

INTRODUCED: September 14, 2015

AN ORDINANCE No. 2015-192

As Amended

To amend and reordain ch. 2, art. VII of the City Code by adding therein a new div. 3, consisting of §§ [~~2-1341—2-1344~~] 2-1350—2-1353, for the purpose of requiring the maintenance of an internet location at which public information concerning certain projects is electronically published for public access.

Patron – Mr. Agelasto

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: SEPT 28 2015 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That Chapter 2, Article VII of the Code of the City of Richmond [~~(2004)~~] (2015) be and is hereby amended and reordained by **adding therein a new** Division 3, consisting of sections numbered [~~2-1341~~] 2-1350 through [~~2-1344~~] 2-1353 as follows:

DIVISION 3.

WEBPAGES FOR DEVELOPMENT AND CAPITAL IMPROVEMENT PROJECTS

Sec. [~~2-1341~~] 2-1350. Definitions.

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: JULY 25 2016 REJECTED: _____ STRICKEN: _____

For purposes of this division, the following words, terms and phrases shall have the meanings ascribed to them in this section, except where the context clearly indicates that a different meaning is intended:

“Active project” means a project that is funded fully or partially and is being developed and implemented.

“City expenditure” means a disbursement of City funds, a granting of an interest in or other right to use City-owned property, the provision by the City of a tax credit, rebate, or similar incentive, or the provision of any other City asset or in-kind service with monetary value.

“Pending project” means a project that is funded fully or partially and is in the scoping, design, or planning phases.

“Project” means any one or more of the following:

(1) A capital improvement project included in the City’s capital improvement program for which at least \$5,000,000 has been appropriated or for which the total planned appropriation over the course of the project is \$5,000,000 or more.

(2) A project to attract, retain or expand a business, or a group of affiliated businesses, within the boundaries of the city of Richmond for the purpose of job creation, job enhancement, or job retention that involves a significant contribution from the City.

(3) A project that results in the development or redevelopment of a specific geographic area within the boundaries of the city of Richmond that involves a significant contribution from the City and is not a project described in subsections (1) or (2) of this definition.

“Significant contribution” means one or more City expenditures reasonably attributable to any phase of a project, whether made directly to a business or to a political subdivision, that, when considered together, total \$3,000,000 or more.

Sec. ~~[2-1342]~~ 2-1351. General requirements.

The department of information technology shall maintain on the website of the City a webpage entitled “development and capital improvement projects.” The purpose of this webpage is to provide an internet location at which public information concerning projects is electronically published for public access. For each project, the webpage shall contain a hyperlink to a subsidiary page dedicated to that project. The department of information technology shall establish procedures whereby, as the department of information technology deems appropriate, either (i) the employee or employees with responsibility for managing a project or an aspect of a project submits the information required by section ~~[2-1343]~~ 2-1352 to the department of information technology on a regular basis and the department of information technology updates the subsidiary webpage for that project or (ii) the employee or employees with responsibility for managing a project or an aspect of a project update the subsidiary webpage for that project with the information required by section ~~[2-1343]~~ 2-1352 on a regular basis.

Sec. ~~[2-1343]~~ 2-1352. Project webpage requirements.

(a) The subsidiary webpage for each project required by section ~~[2-1342]~~ 2-1351 shall include, to the extent applicable to that project, either the following information or a hyperlink to the location of that information for that project:

- (1) A project summary.

(2) The value and source of all City expenditures and private funding for the project, itemized by each source.

(3) Information and documents authorizing, depicting or outlining details about the project, including, but not limited to, the following:

a. Pending or adopted ordinances or resolutions.

b. Written reports, studies, presentations, surveys, maps, drawings or other materials prepared for the Council, the City Planning Commission, or similar bodies; for submission to state or federal regulatory bodies; or for the use of the employee or employees with responsibility for managing a project or an aspect of a project.

c. Executed contracts with all contract documents, including contract modifications that make changes to, extend, or renew the contract.

d. [~~Drawings, maps, plans, and surveys~~] Project schedule.

(4) [~~On a quarterly basis, project~~] Project status updates on a quarterly basis for all active projects and as deemed appropriate for pending projects.

(5) The status of any permit application needed for the project.

(6) A list of City expenditures, in the same format as the City's payment register, with City expenditures that do not appear on the payment register due to the nature of the expenditure listed separately.

(7) A list of any future milestones that may be set forth in a contract to which the City is a party.

(8) [~~On a quarterly basis, details~~] Details concerning performance measures and benchmarking requirements, to the extent such measures or requirements are set forth

in a contract to which the City is a party, and status updates about the progress towards meeting such measures and requirements, updated on a quarterly basis for all active projects and as deemed appropriate for pending projects.

(9) Project contact information, such as a contact person name, address, telephone number, electronic mail address, or any other contact information deemed appropriate.

This subsection shall be liberally construed to encourage the inclusion on the subsidiary webpage of each project of all information that may be of interest to the public, whether or not such information is described in this subsection.

(b) Each subsidiary webpage for a project shall ~~[contain a feature that enables the posting of public comments relating to the project. The employees responsible for updating the subsidiary webpage shall monitor and, if necessary, remove posted comments in accordance with any lawful policies of the department of information technology concerning the management of comments posted on the City's website. The feature that enables the posting of public comments shall include a hyperlink to any policy or policies pursuant to which posted comments may be removed]~~ provide for a feature by which the public, City employees, and other users have the ability to provide feedback.

