



## Legislation Text

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**File #:** ORD. 2025-191, **Version:** 1

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To provide for the granting by the City of Richmond to the person, firm or corporation to be ascertained in the manner prescribed by law of the franchise, right, and privilege to install and maintain a solar farm and pollinator meadow located at 3800 East Richmond Road in accordance with a certain Ground Lease. (7<sup>th</sup> District)

WHEREAS, following the introduction of this ordinance, the City Clerk has caused to be advertised, once a week for two successive weeks in a newspaper of general circulation published in the city of Richmond, a descriptive notice of the Ground Lease attached to this ordinance, which notice:

1. included a statement that a copy of the full text of the ordinance is on file in the office of the City Clerk;
2. invited bids for the easement, franchise, privilege, lease or right offered to be granted in and by this ordinance, which bids were to be:
  - a. delivered in writing to the presiding officer of the Council of the City of Richmond at its regular meeting to be held on October 14, 2025, at 6:00 p.m., in open session;
  - b. presented by the presiding officer to the Council; and
  - c. then dealt with and acted upon in the mode prescribed by law;
3. required that all bids for the easement, franchise, privilege, lease or right hereby offered to be granted shall be submitted in writing as required by law; and
4. reserved the Council's right to reject any and all bids; and

WHEREAS, the deadline for the receipt of bids has passed, all bids have been received, and the Council is prepared to act in accordance with sections 15.2-2100 of the Code of Virginia (1950), as amended;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That there shall be granted pursuant to section 15.2-2100 of the Code of Virginia (1950), as amended, a certain franchise for a solar farm and pollinator meadow located at 3800 East Richmond Road as set forth in the Ground Lease, a copy of which is attached to and incorporated into this ordinance, to the following lessee:

§ 2. That the Chief Administrative Officer, for and on behalf of the City of Richmond, be and is hereby authorized to execute the Ground Lease between the City of Richmond as lessor and the lessee identified in section 1 of this ordinance to grant the franchise, right, and privilege, to install and maintain a solar farm and pollinator meadow located at 3800 East Richmond Road by such lessee, provided that:

(a) The Ground Lease has first been approved as to form by the City Attorney and is substantially in the form of the document attached to this ordinance; and

(b) The lessee identified in section 1 of this ordinance has first executed a bond, with good and sufficient security, in favor of the City of Richmond, Virginia, in the amount of \$32,500.00 and conditioned upon the installation and maintenance of a solar farm and pollinator meadow located at 3800 East Richmond Road as provided for in the granted ground lease, with such bond in a form acceptable to the Chief Administrative Officer and approved as to form by the City Attorney; and

(c) The lessee identified in section 1 of this ordinance has first paid all costs incurred in connection with the advertisement of this ordinance, as required by section 15.2-2101 of the Code of Virginia (1950), as amended.

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

### **O&R Transmittal**

**DATE:** July 22, 2025

**TO:** The Honorable Members of City Council

**THROUGH:** The Honorable Mayor Danny Avula

**THROUGH:** Odie Donald II, Chief Administrative Officer

**THROUGH:** Tanikia Jackson, Deputy Chief Administrative Officer

**THROUGH:** Meghan Brown, Director of Budget & Strategic Planning

**THROUGH:** Sharon Ebert, DCAO of Planning & Economic Development

**THROUGH:** Christopher Frelke, Director of Parks, Recreation & Community Facilities

**THROUGH:** Kevin Vonck, Director of Planning & Development Review

**THROUGH:** Bobby Vincent, Director of Public Works

**FROM:** Laura Thomas, Director of the Office of Sustainability

**RE:** Office of Sustainability | East Richmond Land Fill Solar Farm and Meadow

**PURPOSE:** To authorize the Chief Administrative Officer to enter into a Ground Lease with Vendor to be selected, on with a term of 35 years for the purpose of installing and operating a solar farm and pollinator meadow at the property located at 3800 East Richmond Road. To authorize the Chief Administrative Officer to accept funds, both initially and annually, associated with the Ground Lease to the selected Lessee. This project will also create a Community Benefits Agreement that support at least 3 in-person community engagement sessions prior to commencing construction to provide information regarding the project to community members. This Community Benefits Agreement will detail at minimum, the explicit benefits, and their estimated cash value, that the neighborhoods of Fulton Hill, Church Hill, and Chimborazo Park as they relate to this project, as approved by cross departmental Directors in collaboration with the Director of Sustainability for the City of Richmond.

