

City of Richmond

Formal Meeting Minutes

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

Monday, October 12, 2020

6:00 PM

Council Chamber, 2nd Floor - City Hall
(Virtual Meeting)

Councilmembers Present

The Honorable Cynthia Newbille, President
The Honorable Chris Hilbert, Vice President
The Honorable Andreas Addison
The Honorable Kim Gray
The Honorable Michael Jones
The Honorable Kristen Larson (late arrival)
The Honorable Stephanie Lynch
The Honorable Ellen Robertson
The Honorable Reva Trammell (late arrival and early departure)

President Cynthia Newbille called the meeting to order at 6:25 p.m., and presided.

Invocation was offered by Deacon Francis Nelson of Holy Rosary Catholic Church, 3300 R Street, Richmond, VA.

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

ELECTRONIC MEETING ANNOUNCEMENT

City Clerk Candice Reid, in accordance with Ordinance No. 2020-093, adopted April 9, 2020, as amended by Ordinance No. 2020-183, adopted August 20, 2020, announced the meeting would be held through electronic communication means. City Clerk Reid stated notice of the meeting was provided to the public through a public information advisory issued on September 29, 2020, and through Legistar on the city website in accordance with usual practice. She also stated members of the public were encouraged to provide comments in writing prior to the meeting and all comments received prior to 10:00 a.m., on Monday, October 12, 2020, were provided to Council members. Ms. Reid indicated that members of the public who signed up to speak and provide comment would be called to speak at the appropriate time.

CITIZEN SPEAKER GUIDELINES

Upon the President's request, Deputy City Clerk RJ Warren provided citizen speaker guidelines.

Councilor Kristen Larson joined the meeting.

Councilwoman Reva Trammell joined the meeting.

APPOINTMENTS AND REAPPOINTMENTS

There were no appointment/reappointment items for consideration.

AWARDS AND PRESENTATIONS

There were no awards or presentations.

CITIZEN COMMENT

Citizens were provided an opportunity to offer comments in writing prior to the Formal City Council meeting. All written citizen comments received by the Office of the City Clerk were provided to members of the Council prior to the meeting, and are included as an appendix to the October 12, 2020 Formal City Council meeting minutes.

Councilor Michael Jones requested that an individual who did not register with the Office of the City Clerk prior to the meeting to provide public comment, be allowed to speak during the Citizen Comment period to address RES. 2020-R048.

City Clerk Candice Reid stated that RES. 2020-R048 was scheduled to be stricken from the meeting's agenda by an agenda amendment, but informed members that if Council approved a motion to override the recommendation to strike, then RES. 2020-R048 would have a public hearing and be considered by Council later that evening. City Clerk Reid further stated that several individuals had registered to speak regarding RES. 2020-R048.

It was the consensus of Council to address Councilor Jones's request after review of the meeting's agenda amendments.

L. Shirley Harvey addressed Council and expressed her concerns regarding the city's collection of taxes and its handling of tax-delinquent properties. Ms. Harvey requested Council address rising real estate assessments within Black neighborhoods in the city.

AGENDA REVIEW AND AMENDMENTS

Councilor Stephanie Lynch moved to override the recommendation to strike RES. 2020-R048, which was seconded.

Councilor Kristen Larson confirmed that if the motion to override the recommendation to strike was approved, then the proposed resolution would remain on the meeting's Regular Agenda for consideration later that evening.

Councilor Andreas Addison noted that he had several questions regarding RES. 2020-R048. Councilor Addison stated he believed it would be beneficial to hear from the Task Force to Reimagine Public Safety and from Police Chief Gerald Smith.

Vice President Chris Hilbert stated he could not support RES. 2020-R048 as written. Vice President Hilbert informed Council that he was interested in addressing policies referenced in the resolution through a potential study, but noted he was in favor of striking RES. 2020-R048.

The motion to override the recommendation to strike RES. 2020-R048 failed: Ayes 2, Jones, Lynch. Noes 7, Robertson, Larson, Gray, Trammell, Addison, Hilbert, Newbille.

Vice President Chris Hilbert moved to amend the agenda as follows:

ORD. 2020-177

To authorize the special use of the properties known as 618 North 32nd Street and 620 North 32nd Street for the purpose of permitting the expansion of an existing adult care residence from 27 residents to 40 residents, upon certain terms and conditions.

To be continued to Monday, November 9, 2020

ORD. 2020-207

To authorize the special use of the property known as 1513 Rear Grove Avenue for the purpose of a single-family detached dwelling, upon certain terms and conditions.

To be amended and continued to Monday, November 9, 2020

ORD. 2018-236

To amend ch. 26, art. V, div. 2 of the City Code by adding therein new sections 26-370-26-374, concerning a real estate tax deferral program for real estate owned and occupied as a sole dwelling, for the purpose of establishing a new real estate tax deferral program for real estate owned and occupied as a sole dwelling.

To be continued to Monday, November 9, 2020

ORD. 2020-170

To change the use of the City-owned real estate known as the Annie Giles Community Resource Center and located at 1400 Oliver Hill Way so that such City-owned real estate will be used as an inclement weather shelter for homeless persons in the city of Richmond when the outdoor or wind chill temperature falls to 40 degrees Fahrenheit or below and when the outdoor temperature rises to 92 degrees Fahrenheit or higher, when there is a forecast of accumulation of one inch or more of rain, snow, sleet or other precipitation within a 24-hour period, or when there is a forecast that includes a warning for a hurricane, tornado or high winds.

To be continued to Monday, December 14, 2020

RES. 2020-R048

To request that the Chief Administrative Officer cause the Department of Police to revise its policies to ban the use of certain non-lethal weapons to control unlawful assemblies.

