



City of Richmond

Formal Meeting Minutes

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

Tuesday, May 28, 2019

6:00 PM

Council Chamber, 2nd Floor - City Hall

Councilmembers Present

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

President Cynthia Newbille called the meeting to order at 6:02 p.m., and presided.

Invocation was offered by Dr. James I. Johnson Jr., Crusade for Christ Family Worship Church, 1700 West Moore Street, Richmond, VA.

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

President Newbille requested a moment of silence in memory of Roy A. West, former Richmond City mayor and councilman.

CHAMBER EMERGENCY EVACUATION PLAN AND CITIZEN SPEAKER GUIDELINES

Upon the President's request, Deputy City Clerk RJ Warren 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

There were no appointment/reappointment items for consideration.

AWARDS AND PRESENTATIONS

There were no awards and presentations.

CITIZEN COMMENT

Father Shay Auerbach addressed Council regarding the need for a four-way stop sign at the intersection of 14th and Perry Streets to improve pedestrian and traffic safety.

Councilor Ellen Robertson advised Father Auerbach that legislation will be introduced later during the evening's meeting for the installation of a four-way stop sign at the area of concern.

AGENDA REVIEW AND AMENDMENTS

Councilor Ellen Robertson moved to amend the agenda as follows:

ORD. 2018-289

To amend ch. 24, art. I of the City Code by adding therein a new § 24-4 for the purpose of requiring the Department of Public Works to conduct a study of the conditions of all streets, roads, and bridges in the city and to provide a report to City Council by no later than Feb. 1, 2019, and by no later than Feb. 1 each year thereafter.

To be continued to Monday, June 24, 2019

ORD. 2019-118

To amend City Code ch. 2, art. IV, div. 1 by adding therein a new § 2-239, concerning value engineering, for the purpose of requiring value engineering for projects costing more than \$5,000,000.00.

To be continued to Monday, July 22, 2019

ORD. 2019-119

To amend Ord. No. 2018-297, adopted Dec. 17, 2018, which created 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 provide that the Commission shall furnish the Council with a final report no later than 90 calendar days following the date of introduction of the relevant ordinances instead of 90 calendar days following the date on which a majority of the Commission's members are appointed.

To be amended and continued to Monday, June 10, 2019

ORD. 2019-121

To authorize the special use of the property known as 20 North Belmont Avenue for the purpose of up to two dwelling units as well as the principal and accessory uses permitted in the B-1 Neighborhood Business District, upon certain terms and conditions.

To be amended and continued to Monday, June 24, 2019

ORD. 2019-129

To approve the Work Plan and Budget for the fiscal year ending Jun. 30, 2020, for the provision of services in the Downtown Richmond Special Service and Assessment Districts.

To be continued to Monday, June 24, 2019

ORD. 2018-231

To amend and reordain City Code §§ 26-397, concerning definitions, 26-399, concerning the eligibility criteria for partial exemption of rehabilitated residential and multifamily structures or other improvements from real estate taxation, and 26-401, concerning the amount of exemption for rehabilitated residential and multifamily qualified structures, and to amend ch. 26, art. V, div. 3 by adding therein new §§ 26-398.1, concerning the evaluation of such program, and 26-401.1, concerning affordable housing certification, for the purpose of revising the City's partial tax exemption program for residential and multifamily structures by defining certain terms and modifying the qualification requirements for the receipt and duration of partial exemption from real estate taxation.

To be continued to Monday, June 24, 2019

The motion to amend the agenda was seconded and approved: Ayes 8, Jones, Robertson, Larson, Gray, Trammell, Addison, Hilbert, Newbille. Noes 1, Agelasto.

CONSENT AGENDA

The following ordinances were considered:

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)

ORD. 2019-120

To authorize a Highland Grove Preliminary Community Unit Plan permitting the development of a residential community of up to 155 dwelling units on approximately 40 acres of land located at 2651 Richmond Henrico Turnpike, 2641 Richmond Henrico Turnpike, 500 Dove Street, 509 Dove Street, and 2300 1st Avenue, upon certain terms and conditions.

ORD. 2019-122

To authorize the special use of the property known as 804 North 22nd Street for the purpose of a multifamily dwelling containing up to four dwelling units and a single-family detached dwelling, upon certain terms and conditions.

ORD. 2019-126

To rename the Bike Share System special fund as the Shared Mobility Device Program special fund; 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 increasing estimated revenues from the permit program for the parking of shared mobility devices on sidewalks set forth in City Code §§ 24-125-24-132 and the amount appropriated to the Department of Public Work's Shared Mobility Device Program special fund by \$232,500.00 for the purpose of operating the permit program for the parking of shared mobility devices on sidewalks set forth in City Code §§ 24-125-24-132.

