



# City of Richmond

## Formal Meeting Minutes

900 East Broad Street  
Richmond, VA 23219  
www.richmondgov.com/cityclerk

Monday, March 26, 2018

6:00 PM

Council Chamber, 2nd Floor - City Hall

Richmond City Council met in the Council Chamber on Monday, March 26, 2018, at 6:05 p.m.

Invocation was offered by Reverend Ruth B. Crowell, Tenth Street Baptist Church, 2300 Fairmount Avenue, Richmond, VA.

Members of Council and the audience recited the Pledge of Allegiance.

### **Councilmembers Present**

The Honorable Chris Hilbert, President  
The Honorable Cynthia Newbille, Vice President  
The Honorable Andreas Addison  
The Honorable Parker Agelasto  
The Honorable Kim Gray  
The Honorable Michael Jones  
The Honorable Kristen Larson  
The Honorable Ellen Robertson  
The Honorable Reva Trammell

### **CHAMBER EMERGENCY EVACUATION PLAN AND CITIZEN SPEAKER GUIDELINES**

President Chris Hilbert called the meeting to order and presided. Upon the President's request, Interim Deputy City Clerk Lisa Braxton provided information on the appropriate manner in which the Council Chamber is to be evacuated in the event of an emergency along with citizen speaker guidelines.

### **APPOINTMENTS AND REAPPOINTMENTS**

**Councilwoman Reva Trammell moved that the following reappointment recommendation be approved:**

<b><u>Board Name</u></b>	<b><u>Criteria for Appointment</u></b>	<b><u>Applicant Name</u></b>	<b><u>Terms</u></b>
Board of Directors of the <b>Economic Development Authority</b> (7 directors)	Resident of the city who is a member of the Virginia State Bar	Anupama Agarwal (reappointment)	03/26/2018 – 03/22/2022

**The motion was seconded and unanimously approved.**

*A copy of the information provided has been filed.*

### **AWARDS AND PRESENTATIONS**

Councilor Kim Gray, along with all members of Council, recognized Dick Harmon on the occasion of his 30<sup>th</sup> anniversary serving as the host announcer for WCVE-TV Public Broadcasting Service's (PBS) live television and web streaming broadcast of Richmond City Council Formal meetings. Mr. Harmon accepted the recognition and expressed thanks to City Council for the award.

## CITIZEN COMMENT

**Joe Nelson** addressed Council regarding the benefits and potential tax revenue for short-term home rentals. Mr. Nelson indicated that the fees associated with short-term rental permits and the application process discourage citizens from applying.

*A copy of the information provided has been filed.*

*Councilor Kim Gray advised Mr. Nelson that she anticipated legislation will be introduced within the near future to address Airbnb and other short-term rentals in the city.*

**Jeanie Rule, board member of the Carytown Merchant Association**, addressed Council regarding the importance for Council to continue its financial support of Carytown and asked that consideration be given to increasing the current funding amount.

## AGENDA REVIEW AND AMENDMENTS

**Councilor Michael Jones moved to amend the agenda as follows:**

### ORD. 2017-236

To amend ch. 12, art. I of the City Code by adding therein a new § 12-11.01 for the purpose of requiring the Chief Administrative Officer to cause to be developed a ten-year citywide infrastructure maintenance plan for the purpose of identifying, funding, and completing City infrastructure maintenance projects.

Patrons: Ms. Robertson

**To be continued to Tuesday, May 29, 2018**

### ORD. 2018-030

To amend ch. 12, art. I of the City Code by adding therein new §§ 12-18 and 12-19, concerning the preparation of strategic action plans by each City department, agency, and office, for the purpose of aligning the service delivery goals of each City department, agency, and office with the City's overall strategic plan.

**To be continued to Monday, April 23, 2018**

### ORD. 2018-100

To amend City Code § 12-16, concerning the provisions of monthly financial synopses to the Council, and City Code § 12-32, concerning the disposition of funds from sale of real estate and certain insurance proceeds, for the purpose of revising the basis for calculating receipts to be credited to a special reserve assigned to support public schools in the city and requiring that monthly financial synopses provided to the City Council include activities with regard both to such special reserve and to another special reserve assigned to support the educational curriculum and programming of public schools in the city.

