



# City of Richmond

## Formal Meeting Minutes

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

Monday, October 8, 2018

6:00 PM

Council Chamber, 2nd Floor - City Hall

Richmond City Council met in the Council Chamber on Monday, October 8, 2018, at 6:02 p.m.

Invocation was offered by Pastor Benjamin W. Harris, Jr., St. Stephen's Koinonia Church, 505 N. 3<sup>rd</sup> Street, Richmond, VA.

Members of Council and the audience recited the Pledge of Allegiance.

### **Councilmembers Present**

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

### **CHAMBER EMERGENCY EVACUATION PLAN AND CITIZEN SPEAKER GUIDELINES**

President Chris Hilbert called the meeting to order and presided. Upon the President's request, Interim Deputy City Clerk Lisa Braxton provided information on the appropriate manner in which the Council Chamber is to be evacuated in the event of an emergency along with citizen speaker guidelines.

### **APPOINTMENTS AND REAPPOINTMENTS**

**Councilor Parker Agelasto moved that the following appointments be approved:**

<b>Board Name</b>	<b>Criteria for Appointment</b>	<b>Applicant Name</b>	<b>Terms</b>
<b>Sister Cities Commission</b> (13 members)	*	Nin Aseeya Ra-EI	10/08/2018 – 10/07/2021 <i>Succeeding Marcus Squires</i>
<b>Advisory Task Force for the Economic Revitalization of South Richmond</b> (10 members)	Persons from the business community or persons with expertise, in the Council's judgment as evidenced by the Council's decision to appoint each such member, in economic and residential revitalization *	Casey Botticello	10/08/2018 – Terminating upon the completion of the task force's duties <i>Succeeding Earnest White, resigned</i>

<u>Board Name</u>	<u>Criteria for Appointment</u>	<u>Applicant Name</u>	<u>Terms</u>
Human Rights Commission (13 members)	Adults who are residents of the city of Richmond and are broadly representative of the community with respect to race, color, religion, sex, pregnancy, childbirth or related medical conditions, national origin, age, marital status, disability, sexual orientation, transgender status, or gender identity.	Rodney Lofton	10/08/2018 – 10/07/2021
		Nidal Mahayni	10/08/2018 – 10/07/2021
		Riqia Taylor	10/08/2018 – 10/07/2021
		Chelsi Wise	10/08/2018 – 10/07/2021
		Lorna Wyckoff	10/08/2018 – 10/07/2021

\* Applicant must reside or work in the city.

**The motion was seconded and unanimously approved.**

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

### **AWARDS AND PRESENTATIONS**

There were no awards or presentations.

*President Chris Hilbert stated that Mayor Levar Stoney would be addressing Council regarding his proposal to expedite a resolution that would request the state to fund the true cost of education in public schools.*

Mayor Levar Stoney addressed Council regarding the impending resolution that would be introduced regarding his request to the General Assembly to fund the true cost of public education. Mayor Stoney stated that conversation to address the General Assembly began at the July RVA Education Compact meeting. Mayor Stoney also stated that the Virginia Municipal League (VML) adopted its 2019 legislative program which supports funding the true cost of education. Mayor Stoney noted that the Standards of Quality (SOQ) does not acknowledge the true cost of educating students which includes student transportation, debt, school support staff, access to broadband and additional necessary technology and competitive staff salaries. Mayor Stoney stated that these operational costs are in addition to necessary facility maintenance and construction costs of school divisions throughout the commonwealth. Mayor Stoney requested that Council join him in adopting a commitment to students for better education.

*Councilwoman Reva Trammell inquired on the amount of funding the Mayor was requesting for Richmond Public Schools (RPS) from the General Assembly.*

Mayor Stoney responded that he is not asking for a specified amount but that the proposed resolution would ask the General Assembly to fund the true cost of all public education in the Commonwealth of Virginia. Mayor Stoney stated that the commonwealth has not funded its constitutional obligation to public education for over ten years and every locality is having to find additional funding to cover educational expenses. Mayor Stoney informed Council that Richmond is providing \$30,000,000 more for public education than it provided ten years ago and every locality is having to make a decision to fund public education as opposed to funding public safety and additional needs. Mayor Stoney concluded by stating that no locality should be put in this position.

*President Chris Hilbert stated that he will request to be added as a co-patron when the proposed resolution is considered later that evening.*

## CITIZEN COMMENT

**Eric Tinsley** addressed Council stating that the city has been neglectful in its spending by removing funds from education.

**Daniel Lee**, World Mission Society Church of God University Student Volunteer Group representative, addressed Council stating that, on October 21<sup>st</sup>, there will be a world-wide cleanup and the organization would be honored to provide a street cleanup in the area of Virginia Commonwealth University (VCU).

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

## AGENDA REVIEW AND AMENDMENTS

**Councilor Michael Jones moved to amend the agenda as follows:**

### ORD. 2017-242

To amend Ord. No. 2000-410-2001-10, adopted Jan. 8, 2001, as previously amended by Ord. No. 2001-220-231, adopted Jul. 23, 2001, which approved the "Shops at Stratford Hills Community Unit Plan," for the purpose of increasing the area subject to the community unit plan by 3.4 acres to 67.9± acres and modifying the development standards, under certain terms and conditions. (As Amended)

**To be continued to Tuesday, November 13, 2018**

### ORD. 2018-030

To amend ch. 12, art. I of the City Code by adding therein new §§ 12-18 and 12-19, concerning the preparation of strategic action plans by each City department, agency, and office, for the purpose of aligning the service delivery goals of each City department, agency, and office with the City's overall strategic plan.

**To be amended and continued to Tuesday, November 13, 2018**

### ORD. 2018-202

To amend ch. 24, art. II, div. 1 of the City Code by adding therein a new section 24-34.1, concerning the duties of businesses to remove refuse from paved sidewalks and provide refuse receptacles for public use.

**To be continued to Tuesday, November 13, 2018**

### ORD. 2018-241

To amend ch. 16, art. I of the City Code by adding therein a new § 16-2, concerning a requirement for a homeless strategic plan, to require a homeless strategic plan to be presented to the City Council and the Mayor commencing no later than Oct. 1, 2019, and updated homeless strategic plans by Oct. 1 every two years thereafter.