To be stricken

Citizens were provided an opportunity to offer comments in writing regarding pending legislation prior to the Formal City Council meeting. All written comments received by the Office of the City Clerk were provided to members of the Council prior to the meeting and are included as an appendix to the October 12, 2020 Formal City Council meeting minutes.

The motion to amend the agenda was seconded and approved: Ayes 7 Robertson, Larson, Gray, Trammell, Addison, Hilbert, Newbille. Noes 2, Jones, Lynch.

CONSENT AGENDA

The following ordinances and resolutions were considered:

ORD. 2020-203

To amend Ord. No. 90-15-31, adopted Feb. 26, 1990, as previously amended by Ord. No. 96-169-163, adopted Jun. 24, 1996, Ord. No. 99-428-2000-16, adopted Jan. 24, 2000, Ord. No. 2003-246-253, adopted Sept. 8, 2003, and Ord. No. 2014-75-54, adopted Apr. 28, 2014, which authorized a

special use of the property known as 428 North Boulevard, to permit exterior and interior modifications for museum and library purposes, upon certain terms and conditions.

ORD. 2020-204

To amend and reordain Ord. No. 83-67-66, adopted Apr. 25, 1983, as amended by Ord. No. 95-244-274, adopted Nov. 13, 1995, which authorized the use of the property known as 5607 Grove Avenue, for the purpose of a dance studio and the use of the existing building for office purposes, to allow exterior façade modifications, upon certain terms and conditions.

ORD. 2020-205

To authorize the special use of the properties known as 1041 North Lombardy Street, 1480 Moore Street, and 1500 Moore Street for the purpose of multifamily dwellings containing a total of up to 90 dwelling units, with off-street parking, upon certain terms and conditions.

ORD. 2020-206

To authorize the special use of the property known as 1429 Mechanicsville Turnpike for the purpose of a two-family detached dwelling, upon certain terms and conditions.

ORD. 2020-208

To close, to public use and travel, a portion of Moore Street located between North Lombardy Street and Bowe Street consisting of 9,843± square feet, but retaining portions as utility easements and access easements, upon certain terms and conditions, and to authorize the Chief Administrative Officer to accept the dedication of a public utility easement and a public access easement, consisting of 1,159± square feet and a public utility easement and a public access easement consisting of 11,723± square feet, over certain parcels adjacent to the closed portion of Moore Street, in connection with vehicular and pedestrian access to a proposed mixed-use development in the area.

ORD. 2020-209

To amend City Code §§ 30-438.1, concerning permitted principal and accessory uses, 30-438.3:1, concerning floor area and usable open space, 30-438.4, concerning screening, 30-452.1, concerning permitted principal uses, and 30-515, concerning sign regulations, to amend ch. 30, art. IV, div. 21 of the City Code by adding therein new §§ 30-438, concerning the intent of the B-3 zoning district, and 30-438.6, concerning parking and circulation of vehicles, and to amend ch. 30, art. XII of the City Code by adding therein new §§ 30-1220.15:1 and 30-1220.84:1, concerning certain definitions.

ORD. 2020-210

To authorize the Chief Administrative Officer to accept funds in the amount of \$15,000.00 from The Annie E. Casey Foundation, Inc.; to amend the Fiscal Year 2020-2021 Special Fund Budget by creating a new special fund for the Office of Community Wealth Building called the Annie Casey Special Fund; and to appropriate the grant funds received to the Fiscal Year 2020-2021 Special Fund Budget by increasing estimated revenues and the amount appropriated to the new Office of Community Wealth Building's Annie Casey Special Fund by \$15,000.00 for the purpose of funding research on the number, financial profiles, and economic impact of businesses located within the city of Richmond.

ORD. 2020-211

To authorize the Chief Administrative Officer to accept funds in an amount up to \$3,900,000.00 from Advantage Richmond Corporation, and to assign such accepted funds to the Reserve Fund for Permanent Public Improvements established pursuant to City Code § 12-4.

ORD. 2020-212

To declare a public necessity for and to authorize the acquisition of the parcel of real property owned by Advantage Richmond Corporation and known as 900 East Marshall Street for the purpose of a municipal office building.

ORD. 2020-213

To amend Ord. No. 2020-051, adopted May 11, 2020, which (i) accepted a program of proposed Capital Improvement Projects for Fiscal Year 2020-2021 and the four fiscal years thereafter, (ii) adopted a Capital Budget for Fiscal Year 2020-2021, and (iii) determined a means of financing the same, to modify the purpose of the Heritage Center / Lumpkin's Jail (Devil's Half Acre) project in the Economic and Community Development category to provide that the scope of such project consists of design and construction of a pavilion and museum at the Lumpkin's Jail / Devil's Half Acre site, the design of and improvements to the Richmond Slave Trail and Trail Head at Ancarrow's Landing, the extension of the Slave Trail to 1305 North 5th Street, the acquisition of the property known as 1305 North 5th Street due to that property's historical significance associated with its use as the Burial Grounds for Free People of Colour and Slaves, and the planning activities for the proposed Heritage Center in Shockoe Bottom.

RES. 2020-R057

To authorize the issuance of general obligation public improvement refunding bonds of the City of Richmond, Virginia in the maximum principal amount of up to \$135,000,000 to refund all or portions of certain general obligation bonds previously issued by the City; to authorize the Director of Finance, with the approval of the Chief Administrative Officer, for and on behalf of the City, to sell such refunding bonds for such purposes; to provide for the form, details and payment of such bonds; and to authorize the issuance of taxable bonds in the same maximum principal amount and payable over the same period as such general obligation public improvement refunding bonds.

RES. 2020-R058

To approve the extension of the Richmond Behavioral Health Authority's performance contract for Fiscal Year 2019 and Fiscal Year 2020.

Citizens were provided an opportunity to offer comments in writing regarding Consent Agenda items prior to the Formal City Council meeting. All written comments received by the Office of the City Clerk were provided to members of the Council prior to the meeting and are included as an appendix to the October 12, 2020 Formal City Council meeting minutes.