**To be amended and continued to Monday, April 9, 2018**

### ORD. 2018-101

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a First Amendment to Stone Brewery Cooperation Agreement, as Amended, dated March 2, 2015, between the City of Richmond and the Economic Development Authority of the City of Richmond for the purpose of revising the definition of "Phase 2 Facility" to allow for the demolition of an existing structure and construction of a new building.

**To be continued to Monday, April 23, 2018**

RES. 2017-R079

To amend the Rules of Procedure adopted by Res. No. 2017-R001, adopted Jan. 3, 2017, as previously amended by Res. No. 2017-R013, adopted Mar. 27, 2017, Res. No. 2017-R017, adopted Mar. 27, 2017, and Res. No. 2017-R032, adopted Jun. 26, 2017, for the purpose of requiring a formal City Council meeting to be held on the fourth Monday of the month of October.

**To be continued to Monday, May 14, 2018**

RES. 2017-R086

To request that the Chief Administrative Officer establish and implement a policy and methodology to require that any residential development agreement to which the City is a party or involving City financial incentives mandate that a minimum percentage of the new residential development's total units be designated as affordable housing.

**To be continued to Monday, April 23, 2018**

RES. 2017-R089

To request that the Mayor petition the Virginia Department of Transportation to provide businesses in certain areas affected by the construction of the Broad Street Bus Rapid Transit project with financial assistance to compensate for declining customer traffic and sales due to extended construction activities and impediments resulting from the construction of the Broad Street Bus Rapid Transit project.

**To be continued to Monday, April 23, 2018**

RES. 2017-R092

To establish a policy of the Council that the Council will appoint a current City retiree to the Board of Trustees of the Richmond Retirement System to fill one of the three appointments not required to be a member of the classified service.

**To be continued to Monday, May 14, 2018**

RES. 2018-R018

To request that the Chief Administrative Officer cause to be prepared and submitted to the Council a monthly report that provides certain data relevant to electronic citizen requests for services for the purpose of monitoring City responsiveness.

**To be continued to Tuesday, May 29, 2018**

RES. 2018-R019

To request that the Chief Administrative Officer cause to be developed a policy and methodology to implement performance budgeting for all departments, boards, commissions, and agencies of the City for the purpose of using performance indicator data to allocate resources.

**To be continued to Tuesday, May 29, 2018**

RES. 2018-R024

To declare a public necessity to amend the zoning ordinance and to initiate an amendment to the City's zoning ordinance to make such changes as may be necessary to reduce or eliminate requirements concerning the minimum number of off-street parking spaces for business zoning districts within the city of Richmond.

**To be continued to Monday, April 23, 2018**

ORD. 2018-031

To amend ch. 12, art. II of the City Code by adding therein a new § 12-37, concerning the disposition of cigarette tax proceeds, and to amend Chapter 26 of the City Code by adding therein a new art. XVIII, consisting of sections numbered 26-1277 through 26-1288, concerning the levy of a cigarette tax, for the purpose of imposing a new tax on the sale of cigarettes with the intent of making additional funds available for the renovation and replacement of public school facilities in the city.

**To be amended and continued to Monday, April 23, 2018**

**The motion was seconded and unanimously approved.**

**CONSENT AGENDA**

**The following ordinances and resolutions were considered:**

ORD. 2018-045

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to accept a donation of professional services and associated tools valued at approximately \$50,000.00 from Integral Group, LLC, and in connection therewith to execute a Contract for Donated Goods and Services between the City and Integral Group, LLC for the purpose of providing a citywide energy and climate action plan.

ORD. 2018-046

To conditionally rezone the property known as 1125 Commerce Road from the M-2 Heavy Industrial District to the B-6 Mixed-Use Business District (Conditional), upon certain proffered conditions.