ORD. 2019-127

To authorize the Chief Administrative Officer to accept funds in the amount of \$1,000.00 from the PulsePoint Foundation; to amend the Fiscal Year 2018-2019 Special Fund Budget by creating a new special fund for the Department of Emergency Communications called the PulsePoint 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 Department of Emergency Communications' PulsePoint Special Fund by \$1,000.00 for the purpose of purchasing marketing materials to increase usage of the PulsePoint mobile applications designed to assist in cardiac arrest emergencies.

ORD. 2019-128

To authorize the Chief Administrative Officer and the Director of Procurement Services, for and on behalf of the City of Richmond, to execute the third 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 ratifying all acts of the City and Manchester Marketing, Inc. T/A Seibert's Towing that were in accordance with the provisions of Procurement Services Contract Modification No. 2 for Contract No. 16000022041 since the adoption of Ord. No. 2018-255, adopted Oct. 8, 2018.

ORD. 2019-131

To establish a residential permit parking district in the South Mulberry Street neighborhood.

ORD. 2019-132

To establish a residential permit parking district in the Randolph neighborhood.

Support

Laura Miller, public affairs manager at Lime, expressed support of ORD. 2019-126, stating that the company was looking forward to working with the city to ensure the pilot program was a successful.

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

REGULAR AGENDA

The following ordinance was considered:

ORD. 2019-125

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 the amount of funds available for appropriation by \$8,519,814.00 from various sources, transferring funds from various agencies and non-departmental programs, and appropriated the additional funds available for appropriation and the transferred funds to various agencies and non-departmental programs.

Budget and Strategic Planning Director Jay Brown introduced ORD. 2019-125 and explained the proposed ordinance will amend the FY 2019 General Fund Budget by re-allocating funds between agencies, increase the total general fund to meet projected obligations and appropriate funds from the Assigned Fund Balance and the Budget and Revenue Stabilization Contingency Reserve. Mr. Brown further explained that the use of the Budget and Revenue Stabilization Contingency Reserve may not be required if there are changes to the revenue projections and agency spending.

Finance Director John Wack was present to respond to questions.

Councilor Parker Agelasto stated that ORD. 2019-125 should not be considered by City Council until concerns expressed during the May 16th Finance and Economic Development Standing Committee meeting were addressed. Councilor Agelasto expressed frustration that bundling of multiple actions into the same ordinance limited Council's ability to consider items separately; he stated that he will not support the use of the Budget and Revenue Stabilization Contingency and Reserve to cover preliminary shortfalls.

Senior Assistant City Attorney Tabrica Rentz provided Council with responses to questions asked during the Informal Meeting of Council.

Councilor Kim Gray expressed concern that the proposed ordinance did not accurately identify which City Attorney's office special fund would receive an appropriation, and she would like assurances that the funds would in fact be appropriated to the intended department.

Councilwoman Reva Trammell questioned the impact the budget appropriation decreases will have on the operation of departments, and the additional spending by various departments. Councilwoman Trammell stated that she would like an explanation from the City Auditor regarding the appropriation process.

President Cynthia Newbille asked City Auditor Lou Lassiter to provide a response to concerns expressed by Ms. Trammell.

Lou Lassiter provided an overview of the budget process for his department, and reported that his department plans to submit next year's audit plan to review the departments with large budget variances.

Councilor Kristen Larson expressed concerns that the proposed ordinance did not clearly identify which special fund will receive an appropriation and questioned the use of the Budget and Revenue Stabilization Contingency Reserve.

Vice President Chris Hilbert stated that he was disappointed in city administration's failure to accurately identify the special fund category for the appropriation and its lack of communication with Council regarding budgetary needs.

Councilor Agelasto remarked that the ORD. 2019-125 should be amended to include actual revenues and expenditures.

Councilor Kim Gray moved that ORD. 2019-125 be continued to the Monday, June 10, 2019 Council meeting or a special meeting of Council, which was seconded and failed: Ayes 4, Larson, Agelasto, Gray, Trammell. Noes 5, Jones Robertson, Addison, Hilbert, Newbille.

Councilor Michael Jones moved that ORD. 2019-125 be adopted, which was seconded and approved: Ayes 6, Jones, Robertson, Trammell, Addison, Hilbert, Newbille. Noes 3, Larson, Agelasto, Gray.

