



**City of Richmond Legislative Proposals
for the
Virginia General Assembly 2023 Regular Session**

Legislative Requests

Draft 9/29/22

ENVIRONMENT

James River Park System eco-labs and immersive historical sites – The James River Park System is the finest urban wilderness in the United States and has transformed the City of Richmond. With more than 600 acres extending from Ancarrow’s Landing to the Huguenot Flatwater, it is Richmond’s largest public park and a true gem for the state and city. The primary attraction of the park are the more than 22 miles of interconnected trails, open to bikes and foot traffic. The trail network (which includes the Richmond Slave Trail) navigates along both banks of the James River, affording views and access to the river with ample non-motorized watercraft activity. The Park was recently named one of the top six river parks in the United States by outdoor retailer REI. \$15 million in state assistance during each year of the current biennium is requested for four eco-labs and two immersive historical sites located at Ancarrow’s Landing and along the Richmond Slave Trail. The funding will seed these projects and contribute toward the ongoing maintenance providing a significant return on investment for the Richmond community and the Commonwealth.

KN, KJ, SL

HOUSING

Combat Gentrification - The City is requesting that the General Assembly authorize local governments to develop and implement means tested long term owner-occupied real estate tax relief programs to prevent the displacement of long-term owner occupants due to dramatically rising property tax assessments, thereby leading to neighborhood gentrification. Local real estate tax relief programs are currently limited to the elderly, disabled and certain veterans, omitting lower income homeowners who are not elderly or disabled. An amendment to the state constitution is required to expand the applicability of such programs. In early 2022 a Statewide Housing Study report commissioned by the Virginia General Assembly investigated housing needs across the Commonwealth and made recommendations to state housing agencies, the General Assembly, and Governor’s Office for improving housing affordability and opportunity for all Virginians. Property taxes on affordable housing generate needed revenue for localities, but they can often serve as a barrier to development and preservation. One of the recommendations from the housing stakeholder group was endorsement of such an amendment to the state constitution that would enable—not require—local governments to use a wide range of alternative real estate tax schemes for properties used for affordable housing and homelessness services. Potential solutions include full and partial exemptions like the Long-Term Owner Occupant Program (LOOP), abatements, and Payment in Lieu of Tax (PILOT) programs. The city requests that the process to amend the state constitution be initiated in the 2023 General Assembly session. **SL, CN, KN, ER**

Blight and Affordable Housing - Incentivize property owners of vacant derelict buildings to make needed repairs and bring the buildings to a habitable state for rental/affordable housing or put the property on the market by increasing the vacant/derelict property registration fee. The City lacks a sufficient stock of affordable housing while having an abundance of vacant, blighted housing. Both issues could be addressed by increasing the registration fee for vacant, derelict buildings from the current \$100 to \$1,000 and also increasing the civil penalty for failure to register the building/housing from \$200 to \$2,000 and \$400 to \$4,000 for buildings in a conservation or rehabilitation district. The ability to use these tools is intended to incentivize owners to bring derelict properties back into a habitable condition and hopefully increase the availability of affordable housing. **SL**

TRANSPORTATION/MOBILITY/VISION ZERO

Use of Radar Enabled Cameras – The City requests that the authority to use radar-enabled speeding and red-light cameras be expanded to include business and residential districts, parks, and bridges. Legislation was enacted in the 2020 General Assembly session permitting their use in posted school crossing zones and work zones. This authority should be expanded to include residential, parks, bridges, and selected business districts. **AA, KJ, SL**

CHARTER

The City established a Charter Review Committee composed of representatives from the Mayor’s office and City Council Members to find consensus on numerous technical issues in the charter that should be updated or revised. There were 11 charter items that had consensus around them. Consensus items include: City council salary and compensation; amending the master plan; powers related to public works; (2) powers to make regulations for safety, health, etc.; (2) implementation of an electric utility (new section); removing the sale or lease of the electric utility assets from the requirement of a referendum at a general election; creating a parking utility; removing/striking marijuana conviction for any member of city council, or city employee; providing for the prevention of vice, immorality, etc.

Other areas in the charter remain under discussion between City Council and the Administration. The current General Assembly environment for charter changes, even if the changes are technical in nature, is fraught with risk in that if the city’s charter is opened up, it can be changed for just about anything. This could have repercussions for other 2023 legislative items of interest. **KN, KJ**

Policy Statements

CASINO

Preserve and defend Richmond's authority to hold a casino referendum in 2023 – The City opposes any efforts to remove the ability of the City of Richmond to hold another referendum for the One Casino and Resort in election year 2023. The Virginia General Assembly in June 2022 adopted a budget that included a provision prohibiting Richmond from holding another referendum until 2023, and only after a Joint Legislative Audit and Review Commission-completed study about the potential economic impact a casino located in Petersburg would have on Petersburg. Subsequently, the city of Richmond filed a petition to remove the question from the ballot for the November 2022 election. The City of Richmond knows that there was minimally \$30 million in projected annual tax revenue for the city that was left on the table. This is significant revenue that can be put to work to assist the city with real estate tax abatement, affordable housing, and school construction and modernization. **AFL, RT, KN**

COURTS

Pay parity for public defenders – The City supports state funding to establish pay parity between public defender staff and the actual salaries of Commonwealth’s Attorneys staff. In City of Richmond courtrooms, commonwealth’s attorneys charged with prosecuting crimes continue to earn significantly more than the government employees responsible for defending the accused, an imbalance that leads to inequity in the criminal justice system. Both prosecutors and public defender offices are funded by the state, with positions in each earning comparable base salaries. The salary gap stems from a common practice in which local governments allocate money from their budgets for prosecutors but not for public defenders. The legal system works best when both prosecutors and defenders are equally resourced. The City of Richmond provides pay supplements to the commonwealth’s attorney office because its staff is classified as city employees. Public defenders offices are overseen by the state and function as state employees. The Commonwealth and the General Assembly are requested to take full responsibility for giving public defenders the increases they deserve and on parity with commonwealth attorneys. **KJ**