ORD. 2018-047

To rezone the properties known as 200, 214, 220, 320 and 400 Hull Street, 15 East 2nd Street, 13 and 39 East 3rd Street, and 409 Decatur Street from the B-5(C) Central Business District (Conditional) to the B-4 Central Business District, and to rezone 501, 509 and 511 Decatur Street from the B-7 Mixed-Use Business District to the B-4 Central Business District.

ORD. 2018-048

To amend the official zoning map for the purpose of rezoning certain properties along Hull Street between Cowardin Avenue and East 9th Street to conform zoning regulations to the future land use recommended in the Downtown Plan.

ORD. 2018-049

To amend and reordain City Code §§ 30-442.1, 30-442.5:1, and 30-442.7, concerning permitted principal uses in the B-5 Central Business District, for the purpose of adding new permitted principal uses, as well as the priority street designation.

ORD. 2018-050

To authorize the special use of the property known as 101 North 29<sup>th</sup> Street for the purpose of a single-family attached dwelling with a carriage house, upon certain terms and conditions.

ORD. 2018-051

To authorize the special use of the properties known as 1911 and 1915 Grove Avenue for the purpose of a day nursery within a church, upon certain terms and conditions.

ORD. 2018-052

To amend and reordain Ord. No. 76-301-266, adopted Nov. 22, 1976, as previously amended by Ord. No. 87-265-259, adopted Dec. 21, 1987, and Ord. No. 92-81-221, adopted Jun. 23, 1992, granting authorization for a special use of the property containing 7.564 acres located at the southwest corner of the intersection of Jahnke Road and Blakemore Road, to authorize the use of a portion of the existing shopping center as a restaurant with accessory entertainment and nightclub uses, under certain terms and conditions.

ORD. 2018-053

To amend City Code § 29-189, concerning fares for mass transit services, for the purpose of authorizing the appointment of fare enforcement inspectors by certain transit companies and establishing fines for patrons failing to produce proof of payment of fares pursuant to Va. Code § 18.2-160.3.

ORD. 2018-054

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to accept a donation of services and materials in the form of site construction, hardscape, and landscaping improvements and future maintenance thereof in connection with the installation of the Emancipation Proclamation and Freedom Monument on City-owned real estate identified as Brown's Island valued at approximately \$103,800.00 from Venture Richmond, Inc.

ORD. 2018-055

To grant to the Commonwealth of Virginia a non-exclusive, permanent easement over and across an approximately 20,053.61-square-foot portion of City-owned real estate located on Brown's Island for the purposes of installing, accessing, and maintaining the Virginia Emancipation Proclamation and Freedom Monument.

ORD. 2018-056

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Fourth Amendment to Controlled Public Access Lease Agreement between the City of Richmond and Venture Richmond, Inc. for the purpose of excluding from the "Demised Premises" certain real property.

ORD. 2018-098

To authorize the Chief Administrative Officer to accept grant funds in the amount of \$50,000.00 from the Virginia Department of Emergency Management, and to appropriate the increase to the Fiscal Year 2017-2018 Special Fund Budget by increasing estimated revenues and the amount appropriated to the Department of Fire and Emergency Services by \$50,000.00 for the purpose of providing first responder training and supplies in order to administer critical care in the event of an active threat attack.

ORD. 2018-099

To authorize the Chief Administrative Officer to accept funds in the amount of \$6,500.00 from the Virginia Department of Criminal Justice Services and to appropriate the increase to the Fiscal Year 2017-2018 Special Fund Budget by increasing estimated revenues and the amount appropriated to the Department of Police's Department of Criminal Justice Services special fund by \$6,500.00 for the purpose of funding police officer safety and wellness training initiatives.

ORD. 2018-102

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Standard Project Administration Agreement between the City of Richmond and the Virginia Department of Transportation to provide funding for the rehabilitation of the Mayo Bridge.

ORD. 2018-103

To designate the portion of County Road located between its intersection with North 23rd Street and its intersection with North 24th Street in honor of Willie M. Andrews.

ORD. 2018-104

To designate the 1500 block of Williamsburg Road in honor of Mary Lou Decossaux.