Sec. ~~[2-1344]~~ 2-1353. Exclusions.

No provision of section ~~[2-1343]~~ 2-1352 shall be construed to require the disclosure, through the subsidiary webpage for a project or otherwise, of any information or record (i) of which applicable law prohibits the disclosure, (ii) that may be withheld from disclosure pursuant to applicable law, or (iii) of which no officer, employee or agency of the City is the custodian.

§ 2. This ordinance shall be in force and effect on ~~[January]~~ ~~[July]~~ October 1, 2016.



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 All
Council Chief of Staff *V. Jones for Lou Brown All*

FROM Meghan Brown, Council Budget Analyst *MKB*

COPY Mr. Parker C. Agelasto, 5th District Council Member
Haskell Brown, Deputy City Attorney
Vincent Jones, Deputy Council Chief of Staff
Ida I. Jones, 5th District Liaison

DATE July 17, 2015

PAGE/s 1 of 3

TITLE **Webpage for Development and Capital Improvement Projects**

RECEIVED
JUL 17 2015
OFFICE OF CITY ATTORNEY

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

REQUESTING COUNCILMEMBER/PATRON

Councilman Agelasto

SUGGESTED STANDING COMMITTEE

Government Operations

ORDINANCE/RESOLUTION SUMMARY

The patron requests an ordinance to create a policy to maintain a webpage on the City's website that will be dedicated as a centralized location to post or upload information for Development and Capital Improvement projects.

BACKGROUND

Development projects brought before City Council for consideration, with information pertaining to the projects gets disseminated sometimes over the course of several months. The public and business community want to have a simple, direct way to easily and consistently learn about major projects. The patron believes that creating a centralized location where all the information and documents can be posted will serve as a valuable source and interactive tool that will showcase the information. There is significant interest in expanding the information available through the internet and making information publicly available which can be achieved through the creation of a web-based inventory of significant projects. The centralized location will also provide anyone wishing to know the details of a project the ability to find everything in one spot. Project information is not always available on the Budget, Procurement or Economic and Community Development Departments websites or it is but the information is limited and not in a centralized location easy for residents or interested parties to find. The Department of Information Technology shall create a simple official "one-stop" centralized location for up-to-date information about City projects.

For each qualifying project, based on the following criteria, shall include, but not limited to, the following information:

The initial page should include:

- (i) a project summary;
- (ii) a summary of the all the financing for the project broken out by source of funding (public and/or private).

The page shall also include:

- (i) a section where all posted or uploaded information can be viewed for the project. The information and documents shall be posted to the website in a timely manner or once made available to the City Council. Initial drafts, any amendments or changes and finalized copies of all information and documents are to be posted to the site;
- (ii) a section that will provide project status updates and future milestones. The section shall also include information regarding:
 - a. the status of permits;
 - b. procurement opportunities and status related to the project, including finalized contracts, any change orders or contract renewals; and
 - c. a listing of City expenditures in the same format as the City's payment register. City expenditures, as defined below, that do not appear on the payment register due to the nature of the expenditure shall be listed separately;
- (iii) a section that will provide tracking of the established performance measures and benchmarking requirements; and
- (iv) a section where questions and comments can be submitted and all the project specific questions, answers, and comments should be available for viewing at all times. Questions shall be answered in a timely manner and project status shall be updated monthly until the project is complete.

Qualifying Criteria

Development Projects shall mean:

- Economic Development Projects shall be a project to attract, retain, or expand a business or a group of affiliated business, within the boundaries of the City of Richmond for the purpose of job creation, job enhancement, or job retention that involves a significant contribution from the City.
- Redevelopment and development projects that result in the development or redevelopment of a specific geographic area within the boundaries of the City of Richmond that involves a significant contribution from the City and is not an economic development project.
- Capital Improvement Projects within the City's Capital Improvement Plan where the total estimated project cost is \$5,000,000 or more. If the total estimated project cost is "Ongoing" then upon total appropriations reaching a minimum of \$5,000,000.

Clause: Any other projects that do not fall within the established criteria, Council shall have the authority to require any such project to be posted to the site. Such projects once authorized by Council shall follow all other guidelines and requirements as established.

Definitions

Significant contribution means one or more City expenditures reasonably attributable to an economic development project or a redevelopment and development project, whether made directly to a business or to a political subdivision, that, when considered together, total \$3,000,000 or more. Significant contributions shall include all phases (current & future) and stages of a project.

City expenditure means a disbursement of City funds, a granting of an interest in or other right to use City-owned property, or the provision of any other City asset or in-kind service, tax benefits/abatements, or other incentives, with monetary value. City expenditure shall include expenditures for all phases (current & future) and stages of a project.

The type of information that is to be posted or upload to the webpage shall include, but not limited to, ordinances, resolutions, presentations, handouts, charts/graphs, pamphlets, impact statements, maps, design plans, agreements of any kind, leases, studies, reports, surveys, photos, etc.

FISCAL IMPACT STATEMENT

Fiscal Impact Yes No

Budget Amendment Required Yes No

Fiscal Summary: The actual potential fiscal impact is unknown at this time. There could potentially be some cost and/or may require some significant staff time and resources to create and maintain the site.

Attachment/s Yes No

Richmond City Council Ordinance/Resolution Request Form/updated 10.5.2012 /ss