



## Legislation Text

**File #:** ORD. 2020-256, **Version:** 1

To amend ch. 2, art. V of the City Code by adding therein a new div. 11 (§§ 2-1035-2-1039) for the purpose of establishing a Participatory Budgeting Steering Commission.

WHEREAS, the Council believes that it is in the best interests of the citizens of the City of Richmond that the Council establish a Participatory Budgeting Steering Commission to formulate the standards and procedures applicable to the purpose of making recommendations to the Council, the Mayor, the Chief Administrative Officer, and the Department of Budget and Strategic Planning for the implementation of participatory budgeting for select City capital projects; and

WHEREAS, with input from the Chief Administrative Officer and the Department of Budget and Strategic Planning, the Council intends to evaluate the purpose and duties of the Steering Commission and the recommended guidelines thereof by no later than June 30, 2025; and

WHEREAS, it is estimated that the annual operating costs for the Participatory Budgeting Steering Commission will be approximately \$5,000, including 80 staff hours;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That Chapter 2, Article V of the Code of the City of Richmond (2015) be and is hereby amended and reordained by **adding therein a new** Division 11, consisting of sections numbered 2-1035 through 2-1039, as follows:

### **DIVISION 11**

### **PARTICIPATORY BUDGETING STEERING COMMISSION**

#### **Sec. 2-1035. Created.**

There is hereby created a commission of the City of Richmond with indefinite duration to be known as the Participatory Budgeting Steering Commission for the purpose of making recommendations to the Council, the Mayor, and other City agencies on how to implement participatory budgeting for City capital projects proposed by the Commission and administering a participatory budgeting process. For purposes of this division, the phrase “participatory budgeting process” means a process through which members of the public may make advisory, nonbinding recommendations for presentation to the Council and the Mayor concerning the annual budget. For purposes of section 2-761, the Commission is classified as “advisory.”

#### **Sec. 2-1036. Composition.**

(a) The Commission shall be composed of seven members and four non-voting alternate members appointed by the Council in accordance with the following requirements:

- (1) Two voting members shall reside in a Council district located north of the James River;
- (2) Three voting members shall reside in a Council district located south of the James River;
- (3) One voting member shall be a [disabled] person with a disability;
- (4) One voting member shall be a resident of public housing;

(5) The four non-voting alternate members shall be residents of the city of Richmond and may be appointed from any Council district.

(6) The chairman of the Commission selected in accordance with this division shall select an alternate member to serve in the place of a voting member in the case of the absence of a voting member. Any alternate member selected to serve in the place of a voting member during such voting member's absence shall have full voting rights during such voting member's absence.

(7) No Council member or Council liaison may serve on the Commission.

(b) The voting members and non-voting alternate members shall serve for terms of two years and may serve up to two consecutive terms.

(c) All appointments shall be otherwise governed by sections 2-755 and 2-756 of the Code of the City of Richmond (2015), as amended.

(d) All other aspects of the Commission and its membership not addressed in this division shall be governed by Chapter 2, Article V, Division 1.

**Sec. 2-1037. Qualifications.**

The membership of the Commission should possess experience and expertise concerning various aspects of community investment and development, public finance, urban planning, community health and wellbeing, community organization, and community outreach that may be relevant to the consideration of formulating standards and procedures for participatory budgeting.

**Sec. 2-1038. Duties.**

The Commission shall serve as an advisory body to the Council, the Mayor, the Chief Administrative Officer, and the Department of Budget and Strategic Planning for the implementation of a participatory budgeting process for City capital projects proposed by the Commission and for the development of a participatory budgeting rulebook. For purposes of this division, the phrase "participatory budgeting rulebook" means a set of recommended guidelines developed by the Commission, to the extent permitted by law, concerning the process by which members of the public may participate in the annual budget process to provide the City with input on City capital projects proposed by the Commission. The Commission shall administer the participatory budgeting process provided for in this division. In addition, the Commission shall perform the following duties:

(a) Draft and finalize a participatory budgeting rulebook, which shall be approved as to form and legality by the City Attorney, providing for:

(1) The development of recommendations for a data collection and community assessment project that considers health, social, and environmental quality of life indicators. Such assessment and recommendations shall be produced in an annual written report to the Council, the Mayor, the Chief Administrative Officer, and the Department of Budget and Strategic Planning measuring the quality of life indicators noted in this subdivision and incorporating relevant aspects of the City's master plan in such assessment and recommendations. In preparing its assessment and recommendations, the Commission shall obtain the advice and comment of City agencies, as the Commission deems appropriate, and, with regard to zoning matters, the Department of Planning and Development Review, which department shall have a representative present to assist the Commission at public events conducted by the Commission for the residents of the city of Richmond.