ORD. 2018-105

To designate the portion of Williamsburg Avenue located between its intersection with Goddin Street and its intersection with Williamsburg Road in honor of Spencer E. Jones, III.

ORD. 2018-106

To designate the portion of Stony Run Road located between its intersection with Williamsburg Avenue and its intersection with Government Road in honor of Carl H. Otto.

ORD. 2018-107

To designate the 700 block of Goddin Street in honor of Earl A. Robinson.

ORD. 2018-108

To designate the portion of N Street located between its intersection with North 30th Street and its intersection with North 31st Street in honor of Percy and Angie Strickland.

ORD. 2018-109

To designate the 1100 block of North 22nd Street in honor of Mary W. Thompson.

RES. 2018-R021

To express the Council's opposition to any extension of the term of a certain Agreement dated February 14, 2013, between the Economic Development Authority of the City of Richmond, Virginia, and Pro-Football, Inc., which owns and operates a National Football League franchise known as the Washington Redskins, beyond its current expiration date of December 31, 2020, unless certain terms and conditions are met.

RES. 2018-R022

To name Trafford Road located between its intersection with Blanton Avenue and its intersection with Swan Lake Drive as "Police Memorial Way."

RES. 2018-R025

To request that the Chief Administrative Officer cause to be developed and implemented regulations requiring that temporary sidewalks be provided within the city of Richmond whenever a sidewalk is closed due to construction or demolition and propose such lawful changes to the City Code and to Appendix A of the City Code as may be necessary to implement fully such proposed regulations and to establish a new permit fee structure for encroachments or work in streets, sidewalks, and public ways.

Support

**Penn Burke, grandson of slain Richmond Police Officer J. Harvey Burke**, expressed support of **RES. 2018-R022** and recalled the support the Richmond Police Department provided to his family following the death of his grandfather in the line of duty. Mr. Burke stated that he and his late father were heavily involved in the police memorial statue and he urged Council for its support.

**Richmond Police Chief Alfred Durham** expressed support of **RES. 2018-R022** and provided a historical overview of the number of Richmond police officers slain in the line of duty. Chief Durham remarked that renaming Trafford Road would be a means to honor those slain officers and their families.

**Glenwood Burley, chair of the Police Memorial Research and Relocation Site Committee**, expressed support of **RES. 2018-R022** stating that a unanimous vote on the proposed legislation would be a symbol of Council's appreciation for law enforcement officers, living or deceased, throughout the region.

*A copy of the information provided has been filed.*

There were no further comments or discussions and **the Consent Agenda was unanimously adopted.**

## REGULAR AGENDA

There were no Regular Agenda items for consideration.

## MOTIONS

**Councilor Kristen Larson moved that the ordinance entitled:**

### ORD. 2018-100

To amend City Code § 12-16, concerning the provisions of monthly financial synopses to the Council, and City Code § 12-32, concerning the disposition of funds from sale of real estate and certain insurance proceeds, for the purpose of revising the basis for calculating receipts to be credited to a special reserve assigned to support public schools in the city and requiring that monthly financial synopses provided to the City Council include activities with regard both to such special reserve and to another special reserve assigned to support the educational curriculum and programming of public schools in the city.

**be amended and continued to Monday, April 9, 2018, as follows:**

Page 3, Line 4

After the word "special", strike the word "reserves" and insert the word "reserve"

After the word "Section", strike the section number "12-32(b)" and insert the section number "12-32(b)(1)"

Page 3, Line 6

After the period following the subsection letter "a", strike the text "For the special reserve established by Section 12-32(b)(1)" and the following colon

Page 3, Line 7

At the beginning of the line, strike the numeral "1" and the following period

After the word "receipts", insert the text "from meals taxes"

After the word "reserve", strike the text "and the source of each of such receipts", and insert the text "pursuant to Section 12-37"

Page 3, Line 9

At the beginning of the line, strike the numeral "2" and the following period and insert the subsection letter "b" followed by a period

Page 3, Line 11

At the beginning of the line, strike the numeral "3" and the following period and insert the subsection letter "c" followed by a period

