



2020 Richmond LEGISLATIVE PROPOSALS

FOR THE 2020

VIRGINIA GENERAL ASSEMBLY LEGISLATIVE SESSION

Draft updated as of

September 23, 2019

Attached is the first draft of your Legislative Agenda for the 2020 Session of the Virginia General Assembly. As in years past, the agenda has been put together from Council's previous actions, new items from Council, and input from the various City departments and the Administration.

We have split the package into two sections. The first section is Legislative Requests. In some cases, these are requests made by the Council in preceding sessions, and in other cases, they are new items. The second section is Position Statements. Again, some are long-standing positions of City Council and others are new items. The position statements are reflective of the City Council and the Mayor's focus areas:

- Thriving and Healthy Futures for Children, Adults & Families / Public Education
- Safe Neighborhoods / Public Safety
- 21st Century Richmond: Planned Growth, Economic Progress, and Affordable Housing and Strong Futures for Children, Adults, and Families / Expanded Economic Opportunity
- Sustainable Infrastructure Investment / Efficient & High Quality Service Delivery

Every item identified thus far, with the exception of those which Council has previously directed to be dropped from the list, are been included. With this in mind, please find the Council, Mayor and Administration's priorities for the 2020 Virginia General Assembly.

Advantus Strategies

Legislative Requests

Funding

Public Education Funding – Provide full funding for the true costs of public education in the Commonwealth of Virginia. Immediate goals should be increasing funding for the “at-risk” add on, removal of the funding caps for support staff enacted during the Great Recession and providing sufficient general funds for direct aid programs so that 100 percent of the lottery proceeds can be returned directly to local schools for discretionary use.

Payment in Lieu of Taxes (PiLoT) - Provide full funding for the PiLoT in the City of Richmond.

Taxation

Land Value Taxation - Authorize the City of Richmond to implement a land value tax, as is permitted in the Cities of Fairfax, Poquoson, and Roanoke by State Code §58.1-3221.1. “Classification of land and improvements for tax purposes.”

Regional Transportation – Develop a tax structure to fund regional transportation infrastructure projects and expand public transit access across the Richmond region. The regional tax structure could potentially employ the same taxes structure used in Northern Virginia (§ 33.2-2500 – 2512) as well as a ride sharing tax.

Redevelopment Tax Exemption - Extend the partial tax exemption in redevelopment districts from 15 years to 30 years by amending § 58.1-3219.4.

Comment: Council had this for consideration last year and decided not to include it.

Local Homestead Property Tax Exemption - Authorize localities to establish a local Homestead Property Tax Exemption program that would allow a lump sum deduction from the assessed value of a residential single-family home based on a fixed deduction amount that is set by the local governing body on an annual basis. Provide an exemption of up to 20% of the just value of the homestead. Eligibility criteria for the local option homestead property tax exemption would be the same as the state homestead property tax exemption program.

Transportation

RMTA Board Composition – Modify the City of Richmond membership on the Richmond Metropolitan Transportation Authority Board to require the appointment of one Council member with remaining appointments made by the Mayor with approval of Council. §33.2-2901 currently reads: “Any of the three localities may, in its discretion, appoint as one of its Board members an elected officeholder who is a member of the governing body of that locality.”

Housing

Inclusionary Zoning/Mandatory Affordable Housing - Authorize the City of Richmond to adopt an affordable housing dwelling unit program to address housing needs, promote a full range of housing choices, and encourage the construction and continued existence of moderately priced housing. Add the City to the list of local governments in §15.2-2304 that are permitted to adopt inclusionary zoning ordinances.

City Charter

Comment: Absent agreement between the Mayor and Council on these items, recommend proceeding with the items related to Council member residency only.

Changes related to residency:

- Clarify the residency requirement for Council Members;
- Clarify the authority to remove an elected official who is in violation of a Charter residency requirement.

Changes related to the budget process:

- Require the Mayor to hold a public hearing on his proposed budget following its introduction to Council;
Comment: Council can hold a public hearing on the Mayor's budget just as the GA does on the Gov's budget on its own authority without a charter change.
- Require Council to finalize its amendments to the Mayor's budget and hold a public hearing on the budget as amended by Council at least two weeks prior to final adoption;
Comment: Council can adopt procedures to do this on its own without a charter change.
- Clarify that Council has 14 days to override a budget veto, notwithstanding the May 30th deadline for city budget adoption;
- Authorize Council to propose and enact post-adoption budget amendments that appropriate non-recurring revenues or revenues from a fund balance;
- Authorize Council to amend any post-adoption budget amendments proposed by the Mayor;
- Require Council approval for any reallocation of Capital Improvement Plan funds from a completed projected.