**To be continued to Tuesday, November 13, 2018**

### ORD. 2018-243

To close, to public use and travel, a portion of Northumberland Avenue located between the south line of West Roberts Street and the southern terminus of Northumberland Avenue, consisting of 16,355± square feet, upon certain terms and conditions.

**To be continued to Tuesday, November 13, 2018**

ORD. 2018-245

To authorize the special use of the properties known as 2009 Brook Road, 2011 Northumberland Avenue, and a portion of Northumberland Avenue for the purpose of multifamily dwellings containing up to 224 dwelling units, upon certain terms and conditions.

**To be amended and continued to Tuesday, November 13, 2018**

ORD. 2018-254

To amend Ord. No. 2018-057, adopted May 14, 2018, which adopted the Fiscal Year 2018-2019 General Fund Budget and made appropriations pursuant thereto, by transferring funds in the amount of \$30,000.00 from the Office of Community Wealth Building's Workforce Development program and re-appropriating these transferred funds to a new line item in the Non-Departmental agency called the "Owens & Minor Medical, Inc. On the Job Training Grant through the EDA" line item for the purpose of making a grant to Owens & Minor Medical, Inc., to subsidize certain job training activities by Owens & Minor Medical, Inc.

**To be continued to Tuesday, November 13, 2018**

ORD. 2018-257

To amend and reordain Ord. No. 2006-321-2007-33, adopted Feb. 26, 2007, which authorized the President of the Council to execute, on behalf of the City of Richmond, employment agreements with the Council Chief of Staff, and to authorize the Council Chief of Staff, with the authorization of the President and Vice President of the Council, to execute such agreements with the City Assessor, the City Attorney, the City Auditor, and the City Clerk to establish performance criteria and other terms and conditions of employment for such individuals, to add the Inspector General to the list of positions for which the Council Chief of Staff is authorized to execute employment agreements.

**To be amended and continued to Tuesday, November 13, 2018**

RES. 2018-R019

To request that the Chief Administrative Officer cause to be developed a policy and methodology to implement performance budgeting for all departments, boards, commissions, and agencies of the City for the purpose of using performance indicator data to allocate resources.

**To be amended and considered**

RES. 2018-R083

To establish a policy of the Council that the Council will not consider any ordinance authorizing the execution of any agreement facilitating a development or project that includes a residential component and that involves the conveyance of an interest in City-owned real estate, the expenditure of City funds, in-kind donations from the City, or a tax credit or exemption without a contractual obligation that a minimum percentage of the development's or project's total residential units be reserved for affordable housing.

**To be amended and continued to Tuesday, November 13, 2018**

ORD. 2018-101

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a First Amendment to Stone Brewery Cooperation Agreement, as Amended, dated March 2, 2015, between the City of Richmond and the Economic Development Authority of the City of Richmond for the purpose of revising the definition of "Phase 2 Facility" to allow for the demolition of an existing structure and construction of a new building.

**To be amended and continued to Tuesday, November 13, 2018**

ORD. 2018-110

To amend City Code § 2-1183, concerning the residency requirement for certain officers and employees, to modify the City's residency requirement [~~so that it applies only to the Chief Administrative Officer, the Chief of Fire and Emergency Services, and the Chief of Police~~]. (As Amended)

**To be continued to Tuesday, November 13, 2018**

ORD. 2018-126

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a First Amendment to Stone Brewing Company Performance Agreement, Dated November 14, 2014, between the City of Richmond, Virginia, Stone Brewing Co., LLC, and the Economic Development Authority of the City of Richmond, Virginia for the purpose of revising the definitions of "Existing Building" and "Phase II" to allow the demolition of an existing structure and the construction of a new building.

**To be amended and continued to Tuesday, November 13, 2018**

ORD. 2018-217

To authorize the special use of the property known as 5263 Warwick Road for the purpose of a wireless telecommunications monopole and associated equipment, upon certain terms and conditions.

**To be continued to Tuesday, November 13, 2018**

**The motion was seconded and unanimously approved.**

## **CONSENT AGENDA**

**The following ordinances and resolutions were considered:**

ORD. 2018-220

To amend Ord. No. 2018-058, adopted May 14, 2018, which adopted the Fiscal Year 2018-2019 Special Fund Budget and made appropriations pursuant thereto, by creating a new special fund for the Department of Police called the Police eTicket Account special fund and by increasing estimated revenues from the electronic summons system provided pursuant to City Code § 12-122 and the amount appropriated to the Department of Police's Police eTicket Account special fund by \$200,000.00 for the purpose of funding software, hardware, and associated equipment costs for the implementation and maintenance of the electronic summons system provided pursuant to City Code § 12-122.

ORD. 2018-239

To amend ch. 12, art. IV by adding therein new § 12-122; and to amend Appendix A of the City Code by adding therein a new fee for § 12-122, concerning the fee for an electronic summons system for criminal and traffic courts, for the purpose of establishing a fee for an electronic summons system.

ORD. 2018-240

To name the improvements located at 1400 Oliver Hill Way and known as the "Conrad Center" as the "Annie Giles Community Resource Center."

ORD. 2018-242

To close, to public use and travel, the portion of North 40th Street between Crestview Road and M Street and a 16' alley located in the block bounded by North 39th Street, Crestview Road, North 40th

Street, and M Street, together consisting of 61,656± square feet, for the purpose of the construction of a Police Equestrian Center.

ORD. 2018-244

To amend and reordain Ord. No. 2005-347-2006-13, adopted Jan. 9, 2006, which conditionally rezoned the property known as 2101 East Franklin Street from the M-1 Light Industrial District to the B-5 Central Business District (Conditional), upon certain proffered conditions, to revise the proffered conditions.

ORD. 2018-246

To authorize the special use of the property known as 3008 Grayland Avenue for the purpose of a single-family detached dwelling, upon certain terms and conditions.

ORD. 2018-247

To authorize the special use of the property known as 3028 Grayland Avenue for the purpose of two single-family detached dwellings, upon certain terms and conditions.

