserve the security of an affordable place to call home?

Thank you for helping provide the security of affordable housing for our fellow Richmonders.

Sincerely,

Bernabe Simon, member of the Richmond Chapter of Virginia Organizing

From: [Catherine French](#)
To: [City Clerk's Office](#)
Subject: Budget: Public Defender Supplements
Date: Monday, May 11, 2020 9:39:24 AM

CAUTION: This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

Good morning,

I understand that pay supplements for public defenders was removed from the amended budget. Please restore this important provision to the budget.

I understand that COVID-19 has drastically impacted our world, and money is tight. However, COVID-19 is disproportionately affecting the communities that public defenders directly help. Public defender pay supplements is a small percentage of the budget but will have a spillover affect in helping some of the City's most vulnerable residents.

Thank you for your consideration,

Catherine French Zagurskie
Former Richmond Public Defender

May 10, 2020

Richmond City Council:

As a Richmond city resident I'd like to make a statement regarding my experiences with the Richmond Public Defenders Office and the Mental Health Docket.

June 21, 2015 my mentor, father figure, and boss was killed crossing the street while we were in North Carolina for an annual event. I went back home with his things and did my best to keep an already evident drinking problem under control, manage work without him there to lead, and process the events that were unfolding daily.

January 1, 2016 I was admitted to a mental health hospital for a suicide attempt after the business had decided it would close.

December 14, 2016 I was arrested while I was on the way home after purchasing a length of rope while heavily intoxicated.

December 15, 2016 Suicide Attempt

I had just opened a small studio in Richmond in June 2016 to do my work. I worked tirelessly since I recovered in January to start building a new foundation for myself. Constant set backs, losing the place I was living twice, financial hardship associated with opening a starting business all deteriorated my mental health. In turn that escalated my drinking which in turn continued to deteriorate my mental health.

I was offered an option in court for a Public Defender which I qualified for. At the time I had just gotten out of the hospital for the second time after voluntarily committing myself after being arrested. I was living in the back of my studio, because my room mates were so afraid of me. I was showering at the YMCA. I was scared, alone, vulnerable, and weak.

The first time I remember feeling hope again was in my meeting for the first time with my Public Defender.

I had expected a curt, emotionless, and robotic Public Defender looking at me from the tip of their nose quickly going over my paper work and systematically getting me out of their office as fast as I had come.

But I was wrong. What I was met with was confidence. Options. A chance to make things right. A chance to start over, even if it was the third time. I was kept in the loop and managed very well. Once I had met with them I didn't feel so alone anymore. When you feel like you still want to be a good person, but know that no-one at this point should believe in you. It was a powerful feeling to know that I had the public defender there with me to help.

I was enrolled in the mental health docket. I would have to stay on probation for a duration of time, and was required to attend therapy, group therapy and pass drug and alcohol screening. If none of those conditions were met, I would face the charges against me.

My road started there. I went to RBHA for intake and attended group therapy. The services they offered were invaluable. It was small and more personal. I was also able to get check ups from the doctor, maintain my medication, and maintain my sobriety. The mental health docket department in the courthouse was amazing. They were kind and assuring. I felt they really cared about people like us going through the system trying to find salvation from our bad decisions.

May 10, 2020 I am 1,243 days sober

My business has grown. I pay all of my taxes. I have a supportive partner who loves me. We have two dogs, 3 cats and two ferrets. I have built my small business to 7 people working with me. I have rebuilt my entire life.

I truly feel that without the intervention of the Richmond Public Defenders office and the resources of the mental health docket, I wouldn't be where I am now. I wouldn't have a beautiful home and family, wonderful co-workers and staff that guide me daily professionally, or an opportunity to move forward in life and as a person. We are truly blessed to have these services available to us and I am eternally grateful for them.

Please consider contributing to them, because if you do, you'd be changing many lives just like mine, regularly.

Sincerely yours,

Joseph Fessman

From: [Emilee Hasbrouck](#)
To: [City Clerk's Office](#)
Subject: Public Defender Supplement Cut
Date: Monday, May 11, 2020 10:02:29 AM

CAUTION: This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

Hello,

My name is Emilee Hasbrouck and I have been a City of Richmond Resident for 14 years. I was a public defender in the City for 8 years and while I will not benefit personally from the proposed (and now cut) pay supplements for the PD office, I believe they are vitally important.

Equal work deserves equal pay. We cannot value incarcerating our residents more than we value protecting their constitutional rights. Not only are we currently doing that, we are doing it to the tune of 1 million dollars annually. That pay disparity speaks volumes on what we value as a community. It demonstrates that we believe convicting and incarcerating people - predominantly people of color - is more important than ensuring the process by which they are convicted and incarcerated is fair. It shows that we are more concerned with the ends than we are the means. It shows that we don't value those who zealously defend the constitutional rights of our fellow residents.

I left the Richmond PD office for financial reasons. I couldn't afford to live and raise a family in the City while working in it. I left as one of the most experienced attorneys in the office. Not only had I been representing your constituents who were facing decades of incarceration, I was training my newer counterparts.

I loved the work, I loved my clients and I loved my colleagues. However, what I did not love and what I do not miss is being undervalued. Everyday I would walk into court and be told that my contribution to a functioning criminal justice system was worth less than the contribution of the considerably less experienced prosecutor.

