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**Richmond City Council**  
*The Voice of the People* *Richmond, Virginia*

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# Governmental Operations Standing Committee

**November 29, 2018**

## Committee's Mission Statement



To provide support to City Council in meeting its legislative responsibilities and to help improve the performance and ensure accountability in government operations.



**Richmond City Council**

*The Voice of the People*

*Richmond, Virginia*

**Governmental Operations Standing Committee**

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## Governmental Operations Standing Committee

**STAFF REPORT: November 29, 2018**

The last Governmental Operations Meeting was held on October 25, 2018.

### **Presentations, Reports and Discussion Items at the October 2018 Meeting**

None

### **Expected Presentations, Reports or Discussion Items at the November 2018 Meeting**

#### ***PRESENTATIONS/Discussion Items***

- Discussion Items for the December Committee Meeting

### **Board Updates**

The Boards and Commissions Administrator will continue to provide vacancy reports on a quarterly basis; however, additional information will be provided upon request of the committee.

### **Next Committee Meeting and Upcoming Topics**

The next Governmental Operations meeting is scheduled for Thursday, December 27, 2018 at 12:00 p.m. the fourth Thursday of the month.

1. **Ord. No. 2018-272 (Patron: Mayor Stoney)** – 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.

**Summary of Ordinance/Resolution, Background:**

Currently, the Director of Animal Control may issue permits to residents for the keeping, placement or maintenance of female chickens on any parcel or real property in residential zoning districts of the City. Residents are allowed to have chickens in accordance with provisions of Sec. 4-128, to file an application to obtain a permit and comply with applicable provisions of the Code and state law. Prior to the issuance of a permit, the director shall conduct a background investigation of the applicant to determine if the applicant has been convicted of or has any pending charges or complaints of animal cruelty or neglect. Additionally, the director shall conduct a site inspection of the area in which the applicant purports to maintain the female chickens. Persons to whom a permit has been issued shall provide at least three square feet of space for each female chicken within a structure designed for and consisting of four walls and a roof.

This Ordinance is to authorize the Chief Administrative Officer to amend Sec. 4-124 and 4-126 to increase the number of female chickens permitted in the City from four to six. Increasing the number of female chickens permitted in the city will allow for ease of purchase and will enable citizens to maintain a laying flock for a longer period of time.

**Staff Analysis and Questions:**

- This change would require additional footage for the structure designed to house six chickens rather than four chickens. Are the owners required to make these structural changes prior to application for a permit?
- Is there an increase in the costs of the permit for the number of chickens allowed on real estate property?

**Fiscal Impact:**

It is stated that there is no additional fiscal impact or seemingly burden created to fulfil the permit investigations from four chickens versus six chickens.

2. **Ord. No. 2018-293 (Patron: Mayor Stoney)** – To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Memorandum of Agreement between the Federal Communications Commission, the Virginia Department of Historic Resources, and the City of Richmond for the purpose of setting forth conditions pursuant to Section 106 of the National Historic Preservation Act that the City must fulfill in order to construct an E911 self-support communications tower at 1201 North 38th Street.

**Summary of Ordinance/Resolution, Background:**

- **Purpose of Request:** Council approval to authorize the CAO to execute a Memorandum of Agreement between (1) Federal Communications Commission or (FCC), (2) Virginia Department of Historic Resources and (3) City of Richmond for the purpose of construct an E911 self-support communications tower at 1201 North 38<sup>th</sup> St.

**Staff Analysis and Questions:**

- **Key Issue/Debate:** The State Historic Preservation Office (SHPO) has recommended to the FCC that this project could have an adverse effect on historic properties listed or in the National Register of Historic Places. This could also lead to a “non-concurrence” from the SHPO.
- **Interim Remedy:** At the recommendation of the SHPO the City has performed a Preliminary Information Form (PIF) to evaluate the eligibility of an adjacent building (Franklin Military Academy).
- **Remaining Questions/Concerns:**
  - a. What are the results of the “Preliminary Information Form” (evaluation) that the City receives from the “Historic Architect”?
  - b. What amount of expenditures have been incurred to-date to conduct this evaluation?
  - c. What alternatives does the Administration have if the State Historic Preservation Office issues a “non-concurrence” (disagreement) on the “Preliminary Information Form”?
  - d. Council may want to request a pro forma and project schedule of the E911 Communications Tower.