Public Hearing

Cyane Crump, Historic Richmond executive director, spoke in support of ORD. 2020-213, and praised the research conducted by Lenora McQueen regarding the burial ground referenced in ORD. 2020-213. Ms. Crump stated the burial ground should be remembered properly and requested Council adopt ORD. 2020-213.

Councilor Kim Gray also praised the research conducted by Lenora McQueen and recommended that fellow members review her research. Councilor Gray requested information regarding reports of burial remains becoming exposed and what steps were taken to address the exposed remains.

Ana Edwards, on behalf of Sacred Ground Historical Reclamation Project, spoke in support of ORD. 2020-213, and stated the ordinance was important to help protect and promote African American history.

Lenora McQueen spoke in support of ORD. 2020-213, and stated the ordinance would help acquire the land surrounding the Shockoe Hill Cemetery. Ms. McQueen informed members that the surrounding land was an African American burial ground with burials beginning in the year 1816. Ms. McQueen requested Council adopt the proposed ordinance to allow for the proper memorialization of the nearly 22,000 free and enslaved people buried there.

Councilor Ellen Robertson shared her appreciation of Ms. McQueen's research regarding the burial ground referenced in ORD. 2020-213.

Vice President Chris Hilbert stated he believed it was disgraceful that the burial ground was neglected long enough to be in its current state.

Councilor Kristen Larson expressed her gratitude for Ms. McQueen's work and stated she would vote to adopt ORD. 2020-213.

Councilor Gray recommended Council examine methods to declare the area around the burial ground as historically significant and also work with state and federal agencies to preserve it.

President Cynthia Newbille shared her appreciation of Ms. McQueen's work and stated memorializing the burial ground would preserve Richmond and African American history. President Newbille requested Council staff examine possible steps to be taken in collaboration with state and federal agencies to address further preservation.

There were no further comments or discussions and the **Consent Agenda was adopted:** Ayes 8, Jones, Robertson, Larson, Gray, Trammell, Addison, Hilbert, Newbille. Noes None. Lynch was excused.

REGULAR AGENDA

There were no regular agenda items for consideration.

MOTIONS

Councilor Kristen Larson moved that the ordinance entitled:

ORD. 2020-207

To authorize the special use of the property known as 1513 Rear Grove Avenue for the purpose of a single-family detached dwelling, upon certain terms and conditions.

be amended and continued to Monday, November 9, 2020, as follows:

Page 4, Line 20

At the beginning of the line, insert a parenthetical "(j)" followed by the text "No short-term rental use of the Property shall be permitted" followed by a period

The motion was seconded and approved: Ayes 8, Jones, Robertson, Larson, Gray, Trammell, Addison, Hilbert, Newbille. Noes None. Lynch was excused.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS

City Council will hold a public hearing on the following ordinances on Monday, November 9, 2020, at 6:00 p.m.:

ORD. 2020-221

To authorize the Chief Administrative Officer, for an on behalf of the City of Richmond, to execute a Sublease Agreement between the City of Richmond as sublandlord and UGK Community First Corp. as subtenant for the purpose of leasing to UGK Community First Corp. a portion of the City-owned building located at 1400 Oliver Hill Way.

Patron: Ms. Robertson

This ordinance was introduced and referred to the Finance and Economic Development Standing Committee meeting on Thursday, October 15, 2020, at 1:00 p.m.

ORD. 2020-222

To authorize the Chief Administrative Officer to accept funds in the total amount of \$60,000.00 from Church Schools in the Diocese of Virginia and known as St. Catherine's School and to appropriate the amount of \$60,000.00 to the Fiscal Year 2020-2021 Capital Budget by increasing estimated revenues and the amount appropriated to the Department of Public Works' Pedestrian Safety Improvements with HAWKS and RFRBs (Federal) project in the Transportation category by \$60,000.00 for the purpose of funding the installation of a pedestrian hybrid beacon at the intersection of Grove Avenue and Somerset Avenue in the city of Richmond in accordance with certain proffered conditions accepted by the City pursuant to Ord. No. 2016-268, adopted Nov. 14, 2016.

Patron: Mayor Stoney

This ordinance was introduced and referred to the Planning Commission meeting on Monday, October 19, 2020, at 1:30 p.m.

ORD. 2020-223

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Programmatic Project Administration Agreement between the City of Richmond and the Virginia Department of Transportation for the purpose of the development and administration of previously authorized and future Revenue Sharing Program projects.

Patron: Mayor Stoney

This ordinance was introduced and referred to the Land Use, Housing and Transportation Standing Committee meeting on Tuesday, October 20, 2020, at 1:00 p.m.

ORD. 2020-224

To rename the street in the city of Richmond known as Confederate Avenue as "Laburnum Park Boulevard."

Patrons: Ms. Gray and Vice President Hilbert

This ordinance was introduced and referred to the Land Use, Housing and Transportation Standing Committee meeting on Tuesday, October 20, 2020, at 1:00 p.m.

ORD. 2020-225

To amend Ord. No. 71-180-163, adopted Jun. 14, 1971, as previously amended by Ord. No. 81-204-199, adopted Nov. 23, 1981, which authorized the special use of the property known as 3800 Grove Avenue for the purpose of doctors' offices, permitted an addition at the rear entry way, and authorized the erection of an accessory utility building, to also allow other office uses and personal service uses.

Patron: Mayor Stoney (By Request)

This ordinance was introduced and referred to the Planning Commission meeting on Monday, November 2, 2020, at 1:30 p.m.