Page 3, Line 13

At the beginning of the line, strike the numeral "4" and the following period and insert the subsection letter "d" followed by a period

Page 3, Line 15

At the beginning of the line, strike the numeral “5” and the following period and insert the subsection letter “e” followed by a period

Page 3, Line 16

At the beginning of the line, strike the subsection letter “b”, the following period, and the following text “For the special reserve established by Section 12-32(b)(3):

1. All receipts credited to the special reserve and the source of each of such receipts.
2. All appropriations made from the special reserve and the purpose of each such appropriation.
3. All expenditures made pursuant to such appropriations and the purpose of each such expenditure.
4. The unencumbered and unexpended balance of such appropriations.
5. The unappropriated balance in the special reserve.”

**The motion was seconded and unanimously approved.**

**Councilor Parker Agelasto moved that the ordinance entitled:**

ORD. 2018-031

To amend ch. 12, art. II of the City Code by adding therein a new § 12-37, concerning the disposition of cigarette tax proceeds, and to amend Chapter 26 of the City Code by adding therein a new art. XVIII, consisting of sections numbered 26-1277 through 26-1288, concerning the levy of a cigarette tax, for the purpose of imposing a new tax on the sale of cigarettes with the intent of making additional funds available for the renovation and replacement of public school facilities in the city.

**be amended and continued to Monday, April 23, 2018, as follows:**

Page 1, Line 4

After the section symbol, strike the section number “12-37” and insert the section number “12-38”

Page 1, Line 8

After the words “for the”, strike the words “renovation and replacement” and insert the words “capital maintenance, repair, and improvements”

Page 1, Line 9

After the word “public” strike the words “school facilities” and insert the word “schools”

Page 1, Line 16

After the words “numbered section”, strike the section number “12-37” and insert the section number “12-38”

Page 1, Line 18

After the abbreviation “Sec.”, strike the section number “12-37” and insert the section number “12-38”

Page 1, Line 20

After the words “collected to”, strike the article “the” and insert the article “a”

Page 2, Line 1

At the beginning of the line, strike the word “support” and insert the text “provide for the capital maintenance, repair, and improvements of”



Page 2, Line 2

After the word “city”, strike the text “established by subsection (b)(1) of section 12-32. Amounts credited to this reserve may be disposed of as provided in subsection (b)(1) of section 12-32”

Page 2, Line 3

After the period following the stricken section number “12-32”, add the sentence “The City Council may appropriate funds from this reserve for maintenance, repair, and improvements of public schools titled in the City’s name that is properly classified as capital maintenance, repair, and improvements under the generally accepted accounting principles applicable to the City.”

Page 5, Line 12

After the word “person”, strike the comma, the text “less eight percent of the denominational or face amount thereof”, and the following comma

Page 5, Line 18

After the word “thereof”, strike the comma and the text “less ten percent of the denominational or face amount of such imprints of such machine not so used”

**The motion was seconded and unanimously approved.**

**Councilor Kristen Larson moved to expedite consideration of the following resolution, which was seconded and unanimously approved.**

RES. 2018-R026

To amend Res. No. 2018-R011, adopted Feb. 12, 2018, which approved an expenditure in the amount of \$3,000.00 from the Council District Funds for the Fourth District to pay Printersmark, Inc., for the printing and mailing of the Fourth District Winter 2018 Newsletter, to modify the amount of the authorized expenditure to \$3,029.49.

*Councilor Larson asked Council for its support of the proposed legislation.*

There were no further comments or discussions and **RES. 2018-R026 was unanimously adopted.**

**Councilor Andreas Addison moved to expedite consideration of the following resolution, which was seconded and unanimously approved.**

RES. 2018-R027

To appoint Candice D. Reid to serve as City Clerk.

**Support**

**Alicia Dennis** spoke in support of RES. 2018-R027 stating that Ms. Reid was deserving of the position, and she recalled an incident where Ms. Reid provided extraordinary and professional customer service.

