

INTRODUCED: July 24, 2023

AN ORDINANCE No. 2023-239

To amend City Code § 12-15, concerning contracts for non-departmental appropriations, for the purpose of removing the requirement that the Greater Richmond Transit Company enter into grant contracts with the City in order to receive City funds.

Patron – Mrs. Robertson

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: SEPT 25 2023 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That section 12-15 of the Code of the City of Richmond (2020) be and is hereby **amended** and reordained as follows:

Sec. 12-15. Contracts for non-departmental appropriations.

(a) ~~[Each]~~ Except as otherwise provided in subsection (e) of this section, each non-City entity that receives money from the City as a result of an appropriation in any non-departmental budget of the City shall enter into a grant contract with the City prior to the disbursement of any monies by the City to such non-City entity pursuant to such appropriation, provided that the

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: SEP 25 2023 REJECTED: _____ STRICKEN: _____

provisions of this section shall not apply to line items in a non-departmental budget of the City that have one or more of the following characteristics:

- (1) The line item is an appropriation to or for expenditure by a City Agency.
 - (2) The line item is an appropriation to a non-City entity subject to the reporting requirements imposed by Section 2-773 other than the Greater Richmond Transit Company.
 - (3) The line item is an appropriation to satisfy an obligation under an existing contract or other instrument.
- (b) The grant contract shall contain:
- (1) Information sufficient to identify the City officer or employee responsible for monitoring the non-City entity's compliance with the contract;
 - (2) The scope of services to be provided by the non-City entity with the City money disbursed to the non-City entity;
 - (3) Specific performance measures sufficient to enable the City to determine whether the non-City entity actually has provided the services that the non-City entity is to provide with the City money disbursed to the non-City entity; and
 - (4) Provisions for the regular reporting to the City officer or employee responsible for monitoring the non-City entity's compliance with the contract sufficient to enable the City officer or employee to determine whether the non-City entity is meeting the specific performance measures set forth in the contract.

The Chief Administrative Officer is authorized to execute any grant contract pursuant to this section on the City's behalf, provided that the City Attorney or the designee thereof first has approved the form of the grant contract.

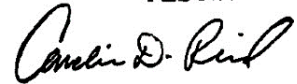
(c) It shall be unlawful for any City officer or employee to disburse or any non-City entity to receive any money as a result of an appropriation in any non-departmental budget of the City if the non-City entity and the City have not both signed such a grant contract.

(d) At least 30 days prior to the Mayor's submission of the Mayor's proposed annual budget, the Chief Administrative Officer shall furnish the City Council with a report detailing the performance of each non-City entity appropriated funds in the prior year as compared with the requirements of that non-City entity's grant contract.

(e) This section shall not apply to the Greater Richmond Transit Company.

§ 2. This ordinance shall be in force and effect upon adoption.

**A TRUE COPY:
TESTE:**

A handwritten signature in black ink, appearing to read "Carlin D. Reed".

City Clerk



Richmond City Council

The Voice of the People

Richmond, Virginia

Office of the Council Chief of Staff

Ordinance/Resolution Request

TO Laura Drewry, City Attorney

THROUGH LaTasha Holmes, Council Chief of Staff

FROM Steven Taylor, Council Policy Analyst

COPY Ellen Robertson, 6th District Council Member
Tavares Floyd, 6th District Council Liaison
Tabrica Rentz, Deputy City Attorney

DATE July 7, 2023

PAGE/s 1 of 2

TITLE Amending City Code Sec 12-13 to remove requirements that Greater Richmond Transit Co. (GRTC) enter into grant contracts with the City in order to received City funds.

This is a request for the drafting of an **Ordinance** ☒ **Resolution** ☐

REQUESTING COUNCIL MEMBER/PATRON

Council Member Robertson

SUGGESTED STANDING COMMITTEE

Land Use

ORDINANCE/RESOLUTION SUMMARY

Patron wishes to repeal requirements that GRTC enter grant contracts with the City in order to received City funds appropriated to it, as currently required by Section 12-13 of the City Code. See Ordinance 2018-237, which mandated these requirements.

BACKGROUND

In 2018 City Council established a requirement necessitating performance agreements/contracts with GRTC prior to its receipt of the funds budgeted for its use by the City as a mechanism to ensure that City funds are used appropriately. Since that time the composition of the GRTC Board of Directors and funding structure of GRTC has changed so the much of the funds provided by the City are now provided by the Central Virginia

Transportation Authority (CVTA) and the City's CAO and two Council members are members of the GRTC Board of Directors. The patron believes that the combined changes in Board structure and funding mean that the City's performance agreement requirements are no longer necessary and that they may be removed from the City Code.

FISCAL IMPACT STATEMENT

Fiscal Impact Yes ☐ No ☒

Budget Amendment Required Yes ☐ No ☒

Estimated Cost or Revenue Impact \$ N/A

Note: GRTC staff report that since CVTA provides half of the funds that were formally provided by the City.

Attachment/s Yes ☐ No ☒