ORD. 2020-226

To amend Ord. No. 2013-156-154, adopted Sept. 9, 2013, as previously amended by Ord. No. 2013-208-197, adopted Oct. 28, 2013, which authorized the special use of the property known as 2501

Monument Avenue for the purpose of a museum for architecture and design and a lodging unit and imposed as a condition on the special use of such property a 150-person attendance limit for all reception events, to permit a dwelling unit and retail space and to impose as a condition on the special use of such property a 300-person attendance limit for all reception events instead of a 150-person attendance limit for all reception events.

Patron: Mayor Stoney (By Request)

This ordinance was introduced and referred to the Planning Commission meeting on Monday, November 2, 2020, at 1:30 p.m.

ORD. 2020-227

To authorize the special use of the property known as 320 Hunt Avenue for the purpose of a single-family detached dwelling, upon certain terms and conditions.

Patron: Mayor Stoney (By Request)

This ordinance was introduced and referred to the Planning Commission meeting on Monday, November 2, 2020, at 1:30 p.m.

ORD. 2020-228

To authorize the special use of the property known as 414 Milton Street for the purpose of a single-family detached dwelling, upon certain terms and conditions.

Patron: Mayor Stoney (By Request)

This ordinance was introduced and referred to the Planning Commission meeting on Monday, November 2, 2020, at 1:30 p.m.

ORD. 2020-229

To authorize the special use of the property known as 3406 East Broad Street for the purpose of a two-family detached dwelling, upon certain terms and conditions.

Patron: Mayor Stoney (By Request)

This ordinance was introduced and referred to the Planning Commission meeting on Monday, November 2, 2020, at 1:30 p.m.

ORD. 2020-230

To authorize the special use of the property known as 3411 Kensington Avenue for the purpose of an existing multifamily dwelling and a new two-family detached dwelling, upon certain terms and conditions.

Patron: Mayor Stoney (By Request)

This ordinance was introduced and referred to the Planning Commission meeting on Monday, November 2, 2020, at 1:30 p.m.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Councilor Kim Gray moved to approve the minutes of the following Richmond City Council meetings: Informal and Formal Council Sessions held on Monday, September 28, 2020, at 4:00 p.m., and 6:00 p.m., respectively.

The motion was seconded and approved: Ayes 8, Jones, Robertson, Larson, Gray, Trammell, Addison, Hilbert, Newbille. Noes None. Lynch was excused.

REPORTS OR ANNOUNCEMENTS BY MEMBERS OF THE COUNCIL

Members of Council provided reports and announcements regarding respective district meetings and activities.

Councilwoman Reva Trammell left the meeting.

ADJOURNMENT

There being no further business before the Council, the meeting adjourned at 7:57 p.m.

CITY CLERK

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From: [Whit W](#)
To: [REDACTED] [City Clerk's Office](#)
Subject: Public parks commentary for today's Council Meeting
Date: Monday, October 12, 2020 8:43:55 AM

CAUTION: This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

Dear City Council Members,

Recently, a covert plan to do away with something almost unfolded in our public city park with no public input.

Erroneous information and exaggerated claims were made in the newspaper and online. The public was confused about what was going on in their city, and many were not represented. Would this upset you, would this upset your residents? Well according to a FOIA report, this plan will go on "once the media dies down".

This is unacceptable and not how the City of Richmond is supposed to work.

This issue is about the domestic geese of Swan Lake in Byrd Park who have called the 13-acre park and island their home for well over fifty years. A woman decided she wanted the geese to go and formed a group. They approached the city and rather than follow their own long-term solutions, found a facility to take them all and "RID" (their own acronym for goose management) the park of our beloved geese. Fortunately, a concerned neighbor informed a citizen who cares about the geese in a chance meeting at the park just a few days before their planned removal.

The spin began- the geese were "immobile" (false), "aggressive" (false), "starving" (false), and "deformed" (only 10% of the flock have Angel Wing, and it has been curbed in younger generation). Although the narrowly represented Goose Management Task Force (GMTF) had an impressive looking name and report, they didn't:

- Have actual data like water studies to support their claims
- Their claims about park degradation laid the blame solely on geese, when in fact the park has always had drainage issues and other factors
- Failure to implement their own steps before taking the drastic measure of "ridding" the park of the geese
- Address the next steps with the large flock of Canada Geese which will fill the vacuum
- Visit the facility the geese were headed to
- Thru FOIA, the GMTF representative coordinating with the city didn't know which breed of goose they were ridding the park of (nor the exact lake or count) the week before the

scheduled round-up!

- Egregiously, they didn't know that to move a flock of birds across state lines without the proper health clearances would violate law

Myself, and many others are concerned with how this almost was allowed to happen in a public space.

We are concerned that we haven't been contacted back since the move was postponed, yet an Op-Ed piece was recently placed in the paper with the city representative and head of the GMTF which doubles down on the geese and was amended from the original draft to incorporate information from the opposition to garner credibility, even after the move was cancelled due to lack of foresight.

A group has formed in opposition to this plan, they are willing to work with the city and have a better plan for the geese, that is truly about their welfare and the public's enjoyment of them. It includes adoption, engaging the public and reducing the flock thru proper management techniques which should satisfy both parties. By bringing this to your attention we hope that this particular issue is brought to light for all of us who enjoy Byrd Park and the domestic geese who call it home.

Thank you,

Mrs. Whitney Walters

Member, Friends of Swan Lake Domestic Geese

From: [REDACTED]
To: [City Clerk's Office](#)
Cc: [REDACTED]
Subject: Fwd: Transparency Failure of Taskforce Regarding Swan Lake Plan
Date: Monday, October 12, 2020 7:58:51 AM
Attachments: [Letter to Mayor Stoney Regarding Swan Lake 9-29-2020kcd.pdf](#)

CAUTION: This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

I am attaching my September 29, 2020 letter to Mayor Stoney that was copied to Stephanie Lynch and Christopher Frelke as my public comment submission for today's City Council Meeting. To date, I have not received a response.

