



# City of Richmond

## Special Meeting Minutes

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

Monday, May 4, 2020

3:30 PM

Council Chamber, 2nd Floor - City Hall  
Virtual Meeting

### **Councilmembers Present**

The Honorable Cynthia Newbille, President  
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

### **Absent**

The Honorable Chris Hilbert, Vice President

Council President Cynthia Newbille called the meeting to order at 3:32 p.m., and presided.

### **CITIZEN SPEAKER GUIDELINES**

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

### **ELECTRONIC MEETING ANNOUNCEMENT**

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 1, 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 4, 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.

### **PAPERS FOR CONSIDERATION**

**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 of the proposed resolution.*

*Councilor Ellen Robertson inquired if the resolution requested a study be conducted to determine the appropriate zoning necessary for outpatient opioid treatment facilities located within the city. Councilor Robertson stated she believed the resolution would correct current zoning ordinances associated with outpatient opioid treatment facilities and requested to be added as a co-patron to Res. 2020-R028.*

*Councilor Kristen Larson inquired why the resolution was being considered at a Special meeting of Council.*

*Councilor Lynch informed members an outpatient opioid treatment provider's zoning application was denied by the Board of Zoning Appeals. Councilor Lynch stated the Special meeting was necessary because the provider was pursuing legal action regarding the denial.*

*Councilwoman Reva Trammell inquired about the location of the proposed outpatient opioid treatment facility. Councilwoman Trammell requested Council allow additional time for the resolution and proposed treatment facility to be discussed with citizens near the proposed location before taking any action.*

*Councilor Kim Gray expressed her concerns regarding the ability of the city to conduct a study referenced in Res. 2020-R028, due to the impact of the COVID-19 Pandemic.*

*Councilor Michael Jones expressed his support for a study to be conducted regarding zoning for outpatient opioid treatment facilities and requested to be added as a co-patron to Res. 2020-R028.*

*Councilor Lynch informed members that state code allowed the establishment of outpatient opioid treatment facilities as a right. Councilor Lynch expressed her belief that the city code should match state code, and stated the proposed resolution would begin the rezoning process necessary to amend the city's zoning ordinance to comply with state code.*

*Councilor Gray requested the Office of the City Attorney provide Council with a legal opinion regarding discrepancies between city zoning ordinances and state code.*

*Interim City Attorney Haskell Brown informed members that state code requires a resolution be adopted prior to the introduction of an ordinance to amend the zoning ordinance. Mr. Brown stated the study referenced in Res. 2020-R028 would help clarify amendment language necessary to draft a rezoning ordinance. Mr. Brown also stated the Office of the City Attorney would begin work on a legal opinion that addressed Councilor's Gray's concerns.*

*President Cynthia Newbille inquired if a continuance of the proposed resolution was possible to provide additional time for a legal opinion to be drafted and provided to Council.*

**Councilor Stephanie Lynch moved to continue RES. 2020-R028 to the Monday, May 11 Council meeting, which was seconded and unanimously approved.**

**The following resolution was considered:**

**RES. 2020-R033**

To support requests made by the City of Richmond to the United States Congress for the enactment of legislation to supplement and modify the CARES Act for the provision of additional federal aid to

recover from the damaging economic loss caused by the COVID-19 pandemic and to promote timely economic recovery assistance for all residents.

Lincoln Saunders, Office of the Mayor chief of staff, provided background information regarding the proposed resolution and informed members of specific impacts the proposed resolution would have on local business and issues related to housing in the city.

There were no further comments or discussions and **RES. 2020-R033 was unanimously adopted.**

### **MOTION TO AMEND AND CONTINUE**

**Councilor Andreas Addison moved that the following budget-related ordinance be amended and continued to Monday, May 11, 2020, as follows:**

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 the said budget.

Page 1, Line 17

After the semicolon, strike the word “and”

Page 2, Line 5

After the ending quotation marks, insert the word “and”

Page 2, Line 6

At the beginning of the line, add the text “ ‘WHEREAS, the City Council's amendments to the Mayor's recommended budget are as set out in the attachments to this ordinance entitled “Richmond City Council, FY 2021 General Fund Budget Proposed Amendments,” “Ordinance No. 2020-049, General Fund Budget, Text Amendments,” and “Council FY 2021 Districts Funds;” ”

Page 2, Line 17

At the beginning of the line, insert the text “as those attachments are amended or supplemented by the attachments to this ordinance entitled ‘Richmond City Council, FY 2021 General Fund Budget Proposed Amendments,’ ‘Ordinance No. 2020-049, General Fund Budget, Text Amendments,’ and ‘Council FY 2021 Districts Funds,’ ”

Page 3, Line 7

After the word “the”, strike the word “attachment” and insert the word “attachments”

Page 3, Line 8

After the ending parenthesis following the date “4/16/2020”, insert a comma followed by ending quotation marks and the text “ ‘Richmond City Council, FY 2021 General Fund Budget Proposed Amendments,’ ‘Ordinance No. 2020-049, General Fund Budget, Text Amendments,’ and ‘Council FY 2021 Districts Funds’ ”

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

## MOTION TO CONTINUE

**Councilor Ellen Robertson moved that the following budget-related ordinances be continued to Monday, May 11, 2020.**

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 stop 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)

*Councilor Kristen Larson informed members she believed budget deliberations should continue beyond May 11, 2020, and requested that a final vote not take place at the May 11, 2020 Formal Council meeting.*

*Councilor Kim Gray stated that she concurred with Councilor Larson and suggested Council pass the Richmond Public Schools’ budget on May 11, 2020, and then continue all other budget-related ordinances beyond May 11, 2020.*

There were no further comments or discussions and **the motion was seconded and approved:** Ayes 5, Jones, Robertson, Lynch, Addison, Newbille. Noes 3, Larson, Gray, Trammell.

## INTRODUCTION OF LEGISLATION

**The following ordinance was introduced for public hearing on Monday, May 11, 2020, at 6:00 p.m.:**

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.

Patron: Mayor Stoney

**Committee referral waived {Rule VI(B)(2)}**

## ADJOURNMENT

There being no further business before the Council, the meeting adjourned at 4:34 p.m.

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CITY CLERK