President Cynthia Newbille remarked that it is the expectation of City Council for city administration to address its concerns regarding the timeline for the submission of budget appropriation requests, the budget appropriation process and budget briefings with Council, at a future Finance and Economic Development Standing Committee Meeting.

Councilor Parker Agelasto stated there needs to be a full analysis of the current budgeting system to ensure city departments are operating within the budget approved by City Council.

MOTIONS

Councilwoman Reva Trammell moved that the ordinance entitled:

ORD. 2019-119

To amend Ord. No. 2018-297, adopted Dec. 17, 2018, which created 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 provide that the Commission shall furnish the Council with a final report no later than 90 calendar days following the date of introduction of the relevant ordinances instead of 90 calendar days following the date on which a majority of the Commission's members are appointed.

be amended and continued to Monday, June 10, 2019, as follows:

Page 4, Line 5

After the deleted word "members", insert the text "the Council has appointed a majority of the Commission's members and"

The motion was seconded and unanimously approved.

Councilor Andreas Addison moved that the ordinance entitled:

ORD. 2019-121

To authorize the special use of the property known as 20 North Belmont Avenue for the purpose of up to two dwelling units as well as the principal and accessory uses permitted in the B-1 Neighborhood Business District, upon certain terms and conditions.

be amended and continued to Monday, June 24, 2019, as follows:

After the hour "5:00 p.m.", strike the text "each day" and insert the text "Monday through Saturday"

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

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Councilor Ellen Robertson moved to approve the following Richmond City Council meeting minutes: Informal and Formal Council Sessions held on Monday, May 13, 2019, at 4:00 p.m. and 6:00 p.m., respectively.

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

INTRODUCTION OF ORDINANCES AND RESOLUTIONS

City Council will hold a public hearing on the following ordinances on Monday, June 10, 2019, at 6:00 p.m.:

ORD. 2019-137

To authorize the Chief Administrative Officer to accept funds in the amount of \$5,000.00 from Share Our Strength's No Kid Hungry Virginia Campaign, and to appropriate the increase in grant funds received to the Fiscal Year 2018-2019 Special Fund by increasing estimated revenues and the amount appropriated to the Department of Parks, Recreation and Community Facilities' Summer Food Program Special Fund for the purpose of increasing the number of healthy meals served through the Department of Parks, Recreation and Community Facilities' Summer Food Program.

Patron: Mayor Stoney

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

ORD. 2019-138

To amend Ord. No. 2019-123, adopted May 13, 2019, which amended ch. 22, art. VII of the City Code by adding therein a new § 22-206, establishing a voluntary retirement incentive program, for the purpose of modifying the time period during which a member's election to participate in the voluntary retirement incentive program must be made.

Patron: Mr. Addison

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

ORD. 2019-139

To declare that a public necessity exists and to authorize the Chief Administrative Officer or the designee thereof, for and on behalf of the City of Richmond, to acquire, at a tax delinquent judicial sale, the property located at 1613 Overlook Street and to authorize the Chief Administrative Officer or the designee thereof to accept title to such property for the expansion and maintenance of Bellemeade Park as public green space and for recreational uses.

Patron: Mayor Stoney

This ordinance was introduced and referred to the Planning Commission meeting on Monday, June 3, 2019, at 1:30 p.m.

City Council will hold a public hearing on the following ordinances and resolution on Monday, June 24, 2019, at 6:00 p.m.:

ORD. 2019-140

To authorize the special use of the property known as 319½ South Pine Street for the purpose of a dwelling unit within an accessory building, upon certain terms and conditions.

Patron: Mayor Stoney (By Request)

This ordinance was introduced and referred to the Planning Commission meeting on Monday, June 17, 2019, at 1:30 p.m.

ORD. 2019-141

To amend and reordain Ord. No. 2009-224-224, adopted Dec. 14, 2009, which authorized the special use of the property known as 410 Hancock Street for the purpose of converting the existing building for commercial uses or residential uses or both, for the purpose of removing the off-street parking requirement, upon certain terms and conditions.

Patron: Mayor Stoney (By Request)

This ordinance was introduced and referred to the Planning Commission meeting on Monday, June 17, 2019, at 1:30 p.m.

ORD. 2019-142

To amend and reordain Ord. No. 2009-225-225, adopted Dec. 14, 2009, which authorized the special use of the property known as 703 North Harrison Street for the purpose of converting the existing building for commercial uses or residential uses or both, for the purpose of removing the off-street parking requirement, upon certain terms and conditions.