ORD. 2018-248

To authorize the special use of the property known as 1731 Leicester Road for the purpose of a day nursery for up to four children, upon certain terms and conditions.

ORD. 2018-249

To authorize the special use of the property known as 4022 Midlothian Turnpike for the purpose of perimeter fencing, upon certain terms and conditions.

ORD. 2018-250

To authorize the special use of the property known as 310 West Brookland Park Boulevard for the purpose of a brewery, upon certain terms and conditions.

ORD. 2018-251

To authorize the Chief Administrative Officer to accept funds in the amount of \$10,792.00 from the Library of Virginia and to appropriate the increase to the Fiscal Year 2018-2019 Special Fund Budget by increasing estimated revenues and the amount appropriated to the Judiciary - Circuit Court agency's special fund by \$10,792.00 for the purpose of funding a records conservation project for the long-term preservation of Plat Book I, Chancery Court, 1816-1889; Plat Book 16, 1960-1968; Plat Book 17, 1961-1965; and Plat Book 19, 1964-1966.

ORD. 2018-252

To authorize the Chief Administrative Officer to accept grant funds in the amount of \$15,000.00 from the Virginia Department of Fire Programs, and to appropriate the increase to the Fiscal Year 2018-2019 Special Fund Budget by increasing estimated revenues and the amount appropriated to the Department of Fire and Emergency Services by \$15,000.00 for the purpose of assisting with the costs associated with the 28th Annual Virginia Fire Equity and Diversity Conference.

ORD. 2018-253

To authorize the Chief Administrative Officer to accept funds in the amount of \$466,673.00 from the Virginia Department of Criminal Justice Services; to amend the Fiscal Year 2018-2019 Special Fund Budget by creating a new special fund for the Sheriff and Jail called the Jail Mental Health Program Special Fund; and to appropriate the grant funds received to the Fiscal Year 2018-2019 Special Fund Budget by increasing estimated revenues and the amount appropriated to the Sheriff and Jail's Jail Mental Health Program Special Fund by \$466,673.00 for the purpose of providing mental health services to inmates at the City Jail.

ORD. 2018-255

To authorize the Chief Administrative Officer and the Director of Procurement Services, for and on behalf of the City of Richmond, to execute the second Contract Modification to Contract No. 16000022041 between the City and Manchester Marketing, Inc. T/A Seibert's Towing for towing-related services and tow lot operation for the purpose of specifying a rate increase for six vehicle fees listed in Contract No. 16000022041.

ORD. 2018-256

To amend and reordain City Code § 9-58, which assigns polling places in the city, for the purpose of reflecting changes to the street address for Precinct 101 and reflecting changes to the name of the polling place for Precinct 303.

ORD. 2018-258

To provide that Greater Richmond Transit Co. shall not charge fares to passengers on November 6, 2018.

ORD. 2018-259

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to accept funds in the total amount of \$970,000.00 from the Virginia Department of Transportation; to amend the Fiscal Year 2018-2019 Capital Budget by establishing a new project in the Transportation category called the "Semmes Avenue and Jefferson Davis Highway State of Good Repair Paving Projects" program; and to appropriate the amount of \$970,000.00 to the Fiscal Year 2018-2019 Capital Budget by increasing estimated revenues and the amount appropriated to the new Department of Public Works' Semmes Avenue and Jefferson Davis Highway State of Good Repair Paving Projects program by \$970,000.00 for the purpose of milling and resurfacing the eastbound lanes of Semmes Avenue between West 9th Street and West 20th Street, the southbound lanes of Jefferson Davis Highway between Hull Street and North Hopkins Road, and the northbound lanes of Jefferson Davis Highway between Stockton Street and Chesterman Avenue.

RES. 2018-R043

To amend Res. No. 2013-R186-180, adopted Sept. 23, 2013, which requested that the Chief Administrative Officer cause all City departments and other agencies to incorporate into their budget requests for Fiscal Year 2014-2015 goals and initiatives designed to support the recommendations of the Mayor's Anti-Poverty Commission, as set forth in the Commission's report dated Jan. 18, 2013, for the purpose of making such request applicable to the Fiscal Year 2019-2020 and each fiscal year thereafter.

RES. 2018-R086

To encourage and support participation in the "Bells of Peace: A World War I Remembrance" program with the tolling of bells on November 11, 2018, at 11:00 a.m., to commemorate the end of World War I.

RES. 2018-R089

To provide for the nomination of George P. Braxton, Benjamin P. Campbell, and Eldridge Forest Coles as the City of Richmond's three Directors and the election of the Board of Directors of the Greater Richmond Transit Company for the period commencing upon election and qualification of these nominees as Directors and terminating on the date of the 2019 annual meeting of shareholders upon the election and qualification of the successors to these Directors.

RES. 2018-R090

To amend the Rules of Procedure adopted by Res. No. 2017-R001, adopted Jan. 3, 2017, as previously amended by Res. No. 2017-R013, adopted Mar. 27, 2017, Res. No. 2017-R017, adopted Mar. 27, 2017, and Res. No. 2017-R032, adopted Jun. 26, 2017, for the purpose of updating the policy concerning participation in meetings through electronic communication to reflect changes to state law.

## **SUPPORT**

**Florence Smith** spoke in support of **ORD. 2018-240** stating that Annie Giles was a community leader and the creation of a resource center would help individuals in need.

*Councilor Ellen Robertson thanked the family of Annie Giles for attending the meeting and stated that Ms. Giles was not only a leader in the Wickham community but a leader for the entire city. Ms. Robertson also stated that Council is honored to have the opportunity to acknowledge and recognize Annie Giles for the great work she provided to citizens.*

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

## **REGULAR AGENDA**

### **The following ordinance was considered:**

#### **ORD. 2018-195**

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Grant Agreement, as amended, between the City of Richmond, 400 Hull Street, LLC, and the Economic Development Authority of the City of Richmond to induce 400 Hull Street, LLC, to construct a mixed-use development and public improvements on the approximately 2.2-acre city block bounded by Hull Street, Decatur Street, East 4th Street, and East 5th Street in the Manchester neighborhood in the city of Richmond. (As Amended)

Douglas Dunlap, Acting Deputy Chief Administrative Officer of Economic and Community Development, provided a brief summary of **ORD. 2018-195** and responded to questions of Council.