*Members of Council congratulated Ms. Reid on her appointment and expressed their appreciation for her professionalism and leadership.*

*Ms. Reid thanked Council, her staff and her family for their support.*

There were no further comments or discussions and **RES. 2018-R027 was unanimously adopted.**

## APPROVAL OF MINUTES OF PREVIOUS MEETINGS

**Councilor Kim Gray moved to approve the following Richmond City Council meeting minutes:** RVA Education Compact Quarterly Joint Meeting held on Monday, December 11, 2017, at 9:00 a.m., Formal Council Session held on Monday, February 12, 2018, at 6:00 p.m., Formal Council Session held on Monday, February 26, 2018, at 6:00 p.m., Special Council Meeting held on Tuesday, March 6, 2018, at 3:00 p.m., Informal Council Session held on Monday, March 12, 2018, at 4:00 p.m., and the Formal Council Session held on Monday, March 12, 2018, at 6:00 p.m.

**The motion was seconded and unanimously approved.**

## REPORTS OR ANNOUNCEMENTS BY MEMBERS OF THE COUNCIL

Reports and announcements regarding respective district meetings and activities were provided by the following council members: Councilors Robertson, Jones, Addison, Larson, Gray, Agelasto, Councilwoman Trammell, Vice President Newbille and President Hilbert.

## INTRODUCTION OF ORDINANCES AND RESOLUTIONS

**City Council will hold a public hearing on the following ordinance and resolution on Monday, April 9, 2018, at 6:00 p.m.:**

ORD. 2018-112

To amend and reordain City Code § 9-58, which assigns polling places in the city, to relocate and establish a new polling place for Precinct 413.

*Patron: Ms. Larson*

**This ordinance was introduced and committee referral waived pursuant to Rule VI(B)(2).**

RES. 2018-R028

To approve an expenditure in the amount of \$500.00 from the Council District Funds for the Seventh District to pay Ladies Who Lead, LLC, for the digital dissemination of Seventh District announcements and information through certain social media outlets from December 31, 2017, through March 1, 2018.

*Patron: Vice President Newbille*

**This resolution was introduced and committee referral waived pursuant to Rule VI(B)(3)(b).**

**City Council will hold a public hearing on the following ordinances and resolution on Monday, April 23, 2018, at 6:00 p.m.:**

ORD. 2018-113

To rezone the property known as 1 East Cary Street from the B-3 General Business District to the B-5 Central Business District.

*Patron: Mayor Stoney (By Request)*

**This ordinance was introduced and referred to the Planning Commission meeting on Monday, April 16, 2018, at 1:30 p.m.**

ORD. 2018-114

To authorize the special use of the properties known as 1303 and 1305 North 29th Street for the purpose of no more than two single-family detached dwellings, upon certain terms and conditions.

*Patron: Mayor Stoney (By Request)*

**This ordinance was introduced and referred to the Planning Commission meeting on Monday, April 16, 2018, at 1:30 p.m.**

ORD. 2018-115

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Right of Way Agreement between the City of Richmond and the Virginia Department of Transportation to allow temporary access to certain portions of Little John Park located at 1401 Little John Road in the city of Richmond for the purpose of constructing improvements to State Highway Route 95 east of its intersection with Hermitage Road.

*Patron: Mayor Stoney*

**This ordinance was introduced and referred to the Land Use, Housing and Transportation Standing Committee meeting on Tuesday, April 17, 2018, at 1:00 p.m.**

RES. 2018-R029

To request that the Mayor secure from the Greater Richmond Transit Co., Inc. certain City-contributed funds projected to be unexpended for the operating costs of the Broad Street Bus Rapid Transit project and introduce an ordinance to amend the Fiscal Year 2017-2018 General Fund Budget to establish, to the extent and in a manner permitted by law, financial and non-financial assistance programs for businesses in certain areas adversely affected by the construction of the Broad Street Bus Rapid Transit project.

*Patron: Ms. Gray*

**This resolution was introduced and referred to the Finance and Economic Development Standing Committee meeting on Thursday, April 19, 2018, at 5:00 p.m.**

**ADJOURNMENT**

There being no further business before the Council, the meeting adjourned at 7:25 p.m.

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CITY CLERK