Other changes:

- **Closed Session** - Authorize Council to limit attendance at any closed session only to members and designated staff;
- **Introduction of Legislation** – Eliminate the authority of the Mayor to introduce legislation and specify that legislation may only be introduced by a member of Council;
- **Legal Counsel/City Attorney** - Establish separate legal service entities for the Council, the Mayor and City agencies with a dispute resolution process through binding arbitration for use between the entities to resolve differences. This will affect the role of the Office of City Attorney.
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Position Statements



21st Century Richmond: Planned Growth Economic Progress & Affordable Housing

Housing Trust Fund - Support additional state funding for the Virginia Housing Trust Fund and providing for a portion of the Fund to be used to provide matching funds to localities that have established local housing funds and grants to be made from the Fund to support innovative housing

projects and low-and moderate-income housing projects that are located in areas experiencing extreme shortages of such housing.

Public Housing Remediation – Support an increase the Virginia Brownfields Restoration and Remediation Fund by \$3 million in FY 20 and FY 21 for redevelopment of infrastructure at public housing sites which were built on a landfill.

Expungement of Unlawful Detainers - Support the expungement of unlawful detainers and writs that are dismissed by the court. Often filed UD's or a writ will show on a prospective tenant's credit report that will cause the application to be declined even though the case may have been dismissed or the landlord chose not to execute.

Uniform Partition Heirs Property Act - Support adoption of the UPHPA in order to stabilize tenancy-in-common ownership for disadvantaged families and make heirs' property ownership more secure and preserve the real estate wealth of heir's property owners.

Out-of-State Landlord Performance Bond - Support a requirement that out-of-state limited liability companies who own residential rental properties in Virginia post a performance bond.

Landlord Registry - Support authorization for localities to establish a landlord registry for long-term rentals similar to that provided for short-term rentals.

Housing Court – Support development of a Housing Court and Landlord Tenant Mediation program to help low income tenants facing eviction.

Comment: Re-word - “Support the Richmond Eviction Diversion Pilot Program and keep abreast of data collection and results in order to curb excessive evictions in the city.”

HOME Legislation - Support the Housing Opportunities Made Equal (HOME) State Legislative List (complete list).

Comment: Remove



Thriving and Healthy Futures for Children, Adults & Families

Food Deserts - Support funding for efforts to expand and ensure greater access to healthy food for residents of the Commonwealth. This would include a \$5 million appropriation for the Virginia Grocery Investment Fund to provide incentives for entities willing to develop full-service grocery stores in food deserts.

Include Oral Health/Dental Services in the State Medicaid Plan - Support the inclusion of oral health and dental services in Virginia's Medicaid service plan. Additionally, eliminate the work requirement as a consideration for receiving healthcare coverage.

Mental Health and Substance Abuse Services - Support additional funding for Mental Health and Substance Abuse Services to include: community based, recovery-focused mental health, substance abuse and emergency/crisis stabilization services; drug treatment facilities for individuals that have

addiction problems but who are currently housed in jails or prisons; and mental health training, communication training for prison and jail staff.

Wrap Around Child Care Services - Support efforts to provide seamless, affordable access for the most at-risk families to quality wraparound early childhood services – including home visiting, subsidized childcare, and preschool.

Living Wage - Support adoption of a State policy requiring state and local government employers to provide/pay a living wage and encourage private sector employers to pay a living wage.

Environment/Plastic Bags - Support authorization for localities to impose a tax on all plastic bags used at checkout thereby reducing the usage of plastic bags, reducing waste, and promoting the use of recyclable bags.

Sweetened Beverages Tax - Support giving local governments the ability to levy taxes on sweetened beverages in order to decrease sugar consumption and fight childhood and adult obesity, cardiovascular and diabetes illnesses.

Comment: Moved and revised to Position Statement.

VA Poverty Law Center Legislation (Robertson) - Support the Virginia Poverty Law Center Legislative List.

Comment: Remove

Virginia First Cities Coalition – (Placeholder) Support for the Virginia First Cities 2020 Legislative Program.

Virginia Municipal League – (Placeholder) Support for the Virginia Municipal League 2020 Legislative Program.



Sustainable Infrastructure Investments

Combined Sewer Overflow - Resist Efforts to Open Up the SWCB/Richmond CSO Consent Order - Continued Proactivity in Addressing Richmond Combined Sewer Overflow.

Like many American cities, Richmond has aging infrastructure that has survived long past its useful life. Parts of Richmond’s first sewer system are over 150 years old and were designed to carry both sanitary waste and stormwater.

Richmond has been operating under a fully approved Long Term Control Plan in accordance with the Combined Sewer Overflow Policy in the federal Clean Water Act that is a part of the 10-year old Special Order by consent with the Virginia State Water Control Board. The RVA H2O Clean Water Plan creates an integrated approach to wastewater, stormwater, and drinking water, bringing them together in one watershed management program, so that together, the City will achieve cleaner water faster.

Richmond is proactively and sensitively addressing the combined sewer overflow issue to markedly improve the water quality in the James River. The wastewater treatment plant located at the falls of the James underwent a \$120 million dollar upgrade and improved pollutant reduction capabilities were installed, resulting in record low discharges of nitrogen and phosphorus in the James River helping the Commonwealth achieve the nutrient reduction goals called for in the Chesapeake Bay TMDL.

