

MOTION

To amend Ordinance No. 2015-192 as follows:

Page 1, Line 5

After the symbols for the word “sections”, strike the section numbers “2-1341—2-1344”, and insert the section numbers “2-1350—2-1353”

Page 1, Line 13

After the word “Richmond”, strike the parenthetical year “(2004)” and insert the parenthetical year “(2015)”

Page 1, Line 15

After the word “numbered”, strike the section number “2-1341”, and insert the section number “2-1350”

After the word “through”, strike the section number “2-1344”, and insert the section number “2-1353”

Page 1, Line 18

After the period following the abbreviation for the word “Section”, strike the section number “2-1341”, and insert the section number “2-1350”

Page 2, Line 4

At the beginning of the line, insert the text “‘Active project’ means a project that is funded fully or partially and is being developed and implemented.”

Page 2, Line 9

At the beginning of the line, insert the text “‘Pending project’ means a project that is funded fully or partially and is in the scoping, design, or planning phases.”

Page 3, Line 4

After the period following the abbreviation for the word “Section”, strike the section number “2-1342”, and insert the section number “2-1351”

Page 3, Line 12

After the word “section”, strike the section number “2-1343”, and insert the section number “2-1352”

Page 3, Line 16

After the word “section”, strike the section number “2-1343”, and insert the section number “2-1352”

Page 3, Line 18

After the period following the abbreviation for the word “Section”, strike the section number “2-1343”, and insert the section number “2-1352”

Page 3, Line 19

After the word “section”, strike the section number “2-1342”, and insert the section number “2-1351”

Page 4, Line 6

After the comma following the word “presentations”, insert a coma followed by the text “surveys, maps, drawings”

Page 4, Line 13

After the period following the subdivision “d”, strike the text “Drawings, maps, plans, and surveys”, and insert the words “Project schedule”

Page 4, Line 14

After the parenthetical number “(4)”, strike the text “On a quarterly basis, project”, and insert the word “Project”

After the word “updates”, insert the phrase “on a quarterly basis for all active projects and as deemed appropriate for pending projects”

Page 4, Line 22

After the parenthetical number “(8)”, strike the text “On a quarterly basis, details”, and insert the word “Details”

Page 5, Line 2

After the word “requirements”, insert a comma followed by the text “updated on a quarterly basis for all active projects and as deemed appropriate for pending projects”

Page 5, Line 4

At the beginning of the line, insert the text “(9) Project contact information, such as a contact person name, address, telephone number, electronic mail address, or any other contact information deemed appropriate.”

Page 5, Line 10

After the word “shall”, strike the text “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”, and insert the text “provide for a feature by which the public, City employees, and other users have the ability to provide feedback”

Page 5, Line 18

After the period following the abbreviation for the word “Section”, strike the section number “2-1344”, and insert the section number “2-1353”

Page 5, Line 19

After the word “section”, strike the section number “2-1343”, and insert the section number “2-1352”

Page 5, Line 23

After the word “on”, strike the month “January”, and insert the month “July”

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:

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: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ 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 1, 2016.