Thank you, Karen Camden Day, I am a member of a group of residents, "Friends of Swan Lake Domestic Geese" and have no other affiliation.

-----Original Message-----

[REDACTED]

Sent: Tue, Sep 29, 2020 5:09 pm

Subject: Transparency Failure of Taskforce Regarding Swan Lake Plan

Dear Mayor Stoney,

I am a lifelong resident of the City of Richmond.

I have attached a letter that outlines my concerns regarding the process, purpose, and future of the management of the historic flock of non-migratory domestic geese at Swan Lake in Byrd Park.

I look forward to hearing from you.

Sincerely, Karen C. Day

September 29, 2020

Levar Stoney, Mayor
City of Richmond
900 East Broad Street, Suite 201
Richmond, VA 23219

Dear Mayor Stoney:

Transparency. That word has been widely used by your administration and is frequently promoted of late regarding almost every aspect of government. It is unfortunate that the recent events surrounding proposed removal of the domestic non-migratory flock of geese historically residing in Byrd Park have not respected that trend in any way:

- Apparently a "Goose Management Task Force"(GMTF) was established by the private Byrd Park Civic League, and to date there is no public information regarding their existence.
- It appears that no one outside of the Byrd Park neighborhood was aware that the GMTF had arranged - with City approval - for the capture, and transport by Carolina Waterfowl Rescue (CWR) in North Carolina, of 100+ of the domestic geese, or the entire flock that has been in Byrd Park at Swan Lake, since the middle of the 20th Century.
- A press release from Parks and Recreation was scheduled to go out to media on Friday September 25, with the roundup of the geese on Saturday, September, 26, 2020, giving no opportunity for the city's residents to respond.

Importantly, CWR was prepared to capture and transport a large number of geese across the Virginia-North Carolina state line, a move that was discovered to be in violation of North Carolina 02NCAC 52B.0603 Entry of Avian Species into the State of North Carolina. This is a major oversight and could have produced significant legal consequences for the City, and questions the competence of the GMTF and the rescue organization, who should know domestic and wild animals cannot cross state lines without the appropriate clearances. CWR should have been fully vetted prior to the agreement including reviewing the conditions in their facility that appear limited to dirt enclosures and plastic pools (photo references below), and appears overcrowded as social media posts by CWR in August, 2020 confirm including that "the COVID crisis has finally pushed...CWR past our limits." This situation is a far cry from their current conditions (photo references below). As such, the flock should stay in place until a reasonable adoption plan is developed, and if CWR is used in future for very limited adoptions, it should be done in concert with RACC for proper compliance to regulations.

I have now obtained a copy of the GMTF September 2019 report, and am concerned there was 1) no input or survey of the park's visitors in the report, 2) no publication or distribution of the report for public comment, and 3) little to no effort to conduct some of the long term steps outlined in the report prior to the implementation of the most extreme recommendation of removing the domestic flock.

In reviewing the GMTF Report, further comments and concerns include:

- Development and membership in the GMTF was extremely limited. People from all over Richmond and surrounding counties enjoy Byrd Park, yet only representatives of the immediate neighborhood created and participated in the Task Force. In reality, every City park exists for the enjoyment of all, and some representation for other areas of the City should be included, or at least be invited to participate.

- The City of Richmond is served by an excellent animal shelter — Richmond Animal Care and Control (RACC). RACC has experience with all kinds of animals including horses, cows, chickens, geese, and pigs. It is my understanding they have provided veterinary care for the geese in the park in the past. Why wasn't RACC involved in GMTF and this process? Further, RACC stated they had no knowledge of the move to North Carolina of the domestic geese. Finally, the GMTF report and social media postings from the District 5 City Council Representative and others state the geese "have developed deformities, become immobile, and subject to other severe health problems". Has the veterinary staff from RACC or avian experts made this determination? In a recent count of the domestic flock, I observed only 15 geese in the flock with angel wing; approximately 10% of the current population.
- The focus of the GMTF report centers on the flock of domestic non-migratory geese; it offers considerable discussion about the Canada geese, resident and migratory, but completely skips implementing any suggested solutions. In point of fact, removal of the domestic flock is **NOT** going to eliminate goose excrement on the sidewalks (the primary goal of the GMTF); nature abhors a vacuum, and that vacuum will be filled with more Canada geese. There are other ways to manage Canada geese as addressed by the US Fish and Wildlife Service, including registering for nest and egg depredation orders. No one from the Virginia Department of Wildlife Resources was on the GMTF, a glaring omission if Canada geese management was to be addressed.
- The data in the GMTF is confusing regarding the numbers of domestic and Canada geese, which should be the foundation of any evidence-based plan, and has added to the ongoing misinformation given to the public through media. The flock of domestic geese documented by GMTF was 230 in 2019, and is currently approximately 150; CWR was slated to remove 100, but stated they needed to take the entire flock. Was CWF prepared to take substantially more than 100 geese? Why was there an emergency to remove the flock in its entirety, when these geese have resided in this park longer than most of its citizens? Swan Lake has a total of 13 acres, including a large island, which is more than adequate to support a flock.
- The GMTF Report also mentions the water quality and algae bloom as being a problem, but states there are no known water studies done. Complaints about odor and algae have been primarily at Boat Lake, which is the most severely impacted lake due to its small size and occupation of Canada geese, as the domestic geese have never been on that lake. Historic Swan Lake has long standing drainage and topography issues that are also not a result of occupation by the resident geese.