*Councilor Parker Agelasto asked if the provisions, as stated in the amendments, will expire in ten years for the affordable housing units and if there is a similar provision for the public parking spaces.*

Mr. Dunlap stated that he is not aware of an expiration clause for parking; however, with affordable housing there is a period of time in which the affordability must be maintained based on the specific financing that is being used for the project.

*Councilor Agelasto inquired on the offering of a rebate for city taxes from the property development, and if the city has a standard operating procedure (SOP) that dictates the rebate amount. Mr. Agelasto also asked how affordable housing or other requirements shall be handled within the specified terms.*

Mr. Dunlap responded that this project is different from other affordable housing projects; therefore, he could not state that there is a SOP in place to set affordability terms.

*Councilor Agelasto voiced concern regarding no SOP being in place and the need for additional parking with developments throughout the city. Mr. Agelasto inquired on how many developments will need additional incentives and if a more perpetual mechanism would be in place for these incentives.*

Mr. Dunlap stated that the city will consider Mr. Agelasto's concerns in moving forward with additional developments.

*Councilor Kristen Larson voiced concern regarding the project incentives and asked why the city chose an approximate 20% tax break as this project is setting a precedent for future projects. Ms. Larson stated that the city needs to be prepared for additional developers that could request the*



*same or similar incentives and asked if the amount authorized as a tax break will be the benchmark for incentives.*

Mr. Dunlap stated that this project does not establish a benchmark as the city assesses projects on a case-by-case basis which includes community impact, investment total and job creation. Mr. Dunlap did reiterate that now is the time for the city to create a SOP that will provide project consistency.

*Councilor Andreas Addison asked if there were any expectations on the area median income (AMI) affordability level for the affordable housing.*

Mr. Dunlap stated that the AMI level must meet or be below 80% for affordability.

### **Opposition**

**Whitney Whiting** spoke in opposition to **ORD. 2018-195** stating that the development is by a private entity which has deemed approximately 20% as affordable housing; therefore, the project should not be considered as an affordable housing project.

### **Support**

**Brian K. Jackson**, partner – Hirschler Fleisher and representative for Lynx Ventures, stated the development will offer commercial use, 215 apartments with 20% of the units being classified as affordable housing and more than 100 job possibilities. Mr. Jackson also stated that the project is backed with a \$50,000,000 investment and the developer is ready to begin construction. Mr. Jackson further stated that the development will provide the city with approximately \$590,000 in tax revenue.

**Rick Gregory**, Lynx Ventures chairman, thanked members of Council for meeting with Lynx Ventures and stated that this project will produce a new standard for future projects; he also stated that it has taken approximately three years to develop this project.

*Councilor Parker Agelasto expressed concern regarding the project being in development for three years and the city not having a SOP for a project of this type. Mr. Agelasto stated that the city rezoned the Hull Street corridor within the last six months, which presents conflict with the project and the precedent it sets for future projects, specifically, projects that could come before Council.*

*President Chris Hilbert noted that he would be abstaining from voting on the legislation due to a conflict of interest.*

There were no further comments or discussions and **ORD. 2018-195 was adopted:** Ayes 5, Jones, Robertson, Trammell, Addison, Newbille. Noes 3, Larson, Agelasto, Gray. Abstentions 1, Hilbert (Conflict of Interest).

### **The following ordinance was considered:**

#### **ORD. 2018-229**

To amend ch. 16, art. I of the City Code by adding therein a new § 16-1, to provide definitions of certain terms.

*Councilor Ellen Robertson provided remarks regarding the proposed ordinance.*

*Councilor Parker Agelasto expressed concern regarding the definitions as specified within the proposed legislation.*

*Councilor Kim Gray asked Councilor Robertson if she would consider continuation of the proposed legislation so it can be amended in the future.*

*Councilor Robertson responded by stating that she offered, at the committee level, the opportunity for Council members to provide written requests of possible amendments to be considered. Ms. Robertson also stated that she has no objection to continuing the paper if that is the desire of Council.*

*Councilor Andreas Addison stated that the federally supported definition of poverty, regardless of its applicability to the city, should be sufficient. Mr. Addison also stated that if Council decides to detail specifics within its definition of poverty, the city may not be eligible for Housing and Urban Development (HUD) or additional affordable housing programs or grants. Councilor Addison further stated that the proposed legislation appears to match the initiatives that are currently in place and if needed, Council could refine or add to specifics regarding certain areas within the city as needed. He stated he supports the proposed legislation.*

There were no further comments or discussions and **ORD. 2018-229 was adopted:** Ayes 6, Jones, Robertson, Larson, Addison, Newbille, Hilbert. Noes 3, Agelasto, Gray, Trammell.

### **The following resolution was considered:**

#### RES. 2018-R073

To express the sense of the City Council that the General Assembly of Virginia should grant the City Council the authority to determine the disposition of memorials and monuments such as the statues commemorating J.E.B. Stuart, Robert E. Lee, Jefferson Davis, Thomas “Stonewall” Jackson, and Matthew Fontaine Maury located on Monument Avenue between its intersections with Belmont Avenue and Lombardy Street so that the City Council may determine such disposition of these statues as it deems appropriate.

*Councilor Michael Jones stated that the proposed resolution, if approved by the General Assembly, would give the city the authority to determine the disposition of specific monuments. Councilor Jones also stated that the legislation is not looking to erase history.*

#### OPPOSITION

**Patrick McSweeney** expressed opposition to **RES. 2018-R073** stating that Richmond needs to find a common ground that will project unity and not convey bitter emotions.

**H. V. Traywick, Jr.**, Society of Independent Southern Historians member, expressed opposition to **RES. 2018-R073** stating that the monuments belong to more individuals than the citizens of Richmond, and the fate of the monuments should not be placed with local government.

**Edward T. Lacy** expressed opposition to **RES. 2018-R073** stating that Council should not remove but add items to the city.

**Thomas Morris** expressed opposition to **RES. 2018-R073** stating that the money needed to destroy history should be given to Richmond Public Schools (RPS).