(2) A process outlining how residents may participate in the annual budgeting process, the number and type of capital projects that the Commission may propose annually, how residents may offer any such resident's expertise on municipal budget matters, and any other relevant elements. Such process and any recommended funding for capital projects shall be delineated by Council District and shall facilitate citywide implementation of the process with a

focus on transparency, community building, and representation from various groups, including but not limited to:

- a. [Disabled persons] Persons with disabilities.
- b. Youth and families.
- c. Persons with a history of criminal charges or convictions.
  - d. Elderly persons.
- e. Non-native English speakers.
- f. Racial minorities
- g. Women.

(3) Parameters for participatory budgeting, including the following:

a. Only capital projects that are estimated to take up to one year to complete shall be considered.

b. Any proposals for funding shall not include any funding used to generate revenue, benefits, or funds to cover overhead, administrative, or overhead costs for private individuals or entities.

c. No proposed funding for projects shall require a change in City policy or applicable laws.

d. No proposed funding shall be for grants to nonprofit organizations.

e. No proposed capital projects shall promote religious or political beliefs;

f. All proposed capital projects be for the development of City-owned real estate.

g. Any proposals for funding shall not include funding for initiatives of or property operated by the School Board of the City of Richmond.

(b) Any voting process used by the Commission shall use ranked voting and, in the event of a tie, the tie shall be decided by the Commission.

(c) Funding opportunities shall be organized by district and shall organized by subject areas determined by the Commission.

(d) Develop measures and goals to evaluate the success of the participatory budgeting process.

(e) Establish a timeline for the implementation of the participatory budgeting process.

(f) Determine the annual budget allocation of funds for capital improvement projects for all Council districts.

(g) Develop outreach programs to solicit community participation in the participatory budgeting process, including the following:

(1) A public marketing and outreach campaign, strategy, and annual budget.

(2) Funding opportunities to offset the City's costs to implement the participatory budgeting process.

(3) Recruitment of volunteers to assist with the preparation and submission to the City of capital

project ideas.

(h) Determine the qualifications for and train volunteers for the development of the participatory budgeting process.

(i) Recommend the ways in which the City may oversee the implementation of the participatory budget process.

(j) Recommend the ways in which the City may more efficiently oversee the timely and successful execution of select capital projects as may be determined by the Commission and how the City may keep the public informed about the details and progress of such projects.

(k) Based on the participatory budgeting process and the participatory budgeting rulebook developed pursuant to this section, provide the Council, the Mayor, the Chief Administrative Officer, and the Department of Budget and Strategic Planning with recommendations for any modifications to the participatory budgeting process and participatory budgeting rulebook, by no later than June 30 of the fiscal year commencing July 1, 2021, and ending June 30, 2022, and by June 30 of each fiscal year thereafter.

(l) Submit a written report, containing the Commission's findings and recommendations for a participatory budgeting process and a participatory budgeting rulebook as required by this division, to the City Council, the Mayor, Chief Administrative Officer, and the Department of Budget and Strategic Planning by no later than the first regular meeting of the City Council scheduled after June 30, 2021.

**Sec. 2-1039. Administration.**

(a) *Quorum.* Four members of the Commission shall constitute a quorum. (b) *Officers.* The Commission shall select from among its membership a chairman and other such officers as it may deem necessary for the conduct its affairs.

(c) *Meetings.* The Commission shall meet within each Council district at least once within a twelve month period and as often as it deems necessary in order to complete its duties, and shall provide for a sign language and Spanish interpreter at all such meetings.

(d) *Freedom-of-Information.* All meetings and records of the Commission shall be subject to the provisions of the Virginia Freedom of Information Act.

(e) *Procedures.* The Commission may adopt by-laws or rules of procedure not inconsistent with this ordinance to govern the conduct of its meetings and operations.

(f) *Staff and Resources.* The Chief Administrative Officer or the designee thereof shall provide such staff and resources, and shall coordinate the provision of assistance by agencies that report to the Chief Administrative Officer and the offices of appointees of the City Council, as may be necessary, to assist the Commission in completing the duties set forth in this division. The Office of the City Attorney shall provide any legal advice or opinions necessary to assist the Commission in completing the duties imposed by this ordinance.

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