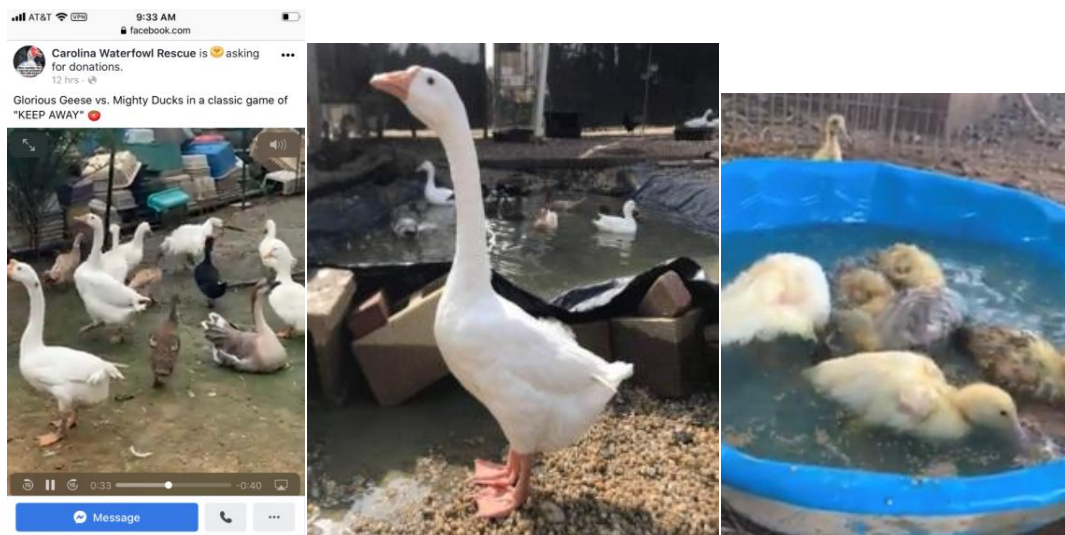
The domestic geese in Byrd Park and the City's residents deserve a better plan, coupled with proper management of the wild Canada Geese. The GMTF report, while summarizing a myriad of options for managing the geese, zeroed in on only one: remove the domestic geese. Rather than this extreme measure the GMTF was about to impose, the flock should be slowly reduced by working with volunteers and some agencies such as RACC, and other rescue and wildlife organizations in the state that deal with waterfowl, so that the flock remains at a pre-determined number. There are ways to do this that are safe, legal, and respect the welfare of these domestic animals. A volunteer group could model The Urban Forestry Commission, or the volunteer Richmond Tree Stewards, to create and maintain a system of waterfowl management. There are a number of individuals who would volunteer on this type of group including myself, who have never been approached by the neighborhood or task force. The health of the flock should be supported with an appropriate diet and other long term steps outlined in the GMTF report, such as a comprehensive educational program aimed at the public working with a volunteer group as discussed above, and feed stations similar to the ones at Maymont.

With all the negative issues that have been a part of 2020 in our City, Byrd Park is currently a place for people of all ages, races, ethnicities, and income levels to enjoy the domestic flock of geese that has brought joy to generations of children like me. Every public initiative needs to be multifaceted and have proper representation to be effective.

In conclusion, I do not believe that the removal of the historic flock of domestic geese at Byrd Park is appropriate or going to accomplish the GMTF goal. The GMTF "RID" plan is removal of the domestic geese, under the guise of having their welfare in mind. Without education conducted by volunteers, people are going to continue the practice of feeding inappropriate food to the Canada geese, as is evidenced by the problem at Boat Lake (where the domestic geese have never been). It is paramount that further endeavors regarding the geese in Byrd Park, the City's largest park, be taken in a manner that is inclusive, informed, and **transparent** rather than the drastic step that unfolded over the last week. I have reached out before to individuals in the neighborhood over the last few years about my willingness to work on a solution, my experience as a grant writer, and also provide volunteer activities in the park. There are now a number of others in the City willing to help as this situation has come to light.

Sincerely, Karen C. Day, DDS, MS, MPH
Lifelong Resident of the City of Richmond

Example of Living Conditions where Geese were headed on Saturday Sept 26th, 2020
Carolina Waterfowl Rescue (photos obtained from CWR's Facebook page):



Living Conditions where Geese currently reside Swan Lake, Byrd Park (photos taken 9/2020)



From: [Nicole Spangenberg](#)
To: [City Clerk's Office](#)
Subject: Fwd: Vote YES on RES. 2020- R048 today!
Date: Monday, October 12, 2020 10:08:31 AM

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Nicole Spangenberg
pronouns: she/her

[REDACTED] | [REDACTED]
VCU Masters of Social Work, Clinical Program

----- Forwarded message -----

From: Nicole Spangenberg [REDACTED]
Date: Mon, Oct 12, 2020, 9:59 AM
Subject: Vote YES on RES. 2020- R048 today!
To: [REDACTED]

Good morning!

A concerned Richmond social worker here.
I am asking you to place human health and well being first on this vote today.

Tear gas has caused long lasting health effects for specifically many women and GNC people, who are experiencing *bleeding* for *months* after.

The gas travels far. Neighbors of our community have reported feeling the tear gas from blocks away, even half a mile away. Chemicals being sprayed into the air have hurt *hundreds* of Richmonders *whether* they were inside their homes or outside when it was sprayed.

During a pandemic for a deadly respiratory disease, please consider that health and safety are number one priority like never before.

I have linked Geneva Conference info on chemicals below:

[REDACTED]
Chemicals like tear gas are banned in international warfare. There is little research on health

effects. We do not know all of the health impacts of these chemicals.

We are seeing first hand in little Richmond VA that there are indeed long lasting health effects, with only one example mentioned above.

Please vote YES on RES. 2020- R048

and keep our community safe from tear gas. Keep Richmond safe.