**Bill Miller**, Virginia Task Force III% - Dixie Defenders president, expressed opposition to **RES. 2018-R073** stating that the monuments represent ancestry and heritage, not racism. Mr. Miller stated that people need to know the truth whether it is good or bad.

**Bob Lynch** expressed opposition to **RES. 2018-R073** stating that if the statues were to be removed, it should be done with dignity and respect; however, he is against the removal of the statues as he enjoys large art. Mr. Lynch also stated that the city’s art should represent the past, present and future and a few individuals should not have to make a decision for many.

**Beverly Funk**, Virginia Task Force III% - Dixie Defenders member, expressed opposition to **RES. 2018-R073** stating that it would be a great disservice to have the monuments removed as they represent the heritage of all races. Ms. Funk also stated that this decision should not be decided by Council.

**Wendy Haislip**, Virginia Task Force III% - Dixie Defenders member, expressed opposition to **RES. 2018-R073** stating that the goal of the task force is to protect Confederate statues, history and heritage. Ms. Haislip stated that the statues represent love, honor and respect of the boys and men that served and every man, woman and child that lived through the Civil War. Ms. Haislip also stated that the statues should remain in place and additional statues should be added that could unify the city.

**John A. Hewlett, Jr.** expressed opposition to **RES. 2018-R073** stating that the General Assembly should not allow the city to change history and Richmond represents all people. Mr. Hewlett also stated that the statues generate revenue from tourists and the city has a wealth of history that should be taught.

**Bill Gallasch**, Monument Avenue resident, expressed opposition to **RES. 2018-R073** stating that the monuments should not be removed but the city should launch a new search to build a monument in honor of those individuals that have been overlooked in history.

**Richard Haislip**, student, expressed opposition to **RES. 2018-R073** by providing a brief history of how the Civil War began including a listing of generals that have monuments dedicated to them within the city. Richard stated that statues should remain in the city.

**Bill Thomas** expressed opposition to **RES. 2018-R073** stating that the proposed resolution is in conflict with federal and state rules, laws and regulations. Mr. Thomas stated that the city needs to add, not remove history. Mr. Thomas also stated that the city's goal should be to make Richmond the most visited and historic city in America that tells the good, bad and ugly sides of history.

## **SUPPORT**

**Chuck Richardson**, expressed support of **RES. 2018-R073** stating that the statues represent hatred and should be removed.

**Ashley Collier**, Virginia Defenders for Freedom, Justice and Equality member, expressed support of **RES. 2018-R073** stating that the removal of war memorials cannot be done by local government; however, removing the night lighting from statues and the renaming of streets and bridges can occur without the approval of the General Assembly.

**Joseph Rogers**, Virginia Defenders for Freedom, Justice and Equality member, read a message from Janet Taylor and voiced his support of **RES. 2018-R073** stating that the Monument Avenue Commission has provided its report to Council. Mr. Rogers also stated that 61% of those surveyed requested additional context be added to the monuments and requested that the monuments be removed or relocated.

**Louis Paladine Muhammad** expressed support of **RES. 2018-R073** stating the racism the monuments portray should be removed from society.

**Kelly Case Hinnant** expressed support of **RES. 2018-R073** stating that the monuments are not history but propaganda, and the conversation will not end until the monuments are removed. Mr. Hinnant stated that the removal of the monuments will not repair the city but it will help to repair the racial divide.

**Justin Haselhorst** stated that he is in full support of **RES. 2018-R073**.

**James Randall** expressed support of **RES. 2018-R073** stating that the longer the statues remain, the longer hard feelings will fester within the city. Mr. Randall also stated that the city should move forward with Virginia history as opposed to constantly looking back at the hatred and exploitation of human beings.

**Adrianna Brown** expressed support of **RES. 2018-R073** stating history needs to be where it belongs and having the monuments in their current location is not the proper place.

**Elizabeth Joseph** expressed support of **RES. 2018-R073** stating common sense would approve the removal of the statues.

**Rachel Robinson** expressed support of **RES. 2018-R073** stating the monuments represent hatred, not heritage and citizens deserve better than monuments to slavery, oppression and everything bad.

**Christine Murray** expressed support of **RES. 2018-R073** stating Virginia has an opportunity to create reconciliation between races.

**Miles Jones** expressed support of **RES. 2018-R073** stating that giving Council the right to decide on monuments does not erase history. Mr. Jones stated that in years past, people could not openly voice their opposition to these monuments but now, they can let their voice be heard and Richmond can make the right decision and move into the 21<sup>st</sup> century.

**Ed Willis** expressed support of **RES. 2018-R073** quoting Article 1, Section 11 of the Virginia Constitution stating that no person shall be deprived of their right to be free from any government discrimination on the basis of national origin. Mr. Willis stated that he believes the resolution offers equal protection under the Constitution and applies to everyone.

*Councilor Kim Gray stated that discussion of the legislative agenda has been primarily referencing funding for RPS and the deplorable conditions of RPS facilities. She also stated that forwarding additional legislative issues will cloud the request for school funding. Ms. Gray further stated that RPS schools are has deplorable condition and she believes that this is the time to address concerns regarding monuments with the General Assembly.*

*Councilwoman Reva Trammell stated that she is in agreement with Mayor Levar Stoney in his quest to have the state fund the true cost of education. Ms. Trammell reiterated the conditions of the school facilities and the needs of students and teachers. Councilwoman Trammell stated that their needs should be the city's priority.*

*Councilor Kristen Larson thanked the Monument Avenue Commission for its work on the issues regarding the five monuments in question; however, the proposed resolution does not address the recommendations of the commission. Ms. Larson clarified that the proposed resolution is not referencing the removal of the monuments but is regarding a request to the General Assembly for the city to have authority over the monuments. Councilor Larson also stated that if the resolution is adopted and the request is forwarded to the General Assembly, the request will dominate the city's legislative packet; therefore, she would not be supporting the proposed resolution.*

*Councilor Andreas Addison stated that the proposed resolution does not support the commission's recommendation; therefore, he will not be supporting the resolution as presented.*