**Fiscal Impact:**

- **Tower Construction Funding:**
  - a. What are the projected total costs of constructing the E911 Communications Tower?
  - b. What intergovernmental aid will be contributed to the construction and maintenance of the Communications Tower?

3. **ORD. 2018-294 (Patron: Mayor Stoney)** – To amend and reordain City Code § 4-92, concerning the keeping and running at large of hogs, pigs, and fowl, 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.

**Summary of Ordinance/Resolution, Background:**

- **Purpose of Request:** This Ordinance would amend City Code § 4-126, for the purpose of increasing the number of female chickens permitted in the City from four to six.

**Staff Analysis and Questions:**

- **Reason for Ordinance change:** According to the City Administration, chickens are purchased in a "clutch" which is six chicks. Thus increasing the number of allowable female chickens will allow residents to refrain from separating the "clutch".
- A separate paper, Ord. 2018-272 has been introduced to require additional footage for the structure designed to house six chickens rather than four chickens.

**Fiscal Impact:**

No fiscal or operating impact to the City.

4. **ORD. No. 2018-295 (Patron: Mayor Stoney)** To amend and reordain City Code § 4-244, concerning the care and control of animals and penalties, for the purpose of imposing care and control requirements on certain animals other than dogs and cats.

**Summary of Ordinance/Resolution, Background:**

- **Purpose of Request:** This Ordinance would amend City Code § 4-244, for the purpose of including domestic, companion or wild/exotic language to the Code, allowing Richmond Animal Care and Control Officers (RACC) to enforce the nuisance code for animals other than dogs and cats.

**Questions and Analysis:**

- **Reason for Ordinance change:** Under current nuisance animal code, RACC Officers have been unable to provide enforcement for animals other than dogs or cats.

**Fiscal Impact:**

- No fiscal impact to the City.

5. **Ord. No. 2018-296 (Patron: Ms. Gray)** To amend ch. 24, art. II, div. 8 of the City Code by adding therein a new §24.244.1 for the purpose of providing that no sidewalk café' permit applied for by an operator who is not the property owner shall be denied, suspended, or revoked solely because such property owner is delinquent in the payment of any applicable real estate taxes.

**Summary of Ordinance/Resolution, Background:**

- **Purpose of Request:** This Ordinance would amend City Code § 24-244, for the purpose of disallowing revocation of sidewalk café permits to non-property owners (tenants) in circumstances where the property owner is delinquent in the payment of real estate taxes.

**Staff Analysis and Questions:**

- **Reason for Ordinance change:** In recent periods, tenant businesses are experiencing interruptions in maintaining sidewalk café permits due to property owners becoming delinquent in real estate taxes. This results in a less of sales revenue for the business—in addition to lost sales/meals revenue for the City.

**Fiscal Impact:**

- **Sales & Meals Tax (Revenue):** Although the forgone amount of meals and sales taxes is undetermined, it is highly conceivable that the City would experience less revenue as a result of current conditions.



**6. Res. No. 2018- R100 (Patron: President Hilbert)** To request the Richmond delegation to the General Assembly of Virginia to introduce and support the enactment of legislation to amend sections 3.01.1 and 3.04 of the Charter of the City of Richmond to conform its provisions concerning deadlines for voter registration and absentee balloting for runoff elections to the provisions of Chapters 4 and 7 of Title 24.2 of the Code of Virginia (1950), as amended.

**Summary of Ordinance/Resolution, Background:**

This Resolution is to request the support of Richmond delegation to the General Assembly changing the Code of Virginia, Title 24.2 and the Richmond Charter to specify voter registration or absentee balloting deadlines and procedures for a run-off election. The request is to change the Richmond Charter to specify procedures or reference the deadlines as set forth in Title 24.2 as they relate to General Elections.

The changes to Richmond City Charter, Section 3.01.1, set forth the dates on which voter registration records shall be closed and the deadlines by which applications for absentee ballots shall be made for purposes of any runoff election for the office of mayor. The changes to section 3.04 of the Charter concern any runoff election for the office of mayor after a special election.

This item has been added to Council's 2019 General Assembly Legislative Agenda. The Resolution is requested to reflect City Council's support to recommend it to the General Assembly for legislative action at its next session.

**Staff Analysis and Questions:**

1. How will this change improve the current election process?
2. What is the potential opposition to this amendment to the current procedures?

**Fiscal Impact:**

There will be a fiscal impact.