ELECTIONS

Voting - The City supports increased voter access, removal of barriers to voting, such as a photo identification requirement at voting locations, and the prevention of voter suppression. Voting is a right and responsibility; and election laws, regulations and administrative procedures should be uniformly designed and applied, and adequately funded to facilitate and increase voter participation throughout Virginia. **KJ**

ENVIRONMENT

Climate Action - The City opposes any state-led attempts to roll back or insert state policy in local, non-jurisdictional utility matters related to local climate action plans. The city, through proactive City Council resolutions like Resolution No. 2021-R049 and major committed programs like RVAgreen 2050, is centering equity-based climate action and resilience planning initiatives in order to reduce greenhouse gas emissions 45% by 2030, achieve net zero greenhouse gas emissions by 2050 and help the community adapt to Richmond’s climate impacts of extreme heat, precipitation, and flooding. Richmond has a community-wide initiative to develop and implement a roadmap of actions uses an innovative planning approach that centers frontline community members and works at the intersection of equity, mitigation, and climate resilience. The city recommits to RVAgreen 2050 as an equitable climate action that is going to lead to a healthy and resilient Richmond in the future. **KJ**

HOUSING

Inclusionary Zoning/Affordable Housing – The City supports expanding local authority to establish and implement tools that will assist with increasing the supply of affordable housing units. The share of low- and middle-income renters with cost burdens is increasing in the city, as the median rent has reached a record high. Minimum- and average-wage workers cannot afford most available market-rate rental units. Although the rental stock is increasing, most new additions are not considered affordable to Richmond residents. At the same time, there are a plethora of blighted, derelict homes and buildings that sit vacant. Creating incentives around existing programs, like Low Income Housing Tax Credits (LIHTC) whereby credits are not given up front, but are held to incentivize new construction would be beneficial. **AA**

LAND USE

Land-Use Authority – The City opposes any attempt by the state to limit its local land use authority. This includes all types of residential land use including the authority to regulate housing density, housing types or use of the property for any purpose, including short-term rental. **KJ**

HUMAN SERVICES

STEP-VA New and Sustained funding – The City supports increased sustainable state funding to implement STEP-VA requirements as well as to support the planning and implementation of the Marcus Alert protocols. Virginia has made significant improvements in the quality and accountability of community services through legislative and administrative efforts. However, Virginia’s overall behavioral health system remains underfunded and patched together in well-meaning responses to crises with services that are not always sustainable or consistently funded. **AFL**

INFRASTRUCTURE

Combined Sewer Overflow (CSO) – The City opposes any attempt to accelerate the current statutory Richmond CSO project completion timeline ahead of 2035. The General Assembly has mandated, and the City of Richmond is resolute, that the City will substantially eliminate all combined sewer overflows into the James River by 2035, a goal estimated to cost upward of \$1.3 billion. With the \$50 million ARPA funds allotted to the City of Richmond during the 2021 General Assembly Special Session II, along with the \$50 million in local match, and \$100 million appropriated, yet unobligated by the 2022 General Assembly, the City’s DPU is working diligently toward meeting this goal. The City DPU is leaving no stone unturned to identify additional federal, state and local financial resources that can be accessed to complete the job of protecting the James River and Chesapeake Bay. The City’s ratepayers cannot do this alone and consistent funding in successive state budgets will be required for the city to complete this project by 2035 as mandated. The City has identified 10 Interim Plan projects to address the remaining 9% capture of combined sewer overflows and is in the process of developing its final plan which will be submitted to the Virginia DEQ by July 1, 2024.

Lead Service Line Replacement - The City has been working with the Virginia Department of Health Office of Drinking Water for the past three years to develop and institute a lead service line rebate program for homeowners. This program has awarded the City of Richmond a \$500,000 grant annually towards the replacement of lead service lines on homeowners’ property under the VDH-ODW Financial and Construction Assistance Programs. With a large number of lead service lines that need to be replaced, the City supports ongoing state funding for the lead service line replacement program. State assistance will enable the City to address this critical water quality and environmental justice issue.

VOTING & CIVIL RIGHTS

Ranked Choice Voting - The City supports expansion of ranked choice voting to include mayoral elections, as well as locally-elected school boards. "Ranked choice voting" is known as "instant runoff voting" when electing a single office and "single transferable vote" when electing multiple offices. The current Virginia statute allows an option for localities to adopt ranked choice voting for City Councils and County Boards of Supervisors only. The Commonwealth of Virginia statute expires July 1, 2031. The usage of ranked choice voting may hold some appeal for the City of Richmond. **KJ, AA, SL**

Automatic Restoration of Voting Rights Post Incarceration – The City supports amending the state constitution to provide for the automatic restoration of voting rights for convicted felons who have completed their sentence. Virginia is one of three states whose constitution otherwise permanently disenfranchises all citizens with past felony convictions, but grants the state’s governor the authority to restore voting rights. Virginia’s disenfranchisement provision dates to the nineteenth century, and advocates have worked for years, urging Virginia governors to exercise their executive authority to restore voting rights. In February 2022, a proposed constitutional amendment that would have provided for the automatic restoration of voting rights upon release from prison died in a subcommittee of the House Privileges and Elections Committee. The amendment, which passed the General Assembly in March 2021, had to be passed by the General Assembly again in 2022 in order to go before voters for approval. **ER, MJ, KJ**