*Councilor Parker Agelasto thanked Councilor Jones for bringing the proposed resolution forward; however, there are many laws in existence that local government cannot control. Mr. Agelasto stated that as previously noted, the proposed resolution does not mirror the recommendations of the commission. Councilor Agelasto also stated that Monument Avenue was designated as a National Historic Landmark in 1997 and to remove this designation one would need clearance from the*

*Secretary of the Interior. Mr. Agelasto also stated that the timing for this resolution is not appropriate and he will not be supporting the resolution in its current state.*

*Vice President Cynthia Newbille reiterated that the proposed resolution would only allow Council the authority to determine the disposition of memorials and monuments. Ms. Newbille stated that education is a priority but allowing Council the opportunity to have the authority to make a determination on its statues is an opportunity that Council should have.*

*Councilor Ellen Robertson stated that she has always supported the proposed resolution due to many of the reasons that have been expressed and for what the statues on Monument Avenue represent. Councilor Robertson also stated that she believes the proposed resolution would be the first step toward having an honest conversation with authority.*

*Councilor Jones reiterated that the proposed resolution is not about removing any statues but it is about giving the city the opportunity to determine the disposition of the monuments in the city. Mr. Jones quoted RPS Superintendent Jason Kamras by saying "do not use RPS funding as a reason to not support the monument proposal."*

*President Chris Hilbert stated that the city should have authority regarding the disposition of the monuments within the city; however, schools and wealth are the greatest divide in Richmond because of that, he would not be supporting the proposed resolution.*

There were no further comments or discussions and **RES. 2018-R073 was rejected:** Ayes 3, Jones, Robertson, Newbille. Noes 6, Larson, Agelasto, Gray, Trammell, Addison, Hilbert.

## MOTIONS

**Councilor Kristen Larson moved that the ordinance entitled:**

**ORD. 2018-030**

To amend ch. 12, art. I of the City Code by adding therein new §§ 12-18 and 12-19, concerning the preparation of strategic action plans by each City department, agency, and office, for the purpose of aligning the service delivery goals of each City department, agency, and office with the City's overall strategic plan.

**be amended and continued to Tuesday, November 13, 2018, as follows:**

Page 1, Line 19

After the period following the word "year", insert the text "Strategic action plans shall incorporate and align with performance review or audit criteria established according to the City's strategic goals and objectives. If any performance review or audit criteria recommendations are not identified according to the City's strategic goals and criteria, each agency shall incorporate such review or audit recommendations critical to the agency's functions into such agency's strategic action plan" followed by a period

Page 3, Line 11

At the beginning of the line, insert a parenthetical numeral "(9)" followed by the text "An overview of performance reviews or audits concerning the agency, including any recommendations established according to the City's strategic goals and objectives. Where such recommendations are not established according to the City's strategic goals and objectives, each agency shall incorporate such review or audit recommendations critical to such agency's functions into such agency's strategic action plan" followed by a period

**The motion was seconded and approved:** Ayes 8, Jones, Robertson, Larson, Agelasto, Gray, Addison, Newbille, Hilbert. Noes None. Trammell excused.

**Councilor Parker Agelasto moved that the ordinance entitled:**

ORD. 2018-245

To authorize the special use of the properties known as 2009 Brook Road, 2011 Northumberland Avenue, and a portion of Northumberland Avenue for the purpose of multifamily dwellings containing up to 224 dwelling units, upon certain terms and conditions.

**be amended and continued to Tuesday, November 13, 2018, as follows:**

Page 4, Line 11

After the period following word "Plans", insert the text "No charge shall be levied for the use of the on-site parking spaces" followed by a period

**The motion was seconded and approved:** Ayes 7, Jones, Robertson, Larson, Agelasto, Gray, Addison, Newbille. Noes 1, Hilbert. Trammell excused.

**Councilor Andreas Addison moved that the ordinance entitled:**

ORD. 2018-257

To amend and reordain Ord. No. 2006-321-2007-33, adopted Feb. 26, 2007, which authorized the President of the Council to execute, on behalf of the City of Richmond, employment agreements with the Council Chief of Staff, and to authorize the Council Chief of Staff, with the authorization of the President and Vice President of the Council, to execute such agreements with the City Assessor, the City Attorney, the City Auditor, and the City Clerk to establish performance criteria and other terms and conditions of employment for such individuals, to add the Inspector General to the list of positions for which the Council Chief of Staff is authorized to execute employment agreements.

**be amended and continued to Tuesday, November 13, 2018, as follows:**

Page 3, Line 1

After the word "Staff", insert a comma followed by the text "provided that the proposed terms and conditions of such agreement have been presented at a regular meeting of the Council or a special meeting of the Council called for the purpose of such presentation"

Page 3, Line 9

After the word "General", insert a comma followed by the text "provided that the proposed terms and conditions of such agreements have been presented at a regular meeting of the Council or a special meeting of the Council called for the purpose of such presentation"

**The motion was seconded and approved:** Ayes 8, Jones, Robertson, Agelasto, Gray, Trammell, Addison, Newbille, Hilbert. Noes 0. Larson excused.

**Councilor Michael Jones moved that the resolution entitled:**

RES. 2018-R019

To request that the Chief Administrative Officer cause to be developed a policy and methodology to implement performance budgeting for all departments, boards, commissions, and agencies of the City for the purpose of using performance indicator data to allocate resources.

**be amended as follows:**

Page 2, Line 16

After the comma following the date "July 1", strike the year "2018" and insert the year "2019"

After the comma following the date "June 30", strike the year "2019" and insert the year "2020"

**The motion was seconded and unanimously approved.**

**There were no comments or discussions and RES. 2018-R019, as amended, was adopted:** Ayes 8, Robertson, Larson, Agelasto, Gray, Trammell, Addison, Newbille, Hilbert. Noes 0. Jones excused.

**Councilor Kim Gray moved that the resolution entitled:**

RES. 2018-R083

To establish a policy of the Council that the Council will not consider any ordinance authorizing the execution of any agreement facilitating a development or project that includes a residential component and that involves the conveyance of an interest in City-owned real estate, the expenditure of City funds, in-kind donations from the City, or a tax credit or exemption without a contractual obligation that a minimum percentage of the development's or project's total residential units be reserved for affordable housing.