Patron: Mayor Stoney (By Request)

This ordinance was introduced and referred to the Planning Commission meeting on Monday, June 17, 2019, at 1:30 p.m.

ORD. 2019-143

To rezone the properties known as 10, 14 and 18 East Canal Street and 108½, 110, 112, 112½, 114, 114½, 116, 118 and 120 South 1st Street from the M-1 Light Industrial District to the TOD-1 Transit-Oriented Nodal District, and the property known as 108 South 1st Street from the B-3 General 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 17, 2019, at 1:30 p.m.

ORD. 2019-144

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Certificate of Completion for the benefit of Church Hill North Phase I LLC and the Richmond Redevelopment and Housing Authority at such time as the Chief Administrative Officer has determined that a certain deed condition requiring the construction and development of certain parcels of land as an affordable housing development has been fulfilled and completed.

Patron: Mayor Stoney

This ordinance was introduced and referred to the Land Use, Housing and Transportation Standing Committee meeting on Tuesday, June 18, 2019, at 1:00 p.m.

ORD. 2019-145

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Certificate of Completion for the benefit of Church Hill North Phase 2A LLC and the Richmond Redevelopment and Housing Authority at such time as the Chief Administrative Officer has determined that a certain deed condition requiring the construction and development of certain parcels of land as an affordable housing development has been fulfilled and completed.

Patron: Mayor Stoney

This ordinance was introduced and referred to the Land Use, Housing and Transportation Standing Committee meeting on Tuesday, June 18, 2019, at 1:00 p.m.

RES. 2019-R016

To express the City Council's intent to appropriate the first \$1,352,558 of any amount assigned from the calculated general fund surplus to the Capital Maintenance Reserve pursuant to City Code § 12-252 for Fiscal Year 2018-2019 to certain capital projects.

Patron: Ms. Larson

This resolution was introduced and referred to the Finance and Economic Development Standing Committee meeting on Thursday, June 20, 2019, at 1:00 p.m.

City Council will hold a public hearing on the following ordinances and resolutions on Monday, July 22, 2019, at 6:00 p.m.:

ORD. 2019-146

To erect all-way stop signs at the intersection of West 14th Street and Perry Street.

Patron: Ms. Robertson

This ordinance was introduced and referred to the Land Use, Housing and Transportation Standing Committee meeting on Tuesday, July 16, 2019, at 1:00 p.m.

ORD. 2019-147

To erect all-way stop signs at the intersections of Spring Street and South Pine Street, Spring Street and South Laurel Street, Albemarle Street and South Laurel Street, and Albemarle Street and South Cherry Street, with a painted stop line at each intersection.

Patron: Mr. Agelasto

This ordinance was introduced and referred to the Land Use, Housing and Transportation Standing Committee meeting on Tuesday, July 16, 2019, at 1:00 p.m.

RES. 2019-R017

To amend Res. No. 2007-R162-2008-29, adopted Feb. 11, 2008, as previously amended by Res. No. 2010-R91-118, adopted Jul. 26, 2010, Res. No. 2015-R18-23, adopted Mar. 23, 2015, Res. No. 2018-R065, adopted Jul. 2, 2018, and Res. No. 2018-R066, adopted Sept. 10, 2018, which adopted City Council Expenditure and Reimbursement Guidelines governing the use of Council District Funds and Council Operations Funds, for the purpose of ensuring that Council District Funds are not depleted before a newly-elected Council member takes office.

Patrons: Mr. Addison and Mr. Jones

This resolution was introduced and referred to the Governmental Operations Standing Committee meeting on Thursday, June 27, 2019, at 12:00 p.m.

RES. 2019-R018

To request the Richmond delegation to the General Assembly of Virginia to introduce and support the enactment of legislation to amend sections 5.05 and 6.11 of the Charter of the City of Richmond to clarify that the Council shall have 14 calendar days from the date of the City Clerk's receipt of the Mayor's notice of veto of any budget ordinance, or any portion thereof, to override such veto, notwithstanding the requirement of section 6.11 that the Council adopt the budget by no later than May 31 of each year.

Patrons: Ms. Gray and Ms. Robertson

This resolution was introduced and referred to the Governmental Operations Standing Committee meeting on Thursday, June 27, 2019, at 12:00 p.m.

REPORTS OR ANNOUNCEMENTS BY MEMBERS OF THE COUNCIL

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

Vice President Chris Hilbert exited the meeting at 7:59 p.m.

Councilor Michael Jones exited the meeting 8:23 p.m.

ADJOURNMENT

There being no further business before the Council, the meeting adjourned at 8:37 p.m.

CITY CLERK