

INTRODUCED: September 10, 2018

AN ORDINANCE No. 2018-237

To amend City Code § 12-13, concerning contracts for non-departmental appropriations, for the purpose of requiring the Greater Richmond Transit Co. to enter into grant contracts with the City prior to the disbursement of any monies appropriated thereto.

Patron – Ms. Robertson

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: SEPT 24 2018 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That section 12-13 of the Code of the City of Richmond (2015) be and is hereby **amended** and reordained as follows:

Sec. 12-13. Contracts for non-departmental appropriations.

(a) 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 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:

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: SEPT 24 2018 REJECTED: _____ STRICKEN: _____

- (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 2-761 other than the Greater Richmond Transit Co.
 - (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.

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



Richmond City Council

The Voice of the People

Richmond, Virginia

Office of the Council Chief of Staff

Ordinance/Resolution Request **RECEIVED**

TO Allen Jackson, Richmond City Attorney
Richmond Office of the City Attorney

AUG 17 2018

THROUGH Lou Brown Ali *LB*
Council Chief of Staff

OFFICE OF CITY ATTORNEY

FROM William E. Echelberger, Jr, Council Budget Analyst *WEE*

COPY Ellen F. Robertson, 6th District Representative
Haskell Brown, Deputy City Attorney
Meghan K. Brown, Deputy Council Chief of Staff *MCB*
Kiya A. Stokes, 6th District Liaison

DATE August 17, 2018

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TITLE Grant Contract between the City of Richmond and the Greater Richmond Transit Company (GRTC)

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

REQUESTING COUNCILMEMBER/PATRON

Ellen F. Robertson, 6th District Representative

SUGGESTED STANDING COMMITTEE

Finance and Economic Development

ORDINANCE/RESOLUTION SUMMARY

The Patron requests an ordinance amend §12-13 and §2-761 of the Richmond City Code to require a grant contract between the City of Richmond and the Greater Richmond Transit Company (GRTC) prior to the disbursement of any monies to GRTC by the City.

BACKGROUND

Summary:

- City Code §12-13 sets out the requirements for grant agreements applicable to certain entities receiving non-departmental appropriations.
- City Code §2-761 requires each board or commission to make reports to a Council Standing Committee, as designated by resolution.
- The City Attorney has indicated that the current City Code provisions do not allow for an annual grant contract between the City of Richmond and the Greater Richmond Transit Company (GRTC).
- The City of Richmond and the GRTC have worked to develop draft agreements that which would accompany both the annual city operating contribution and the annual capital contribution.

- The patron believes that an annual grant contract between the City of Richmond and the Greater Richmond Transit Company (GRTC) will provide needed clarity and accountability, give a way of making clear decisions about the use of funds and cost of service, and provide guidance to Board members, Council, and City Administration on annual public transportation strategy.

FISCAL IMPACT STATEMENT

Fiscal Impact Yes No

Budget Amendment Required Yes No

Estimated Cost or Revenue Impact

There is no revenue or budget impact. The appropriation for GRTC is included in the FY19 Non-Departmental budget.

Attachment/s Yes No