

INTRODUCED: January 14, 2019

AN ORDINANCE No. 2019-005

To amend Ord. No. 2018-297, adopted Dec. 17, 2018, which authorized the creation of the Navy Hill Development Advisory Commission and announced the Council’s intent to hold public hearings, all for the purpose of providing for the Council’s consideration of a development proposal in the area generally bounded on the west by N. 5th St., on the north by E. Leigh St., on the east by N. 10th St., and on the south by E. Marshall St, to authorize the appointment of individuals who do not live or work in the city to the Navy Hill Development Advisory Commission.

Patron – Ms. Gray

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JAN 28 2019 AT 6 P.M.

I. That Ordinance No. 2018-297, adopted December 17, 2018, be and is hereby amended and reordained as follows:

WHEREAS, The NH District Corporation, in affiliation with The NH Foundation and Capital City Development, LLC, submitted a North of Broad / Downtown Redevelopment Proposal to the City on February 9, 2018, hereinafter the “Proposal,” in response to a Request for Proposals for the North of Broad/Downtown Neighborhood Redevelopment Project issued by the City on November 9, 2017; and

AYES: 4 NOES: 5 ABSTAIN: _____

ADOPTED: _____ REJECTED: JAN 28, 2019 STRICKEN: _____

WHEREAS, the Council of the City of Richmond (the “Council”) anticipates that the Mayor of the City of Richmond will introduce ordinances providing for transactions that concern a “Navy Hill Development” resulting from the Proposal (the “Ordinances”), for the review and consideration of which the Council desires to set out procedures as described in this ordinance;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the Council hereby establishes the Navy Hill Development Advisory Commission (the “Commission”) pursuant to the following provisions:

A. **Purpose.** The Commission is created for the purpose of providing the Council with advice concerning the development contemplated by the Ordinances. For purposes of section 2-761 of the Code of the City of Richmond (2015), as amended, the Commission is classified as “advisory.”

B. **Composition.**

1. **Appointment.** The Commission shall consist of nine members appointed by the Council. Notwithstanding the provisions of section 2-756 of the Code of the City of Richmond (2015), as amended, such members shall not be required to reside or have their principal place of employment in the City of Richmond. The Council shall appoint a Chairman and a Vice Chairman. No later than ten working days after the date on which both the Chairman and the Vice Chairman have taken the requisite oath of office administered by the City Clerk, the Chairman and Vice Chairman shall meet, in compliance with all requirements of the Virginia Freedom of Information Act, codified as sections 2.2-3700 through 2.2-3714 of the Code of Virginia (1950), as amended (the “Act”), to nominate the remaining seven members of the Commission.

2. **Qualifications.** The Council anticipates that the Chairman and Vice Chairman will have experience with large development projects, preferably including a public component, or with legal matters and local taxation matters. The Council anticipates that the membership of the Commission as a whole will include expertise in legal matters, tax increment financing, entertainment and sporting facility attendance and finance, real estate development, public finance, and local taxation.

C. **Duties.** The Commission shall seek to validate the assumptions, projections, costs, and benefits of the development contemplated by the Ordinances and the likely impact of that development on the City.

D. **Conduct of Affairs.**

1. **Quorum.** Five members of the Commission shall constitute a quorum.

2. **Officers.** The Commission shall have a Chairman and a Vice Chairman appointed as set forth in section 1(B)(1) of this ordinance. The Commission may select from its members such other officers as it may deem necessary to discharge its functions.

3. **Duration.** The Commission shall continue in existence until it has submitted the report called for by section 1(D)(5)(b) of this ordinance.

4. **Meetings.** The Commission shall meet as often as it deems necessary in order to complete its duties within the time prescribed by this ordinance. In accordance with section 2-796(c) of the Code of the City of Richmond (2015), as amended, the Commission's meetings shall be subject to the provisions of the Act.

5. **Reporting.**

a. The Commission shall provide a report on the progress of its work at each meeting of the Council's Organizational Development Standing Committee.

b. No later than 90 calendar days following the date on which the Council has appointed a majority of the Commission's members, the Commission shall furnish the Council with a final report detailing its findings pursuant to section 1(C) above.

6. **Records.** The Commission shall keep minutes of its meetings in accordance with the Act. All records shall be maintained as provided in section 2-798(a) of the Code of the City of Richmond (2015), as amended, and subject to public disclosure as provided in the Act.

7. **Procedures.** The Commission may adopt rules of procedure or bylaws not inconsistent with this ordinance to govern the conduct of its meetings and affairs.

8. **Staff and Resources.** The Office of the Council Chief of Staff shall provide such staff and resources as may be necessary to assist the Commission in performing the duties imposed by this ordinance. It is estimated that the operating costs of the Commission will be approximately \$5,000 plus 40 staff hours.

9. **Access to Information.** It is the intent of this ordinance that the Commission have full access to all information that the Commission deems necessary to the performance of its duties under this ordinance, including, where permitted by law, information deemed confidential.

§ 2. That the Council hereby announces its intent to conduct four public hearings on the Ordinances in a manner consistent with the following guidelines:

- A. The public hearings should be scheduled at convenient times for the public.
 - B. One public hearing should be held in each of the northwest, northeast, southeast, and southwest quadrants of the city.
 - C. All members of the Council should endeavor to attend each public hearing in its entirety.
 - D. Interested groups or organizations are encouraged to select one spokesperson to appear on their behalf.
- § 3. This ordinance shall be in force and effect upon adoption.
- II. This amendatory ordinance shall be in force and effect upon adoption.



Richmond City Council

The Voice of the People

Richmond, Virginia

Office of the Council Chief of Staff

Ordinance/Resolution Request

TO Allen Jackson, Richmond City Attorney
Richmond Office of the City Attorney

THROUGH Lou Brown Ali
Council Chief of Staff *MKB on behalf*

FROM William E. Echelberger, Jr, Council Budget Analyst *[Signature]*

COPY Kimberly B. Gray, 2nd District Representative
Haskell Brown, Deputy City Attorney
Meghan K. Brown, Deputy Council Chief of Staff *MKB*
Craig K. Bieber, 2nd District Liaison

RECEIVED

JAN 03 2019

OFFICE OF CITY ATTORNEY

DATE January 4, 2019

PAGE/s 1 of 2

TITLE Amend Procedures for Council Review of the North of Broad Proposal

This is a request for the drafting of an Ordinance Resolution

REQUESTING COUNCILMEMBER/PATRON

Kimberly B. Gray, 2nd District

SUGGESTED STANDING COMMITTEE

Finance and Economic Development

ORDINANCE/RESOLUTION SUMMARY

The Patron requests an ordinance to amend the provisions of Ordinance No. 2018-297 to authorize the appointment of individuals who do not live or work in the City of Richmond to the Navy Hill Development Advisory Commission.

BACKGROUND

- The Navy Hill Development Advisory Commission was created by City Council in Ordinance No. 2018-297, which was adopted by City Council on December 17, 2018 to advise City Council on the \$1.4 billion the North of Broad/Downtown Neighborhood Redevelopment Project.
- The City Attorney has advised that:
 - Section 2-756(a) of the City Code says, "Unless general law of the Commonwealth, the Charter or other special act of the General Assembly or the ordinance or resolution of the City provides specifically that a person appointed to a board or commission must reside in the City, be a voting citizen of the City, or contain other language of like purport, a person having a principal place of employment within the City may be appointed by the Council to serve on a board or commission." And that
 - Section 2-756(b) provides for a forfeiture in the event a member who ceases "to maintain a permanent residence within the City or who terminates qualifying employment within the City."