Richmond has an opportunity to do what is best for its most marginalized residents. Ensuring these residents are not wrongfully convicted and receive the high quality legal representation the Constitution guarantees them begins with properly funding the Public Defender office. Without proper funding for those fierce and dedicated advocates, the criminal justice system will never be reformed and we will not be able to begin to heal our community.

Thank You,
Emilee M. Hasbrouck

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****** Please note my new email address******

Emilee Manzi Hasbrouck
Assistant Capital Defender
Office of the Capital Defender - Central Region

January 13, 2020

Mayor Levar Stoney
Mayor's Office, City of Richmond
900 E. Broad St., Suite 201
Richmond, VA 23219

Richmond City Council
Executive Offices, Richmond City Hall
900 E. Broad Street, Suite 305
Richmond, Virginia



acluva.org

Claire G. Gastañaga
Executive Director

Dear Mayor Stoney and Richmond City Council,

The American Civil Liberties Union (“ACLU”) of Virginia supports pay and resource parity between prosecutors and public defenders (“PD”) in the City of Richmond and across the Commonwealth.

Public defenders are on the front lines of the fight to make America's criminal system more fair, and they fight for the most vulnerable in our community every day in Richmond's courtrooms and jails.¹ Yet, the City of Richmond values their work less than the work of its prosecutors, choosing to supplement only the prosecutor's office – to the tune of \$7 million a year – but not the public defender's office.² This is one injustice in the criminal system that is easily fixed and important to remedy.

Funding parity for public defenders and prosecutors is significant for several reasons. First, it is certainly inherently unfair when one side in an adversarial system has more resources than the other,

¹ *States of Incarceration: The Global Context 2018*, Prison Policy Initiative, <https://www.prisonpolicy.org/global/2018.html> (documenting that Virginia incarcerates nearly 800 of 100,000 Virginia citizens at any one time).

² Ned Oliver, *Most public defenders in Richmond make less than a secretary in the prosecutor's office. They want a raise.*, Virginia Mercury (Sept. 30, 2019), <https://www.virginiamercury.com/2019/09/30/most-public-defenders-in-richmond-make-less-than-a-secretary-in-the-prosecutors-office-they-want-a-raise/> (finding that 27 of the 29 attorneys in the PD's office “make less than the highest paid administrative assistant in the prosecutor's office” and noting “both offices are funded by the state at roughly comparable levels, the discrepancy comes down to local budgetary contribution”).

especially when the lack of adequate defense counsel poses “a serious risk of injustice infects the trial itself” and infringes on the U.S. Constitution’s Sixth Amendment guarantee to effective assistance of counsel.³

Second, the lack of a competitive salary results not only creates a facial disparity, but also results in high turn-over and less experienced attorneys in the public defender’s office.⁴ Because of cyclical underpayment, attorneys with two or three-years’ experience are often facing much more seasoned and experienced prosecutors.⁵

Finally, this pay disparity often excludes lawyers who are members of the very same communities that public defenders most often serve. Lawyers who do not come from generational wealth, often individuals of minority or immigrant communities, have harder sacrifices to make when they choose careers in public service. But their insight and voice and passion are just as important, as people of color are disproportionately represented in the criminal legal system; yet, attorneys of color often underrepresented or face additional burdens.⁶

Yet by paying prosecutors a higher salary, the City of Richmond encourages attorneys to pursue only one side of the courtroom in public service, and not the other. Chronic underfunding has led to drastic resource disparities between prosecutors and defenders, undermining the very basis of our criminal legal system. The serious, adverse implications of disparate funding fall largely on the accused, but also have negative repercussions on public defenders and society at large.⁷

³ *Cuyler v. Sullivan*, 446 U.S. 335, 343 (1980).

⁴ Oliver, *supra* note 2 (finding that 27 of the 29 attorneys in the Richmond PD’s office “make less than the highest paid administrative assistant in the prosecutor’s office”).

⁵ Oliver, *supra* note 2, (reporting Richmond PD’s “office has seen 60 percent of their staff leave over the past three years, almost always for higher paying jobs, including in the city prosecutor’s office”).

⁶ Erin Thompson, *Law Schools Are Failing Students of Color*, Nation (June 5, 2018), <https://www.thenation.com/article/law-schools-failing-students-color/>.

⁷ Bryan Furst, *A Fair Fight: Achieving Indigent Defense Resource Parity*, Brennan Center for Justice, (Sept. 9, 2019),



acluva.org

Claire G. Gastañaga
Executive Director

Pay and resource parity is the right thing to do for indigent citizens in the City of Richmond, and for the justice system. The ACLU of Virginia supports funding parity and we join partner organizations in calling for immediate changes.

Thank you for your prompt attention to this matter.

Sincerely,



Claire G. Gastañaga
Executive Director



acluva.org

Claire G. Gastañaga
Executive Director

CC: Richmond Public Defender
Virginia Indigent Defense Commission
Commonwealth's Attorneys' Services Council

https://www.brennancenter.org/sites/default/files/publications/2019_09_Defender%20Parity%20AnalysisV7.pdf