[REDACTED]

--

Nicole Spangenberg
VCU Masters of Social Work, Clinical Program

[REDACTED]

pronouns: she/her/hers

From: [Alex Caligiuri](#)
To: [City Clerk's Office; Gray, Kimberly B. - City Council](#)
Subject: Public comment for RES. 2020-R048
Date: Sunday, October 11, 2020 10:39:49 PM

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To the members of the Richmond City Council,

I am writing in **support** of the resolution to **BAN** tear gas and other so-called 'non-lethal' weapons, Resolution 2020-R048. I am also writing to request to be able to speak during the public comment section about this resolution for the City Council meeting taking place on 10/12.

Sincerely,
Alex Caligiuri

[REDACTED]
[REDACTED]

From: [Jennifer Surratt](#)
To: [City Clerk's Office](#)
Subject: Public Comment for 10/12/20 Council Meeting
Date: Sunday, October 11, 2020 7:24:33 PM

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Greetings Council Members,

I am writing to voice my support for RES2020-R048 (Lynch, Jones). I have previously written in support of this legislation at both Public Safety Committee Hearings and directly to my 3rd District Council Representative. I have listened to testimony at the previous Public Safety Hearings from concerned citizens stating clearly their concerns about the use of tear gas and so called non-lethal munitions by the Richmond Police Department against the very citizens they are sworn to protect.

As a concerned community member I am genuinely struggling to understand how this is a difficult issue to agree upon. We are still in the middle of a pandemic - where the effects of that illness target the lungs (among other things). The effects of so called "non-lethal" weapons are not necessarily non-lethal. There was testimony in the July meeting provided by Matthew Shefft a healthcare provider who had a letter signed by over 120 other healthcare providers as to the detrimental health effects of tear gas during the Covid-19 pandemic. There have additionally been reports about the impact of tear gas on reproductive health for menstrual cycles and causing miscarriages. I believe we do not fully understand or grasp the very real and detrimental effects. I'd also like to note that tear gas is not selective - it has wide reach for both intended and unintended targets.

There have also been several previous speakers and supporters of this legislation note the 1925 Geneva Protocol and 1997 Chemical Weapon Convention - both of which outlawed the use of riot control agents in warfare. It is inexplicably allowed for police departments against their own citizens. I do not understand why we aren't more concerned with a police department that cannot problem solve without escalating violence. This should not require debate and certainly didn't warrant the delay of almost three months to bring this legislation before full Council for vote. There are better ways to create and sustain safety. The Richmond Police Department behaving violently and using tactics of intimidation and fear escalate violence. They do not stop it. Please vote in support of RES2020-R048 today.

Thank you for your time.

Jennifer Surratt
3rd District resident 10 years
City of Richmond resident 25 years

From: [Mia Zachary](#)
To: [City Clerk's Office](#)
Subject: Public Comment in Support of RES. 2020-R048 (10/12/2020 Full Council Meeting)
Date: Friday, October 9, 2020 2:40:38 PM

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Honorable City Council Members,

My name is Mia Zachary, and as a 6-year resident of Richmond, I am outraged by the continued police violence toward Richmond citizens. Richmond police are endangering Richmonders by using excessive force and weapons like tear gas and rubber bullets. One of my MLWGS classmates was assaulted and injured by police officers who taunted peaceful protesters and refused to wear masks during a pandemic. Tear gas also has the potential to increase the spread of Coronavirus. This is a danger to public safety, and it is a further outrage that our elected officials have not yet intervened.

I call on city council to support RES. 2020-R048 sponsored by Council Members Lynch and Jones as a first step to protecting Richmond citizens.

Sincerely,
Mia Zachary

From: [Miranda Chimzar](#)
To: [City Clerk's Office](#)
Subject: Fwd: Ban of Crowd Control Methods on Peaceful Protesters
Date: Friday, October 9, 2020 10:56:06 AM

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City Council Members,

My name is Miranda Chimzar and I am a medical student at VCU who lives in the 5th district in Richmond. I am writing to express my support for RES. 2020-R048 to “request that the Chief Administrative Officer cause the Department of Police to revise its policies to ban the use of certain non-lethal weapons to control unlawful assembly”. Nearly 300 medical professionals have signed letters to the Richmond Police Department and Richmond City Council in order to express concern for the use of these weapons, particularly during the COVID-19 pandemic. Articles and Op-Eds by physicians both [locally](#) and [nationally](#) have described the harms of using “non-lethal” crowd control tactics like [chemical irritants](#), [rubber bullets](#), and [flash bangs](#). Chemical irritants lead to de-masking which increases the risk of spread. Chemical irritants are banned in the [Geneva Protocols](#) since 1928 yet we use them in our city. We do not know if these military weapons increase safety for police officers or Richmonders, but we do know that published research shows they cause harm in the form of death, permanent disability, loss of pregnancy, hospitalization, permanent blindness, and severe burns. It is encouraging that Chief Smith has established a policy that recommends against the use of crowd control weapons on peaceful crowds, however, policies can change and the people of Richmond should know that their city council will ensure their safety during non-violent protests. Please consider supporting this legislation and allowing it to be brought forth for a vote.

Thank you for considering,

Miranda Chimzar

From: [Judith Voynow](#)
To: [City Clerk's Office](#)
Subject: crowd control weapon ban
Date: Friday, October 9, 2020 10:53:25 AM

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City Council Members,

My name is Dr. Judith Voynow and I am a Pediatric Pulmonologist who works at Children's Hospital of Richmond at VCU and cares for the citizens of Richmond. I am writing to express my support for legislation banning the use of chemical irritants and other forms of "non-lethal" crowd control. Nearly 300 medical professionals have signed letters to the Richmond Police Department and Richmond City Council in order to express concern for the use of these weapons, particularly during the COVID-19 pandemic. Articles and Op-Eds by physicians both locally and nationally have described the harms of using "non-lethal" crowd control tactics like chemical irritants, rubber bullets, and flash bangs. Chemical irritants lead to de-masking which increases the risk of spread. Chemical irritants are banned in the Geneva Protocols since 1928 yet we use them in our city. We do not know if these military weapons increase safety for police officers or Richmonders, but we do know that published research shows they cause harm in the form of death, permanent disability, loss of pregnancy, hospitalization, permanent blindness, and severe burns. It is encouraging that Chief Smith has established a policy that recommends against the use of crowd control weapons on peaceful crowds, however, policies can change and the people of Richmond should know that their city council will ensure their safety during non-violent protests. Please consider supporting this legislation and allowing it to be brought forth for a vote.