Richmond has invested in:

- Treating greater volumes of combined sewage - At the end of 2019 the volume the plant will be able to treat will go up to 140 million gallons per day. This will result in reducing overflows by 100 million gallons per day – every day it rains.
- Separating combined sewer conveyance systems - Beginning in the 1970's, several combined sewer systems have been re-piped to separate the flow of sanitary sewer from stormwater. This resulted in fewer combined overflows and a reduction of stormwater sent to the plant for treatment.
- Fully utilizing existing grey infrastructure (pipes, pumps, ditches, and detention ponds) - Using state of the art monitoring technology and telemetry, we are able to see, in real time, volume, flow rate, and capacity in our system. Once the excess capacity is identified, control valves, gates and weirs will be used to control flow to the plant for treatment.
- Implementing the RVAH2O Clean Water Plan - Richmond is committed to achieving the goals in the **Clean Water Plan** completed in 2017 that provides the foundation for the city's 2018 Integrated Permit – the first ever in the Commonwealth. The RVAH2O Plan was driven by stakeholder interest and participation and has specific strategies and metrics to achieve cleaner water faster. The city has committed to utilizing green infrastructure as part of the RVAH2O Clean Water Plan.

To realize the above improvements, Richmond and its ratepayers have invested nearly \$300 million dollars over the past 30 years.

Year	\$ CSO Expenditures
Pre Fiscal 2018	288 MM
2018	8.7 MM
2019 YTD	10.0 MM
2020 + beyond*	425 MM (est)

*Projects as proposed in 2006 Long Term Control Plan in 2017 dollars

Effects on Ratepayers - Richmond ratepayers already pay higher water and sewer rates than any Combined Sewer Overflow community in Virginia (Alexandria and Lynchburg). Combined water and wastewater rates exceed current affordability thresholds such as those examined by the Virginia Department of Environmental Quality and other national organizations. Affordability thresholds provide a point of measurement to assess the relative affordability of utility services against median household income. These metrics should also consider impacts on customers living at or below poverty levels.

Any legislative effort to force funding these projects at a faster rate in the City of Richmond will require markedly higher utility rates and an even greater disparity between Richmond and Virginia's other CSO communities. In short, the city's most vulnerable residents will not be able to afford it.

Street Maintenance Formula – Support changes to the State funding formula for urban street paving and maintenance to ensure equitable funding for independent cities and urban areas that in the current formula do not receive adequate funding for on-street parking areas and turning lanes. Increase the amount of money available for cities for street maintenance needs.

Comments: Moved to Position Statement.

School Construction Commission - Support the creation of a Virginia School Construction Commission to identify funding sources for a state program of financial assistance for school construction and renovation and to guide the design, building management, and standardization of all new school construction and additions.



Safe Neighborhoods

Radar-Enabled Speeding and Red Light Cameras – Support authorization for localities to use radar-enabled speeding and stoplight cameras to further Vision Zero goals by issuing educational no-fee citations for first time offenders. (Cities currently have authority for red light cameras. Radar-enabled speeding cameras would require new statute akin to that for red light cameras).

Firearms in Local Facilities– Support authorization for local governments and school boards to ban firearms in municipal buildings, non-school educational facilities, parks, and polling places.

Firearms Universal Background Checks – Support a system of universal background checks for all firearms transactions by closing the gun show loophole. **New Item- was in package last year.**

Extreme Risk Protective Orders - Create a procedure by which the Commonwealth's Attorney or a law-enforcement officer may apply to the appropriate court for an emergency substantial risk order to prohibit a person who poses a substantial risk of injury to himself or others from purchasing, possessing, or transporting a firearm. **New Item**

High Capacity Firearms Magazines – Prohibit the importation, sale, transfer, manufacture, purchase, possession, or transportation of large-capacity firearm magazines, silencers, and trigger activators. **New Item- was in package last year.**

Lost or Stolen Firearms Reporting- Require the loss or theft of the firearm be reported to any local law-enforcement agency or the Department of State Police within 24 hours after such person discovers the loss or theft. **New Item- was in package last year.**



Responsive, Accountable & Innovative Government

Redistricting Reform – Council believes that it is in the best interests of the citizens of the city of Richmond that there should be an amendment to the Constitution of Virginia to create a Virginia Redistricting Commission charged with establishing Virginia voting districts drawn in accordance with the requirements of federal and state laws that address racial and ethnic fairness using clear, objective, and well-defined criteria and that it be enacted in the 2020 session and put before the electorate in the 2020 general election.

Sexual Orientation – Support amending state law to include sexual orientation as a protected class with regard to housing and employment discrimination.

Election Day Paid State Holiday - Support the designation of Election Day as a state holiday.

Juneteenth - Support the designation of Juneteenth as a state holiday.