**be amended and continued to Tuesday, November 13, 2018, as follows:**

Page 1, Line 8

After the word "minimum", strike the word "percentage"

After the word "of", insert the text "15 percent of"

Page 2, Line 1

After the word "minimum", strike the word "percentage"

After the word "of", insert the text "15 percent of"

Page 2, Line 8

At the beginning of the line, strike the word "percentage"

After the word "of", insert the text "15 percent of"

Page 2, Line 16

After the word "minimum", strike the word "percentage"

After the word "of", insert the text "15 percent of"

*Councilor Parker Agelasto asked the patron of the resolution, Ellen Robertson, how it was determined that 15% of city investments and projects must be reserved for affordable housing. Mr. Agelasto also requested that additional language to address how long affordable housing must be available for the city to make its investment should be included in the resolution.*

*Councilor Ellen Robertson responded by stating the 15% was determined by best practices of other localities, the city's history with affordable housing and a need to determine a reasonable blend of income developments. Ms. Robertson responded to the length of time that affordable housing must be available by stating that funding is usually for a fifteen year term; however the length of term and securities for longevity can be negotiated based on each development.*

**The motion was seconded and approved:** Ayes 8, Jones, Robertson, Larson, Agelasto, Gray, Addison, Newbille, Hilbert. Noes 0. Trammell excused.

**Councilor Ellen Robertson moved that the ordinance entitled:**

ORD. 2018-101

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a First Amendment to Stone Brewery Cooperation Agreement, as Amended, dated March 2, 2015, between the City of Richmond and the Economic Development Authority of the City of Richmond for the purpose of revising the definition of "Phase 2 Facility" to allow for the demolition of an existing structure and construction of a new building.

**be amended and continued to Tuesday, November 13, 2018, as follows:**

Page 1, Line 6

After the comma following the year "2015", insert the words "as amended" followed by a comma

Page 1, Line 15

After the comma following the year "2015", insert the words "as amended" followed by a comma

Page 1, Line 19

After the comma following the year "2015", insert the words "as amended" followed by a comma

**The motion was seconded and approved:** Ayes 6, Jones, Robertson, Larson, Agelasto, Addison, Newbille. Noes 1, Hilbert. Gray and Trammell excused.

**Councilor Andreas Addison moved that the ordinance entitled:**

ORD. 2018-126

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a First Amendment to Stone Brewing Company Performance Agreement, Dated November 14, 2014, between the City of Richmond, Virginia, Stone Brewing Co., LLC, and the Economic Development Authority of the City of Richmond, Virginia for the purpose of revising the definitions of "Existing Building" and "Phase II" to allow the demolition of an existing structure and the construction of a new building.

**be amended and continued to Tuesday, November 13, 2018, as follows:**

Page 1, Line 6

After the comma following the year "2014", insert the words "as amended" followed by a comma

Page 1, Line 16

After the comma following the year "2014", insert the words "as amended" followed by a comma

Page 2, Line 1

After the comma following the year "2014", insert the words "as amended" followed by a comma

**The motion was seconded and approved:** Ayes 7, Jones, Robertson, Larson, Agelasto, Trammell, Addison, Newbille. Noes 1, Hilbert. Gray excused.

**Councilor Michael Jones moved to expedite consideration of the following resolution, which was seconded and approved:** Ayes 8, Jones, Robertson, Larson, Agelasto, Trammell, Addison, Newbille. Noes 0. Gray excused.



RES. 2018-R091

To request that the General Assembly of Virginia fulfill its constitutional obligation and adequately fund the true costs of public education in Virginia for the successful future of students of schools administered by the School Board of the City of Richmond and students throughout the Commonwealth of Virginia.

*Patrons:* Mayor Stoney

Mayor's Chief of Staff Lincoln Saunders stated that no additional comments were needed beyond the mayor's earlier comments, and the administration would appreciate Council's consideration of expedition of **Res. 2018-R091**.

*All members of Council requested to be added as co-patrons of RES. 2018-R091.*

**There were no further comments and discussions and the resolution was adopted:** Ayes 8, Jones, Robertson, Larson, Agelasto, Trammell, Addison, Newbille. Noes 0. Gray excused.

**APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

**Councilor Michael Jones moved to approve the following Richmond City Council meeting minutes:** Informal Council Session held on Monday, September 24, 2018, at 4:00 p.m., and the Formal Council Session held on Monday, September 24, 2018, at 6:00 p.m.

**The motion was seconded and unanimously approved.**

**REPORTS OR ANNOUNCEMENTS BY MEMBERS OF THE COUNCIL**

Reports and announcements regarding respective district meetings and activities were provided by the following council members: Councilor Jones, Councilor Larson, Councilor Addison, Councilor Robertson, Councilor Gray, Councilwoman Trammell, Councilor Agelasto, Vice President Newbille and President Newbille.

*Councilor Michael Jones exited the meeting at 9:19 p.m.*

**INTRODUCTION OF ORDINANCES AND RESOLUTIONS**

**City Council will hold a public hearing on the following ordinances and resolutions on Tuesday, November 13, 2018, at 6:00 p.m.:**

ORD. 2018-267

To authorize the Chief Administrative Officer to accept grant funds in the amount of \$350,000.00 from the United States Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, and to appropriate the amount of \$350,000.00 to the Fiscal Year 2018-2019 Special Fund Budget by increasing estimated revenues and the amount appropriated to the Adult Drug Court agency special fund called the RADTC - SAMHSA Grant special fund by \$350,000.00 for the purpose of supporting and enhancing services provided to addicted offenders assigned to the Richmond Adult Drug Treatment Court Program.

*Patron:* Mayor Stoney

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

ORD. 2018-268

To amend Ord. No. 2018-057, adopted May 14, 2018, which adopted the Fiscal Year 2018-2019 General Fund Budget and made appropriations pursuant thereto, by increasing anticipated revenues from the distraint of personal property for the recovery of delinquent taxes pursuant to Code § 26-437 and the amount appropriated to the Richmond Sheriff's Office's Sheriff-Courts program by \$5,000.00 for the purpose of funding anticipated overtime costs accrued in the recovery of additional delinquent tax revenue.