Thank you for considering,
Judy Voynow MD

From: [Don O'Keefe](#)
To: [City Clerk's Office](#)
Subject: City Council Comment - B-3 Zoning
Date: Monday, October 12, 2020 1:16:52 AM
Attachments: [Richmond 300 Plan Letter to the Editor 10.11.2020.pdf](#)

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To Candice D. Reid,

I am writing to request that the attached document be added as my comment to the City Council regarding ORD. 2020-209, the proposed changes to the B-3 zoning designation.

Thank you very much for your time.

Best,

Don O'Keefe

Don O’Keefe

Opinion Editorial Submission for *The Richmond Times-Dispatch*

10.11.2020

Why We Should Support Richmond 300

Richmond, like the rest of the country, has reached a point of reckoning. Public health is in danger, wildlife is threatened, and Black people and other minorities are again suffering disproportionately due to systematic racism.

With all this occupying our attention, why should we take time to think about urban planning? Because changing the way urban development takes place is one of the most important ways to address these issues. The Richmond 300 plan is not a panacea, but it is an important step in the right direction, and it deserves the support of Richmonders and their representatives on City Council.

In an era of online disinformation and an increasing disregard for facts, it is important to take stock of the things we know for certain. [According to the CDC](#), 1.35 million people died from automobile accidents globally in 2019. That’s more than have died from COVID-19 so far in 2020. Vehicle emissions in 2015 accounted for [an additional 385,000 global deaths](#). In countries where automobiles are used less, deaths are greatly reduced. Americans die in traffic accidents six times more frequently than Norwegians, according to [2015 figures from the WHO](#). If we walked, biked, and used public transportation at the same rate that they do, over 30,000 American lives could have been saved in 2019 alone.

Automobile use is a public health crisis. We need to encourage urban development that promotes walking, biking, and public transit, not cars. Richmond 300 does that. And, for the record, urban density hasn’t played a major role in America’s failure to respond to the global pandemic. According [to a recent study by Johns Hopkins](#), infection rates in the US are not correlated with density, and death rates are actually higher in low-density areas. The fact that the [US is fairing much worse](#) than high-density countries like Germany and South Korea confirms this.

Cities built around cars are a crisis not only for humans, but for the natural world as well. [Sprawl is a major contributor](#) to both greenhouse gas emissions and habitat destruction. Denser development, like townhouses and apartment buildings, are more efficient to heat and cool, too. When we increase urban density, CO2 emissions from both transportation and building energy-use [drop dramatically](#). With rampant development and climate change threatening to drive [80% of the world’s species to extinction](#), the stakes couldn’t be higher. That’s why the UN’s Intergovernmental Panel on Climate Change has listed land-use reform as [one of its most important action items](#) every year since it began publishing reports in 1990.

We don’t have to look far to see examples of habitat loss. Anyone who has driven on Route 288 in recent years has seen how central Virginia’s agricultural and wilderness land is being erased. To counter this, we need to concentrate new development in already settled areas. This means

increasing density, and every neighborhood should play a part in providing new sites for housing and other functions.

In a decision widely praised by affordable housing advocates, environmentalists, and planners, Minneapolis eliminated single-family-only zoning entirely last year. Unfortunately, Richmond 300 doesn't go that far, but it does encourage a greater density and diversity of uses in many areas, including mostly residential neighborhoods like Randolph and Oregon Hill. These neighborhoods used to have more places to work and shop, but they were eliminated when single-use zoning was imposed in the 1940s, 50s, and 60s. The construction of the Downtown Expressway destroyed hundreds of businesses, and left us with the largely residential neighborhoods we know today. Cars became a prerequisite for reaching employment in the suburbs, leaving out many of the city's low-income residents. From the perspective of economic opportunity, as well as health and the environment, our city would work better if people could live without a car. Until then, neighborhoods like the Fan, Oregon Hill, and Randolph will continue to function as suburbs - collections of single family houses where people mostly commute by driving.

Understandably, many people would like to preserve the atmosphere of historic neighborhoods. That means that most new housing and commercial space will have to be displaced into other areas. If we want to protect the countryside from rampant sprawl, we will have to make the most of urban redevelopment sites where they can be found. I encourage my fellow Richmonders to support the proposed up-zonings along the Pulse rapid transit line on Broad Street. Creating high density areas near transit stops is key to establishing successful public transportation networks.

If we continue to limit housing supply, fight density and non-residential uses, and impose parking requirements, we will be guilty of the same sins that guided so much of Richmond's ill-advised, anti-urban, and racist planning decisions in the middle of the last century. We must not continue to prioritize the aesthetic preferences of middle and upper class whites over the needs of working people who are increasingly priced out of urban neighborhoods. Living in a walkable urban neighborhood should not be a privilege for the few; it should be a viable option for families of any income level.

Richmonders who care about the environment, social justice, and public health should support the Richmond 300 plan and transit-oriented up-zonings, and so should the City Council. It is one of the most important things we can do to make a new and better Richmond for all.

Don O'Keefe is a Master in Architecture Candidate at Harvard University and holds a Bachelor of Science from the Department of Urban and Regional Studies and Planning at Virginia Commonwealth University. He is a co-founder and editor of ArchitectureRichmond, a website that examines local design-related issues. His writing has been published in The Architectural Review, the Japan Times, and other venues.