*Patron: Mayor Stoney*

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

ORD. 2018-269

To amend ch. 2, art. V of the City Code by adding therein a new div. 19 (§§ 2-1173-2-1178) for the purpose of establishing a History and Culture Commission.

*Patron: Mayor Stoney*

**This ordinance was introduced and referred to the Education and Human Services Standing Committee meeting on Thursday, October 11, 2018, at 12:00 p.m.**

ORD. 2018-270

To amend and reordain City Code § 26-437, concerning the distraint of property for taxes, for the purpose of allowing distraint of property for failing, refusing or neglecting to pay any admissions, lodging, meals or business, professional, or occupation license taxes in addition to real and tangible personal property taxes.

*Patron: Mayor Stoney*

**This ordinance was introduced and referred to Finance and Economic Development Standing Committee meeting on Thursday, October 18, 2018, at 3:00 p.m.**

ORD. 2018-271

To repeal City Code § 26-892, concerning installment payments for certain license taxes, for the purpose of eliminating the option to pay such license taxes in installments.

*Patron: Mayor Stoney*

**This ordinance was introduced and referred to Finance and Economic Development Standing Committee meeting on Thursday, October 18, 2018, at 3:00 p.m.**

ORD. 2018-272

To amend and reordain City Code §§ 4-124, concerning permit requirements for chickens and 4-126, concerning requirements for the area in which female chickens are maintained, for the purpose of increasing the number of female chickens permitted in the City from four to six.

*Patron: Mayor Stoney*

**This ordinance was introduced and referred to the Governmental Operations Standing Committee meeting on Thursday, October 25, 2018, at 12:00 p.m.**

ORD. 2018-273

To amend and reordain City Code § 4-248, concerning the disposition of deceased companion animals, for the purpose of removing the requirement that no charges be imposed for the pickup and

disposal of deceased companion animals euthanized by the Richmond Society for the Prevention of Cruelty to Animals.

*Patron: Mayor Stoney*

**This ordinance was introduced and referred to the Governmental Operations Standing Committee meeting on Thursday, October 25, 2018, at 12:00 p.m.**

ORD. 2018-274

To amend and reordain City Code § 4-372, concerning reporting of bites, for the purpose of expanding the categories of persons responsible for reporting animal bites in the City of Richmond.

*Patron: Mayor Stoney*

**This ordinance was introduced and referred to the Governmental Operations Standing Committee meeting on Thursday, October 25, 2018, at 12:00 p.m.**

RES. 2018-275

To amend and reordain City Code § 4-96, concerning cruelty to animals, for the purpose of imposing additional restrictions on the tethering of dogs and removing the time limits within which violations are punished as more serious misdemeanors.

*Patron: Mayor Stoney*

**This ordinance was introduced and referred to the Governmental Operations Standing Committee meeting on Thursday, October 25, 2018, at 12:00 p.m.**

ORD. 2018-276

To amend and reordain City Code § 30-1020.3, concerning the issuance of certificates of zoning compliance, for the purpose of requiring that all certificates of zoning compliance and zoning confirmation letters and applications filed therefor be published on the City's website within two working days after such issuance and filing.

*Patron: Mr. Agelasto*

**This ordinance was introduced and referred to the Planning Commission meeting on Monday, November 5, 2018, at 1:30 p.m.**

ORD. 2018-277

To amend and reordain Ord. No. 2018-051, adopted Mar. 26, 2018, which authorized the special use of the properties known as 1911 and 1915 Grove Avenue for the purpose of a day nursery within a church, to authorize the special use of the property known as 1915 Grove Avenue for the purpose of two two-family dwellings, upon certain terms and conditions.

*Patron: Mayor Stoney (By Request)*

**This ordinance was introduced and referred to the Planning Commission meeting on Monday, November 5, 2018, at 1:30 p.m.**

ORD. 2018-278

To authorize the special use of the property known as 1209 Hull Street for the purpose of a brewery, upon certain terms and conditions.

*Patron: Mayor Stoney (By Request)*

**This ordinance was introduced and referred to the Planning Commission meeting on Monday, November 5, 2018, at 1:30 p.m.**

ORD. 2018-279

To authorize the special use of the property known as 3406 West Moore Street for the purpose of authorizing a nightclub and signage, upon certain terms and conditions.

*Patron: Mayor Stoney (By Request)*

**This ordinance was introduced and referred to the Planning Commission meeting on Monday, November 5, 2018, at 1:30 p.m.**

ORD. 2018-280

To authorize the special use of the properties known as 1715 and 1717 Maury Street for the purpose of two two-family attached dwellings, upon certain terms and conditions.

*Patron: Mayor Stoney (By Request)*

**This ordinance was introduced and referred to the Planning Commission meeting on Monday, November 5, 2018, at 1:30 p.m.**

RES. 2018-R092

To declare a public necessity to amend the City's zoning ordinance and to initiate an amendment to the City's zoning ordinance to require that certificates of zoning compliance and letters of zoning confirmation be reviewed by the City Attorney prior to issuance.

*Patron: Mr. Agelasto*

**This resolution was introduced and referred to the Land Use, Housing and Transportation Standing Committee meeting on Tuesday, October 16, 2018, at 1:00 p.m.**

RES. 2018-R093

To approve the issuance by the Richmond Redevelopment and Housing Authority of its multifamily housing revenue bonds in an amount up to \$16,000,000.00 for the acquisition, construction, renovation, rehabilitation and equipping of an approximately 139-unit multifamily residential rental housing project to be known as the SPA Lofts located at 1125 Commerce Road in the city of Richmond.

*Patron: Ms. Robertson*

**This resolution was introduced and referred to the Finance and Economic Development Standing Committee meeting on Thursday, October 18, 2018, at 3:00 p.m.**

RES. 2018-R094

To establish a policy of the Council that the Council will pursue legal action on behalf of the City against drug manufacturers and distributors.

*Patron: Ms. Robertson*

**This resolution was introduced and referred to the Governmental Operations Standing Committee meeting on Thursday, October 25, 2018, at 12:00 p.m.**

**ADJOURNMENT**

There being no further business before the Council, the meeting adjourned at 10:03 p.m.

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CITY CLERK