**REASON:** Through RVAgreen 2050, the City has a stated goal of achieving net zero greenhouse gas emissions by 2050 and has several goals related to the installation of renewable energy, as well as increasing pollinator habitat.

**RECOMMENDATION:** The City Administration recommends approval.

**BACKGROUND:** This site is a formerly closed landfill that was operated by the City from the 1960s to September 1983 when it was closed and capped. Currently, the site operates as a debris collection site and recycling convenience center. It is open to members of the public to distribute various materials such as tree debris, concrete, and leaves. These materials are currently being stored around the closed landfill on the exterior of the East Richmond Road loop. Access beyond the recycling center at the entrance is restricted and monitored by Department of Public Works staff on site. Inside the East Richmond Road loop is the proposed solar array location, as well as the land outside of this ring, and adjacent to the intersection of East Richmond Road and Jennie Scher Road. The capped portion of the old landfill is maintained according to regulatory requirements and the uncapped portion also within the East Richmond Road circle is not currently managed, and contains small trees and shrubs, grasses, and other various vegetation,

This project would allow the selected Lessee to install a ground-mounted solar array on the site, and to operate this new facility for a period of 35 years, with the option of two (2) 2.5 -year extensions. There will be an approximate two-year exploratory process prior to solar panel installation where the Lessee will work with the necessary authorities to ensure all regulatory compliance is complete and the site is able to move forward with the installation. It is anticipated that approximately fifteen (14.925) acres of land will be available for this

purpose, though that number is subject to change based on the exploratory process.

The City will receive funding for the use of the landfill in this manner, including a \$20,000 initial payment and an annual payment of \$10,000 for each exploratory year. Once operational, the City will be paid \$2,500 per acre of the premise used for the solar farm every year. The primary use of these funds will be to support a Community Benefit Agreement that will be created in partnership with the community, once the project receives approval, with additional benefits going towards furthering energy reduction efforts. Once the life of the solar installation is complete, the selected vendor will be required to remove and recycle the components of the facility.

**COMMUNITY ENGAGEMENT:** The community has been engaged to this point on the potential project, including the following two engagement sessions held in 2024.

**1. Session 1:**

- **Date:** Thursday, July 18<sup>th</sup>, 2024
- **Time:** 6:30 - 7:30 pm
- **Location:** EDI Pop-Center 701 North 25th Street Richmond, VA 23223

**2. Session 2:**

- **Date:** Wednesday, July 24<sup>th</sup>, 2024
- **Time:** 7:00 - 8:00 pm
- **Location:** Powhatan Community Center - 5051 Northampton Street, Richmond, VA 23231

During these sessions, the various land uses associated with closed landfills was provided to the community, including the potential to install a solar farm. The community was generally supportive of this process and expressed interest in looking further at the details associated with various community benefits. Many individuals selected to participate in future conversations.

Once the ground lease is signed for this project, the selected Lessee will be required to conduct three (3) community engagement sessions in order to build out a Community Benefits Agreement and three (3) additional sessions post construction. The Community Benefits Agreement will be drafted to the satisfaction of cross Departmental Directors in collaboration with the Director of Sustainability. Additional community engagement opportunities will be explored and supported as needed.

**FISCAL IMPACT:** There is no local match required. The Department of OOS anticipates a potential impact to the city's budget in this or future years related to the activities associated with the agreement. There is a \$500,000 upfront payment for the Community Benefits Agreement. Based on the annual rent of approximately \$1,542.83 per acre for 14.925 acres, the total annual rent is approximately \$23,027.86 (14.925 acres x \$1,542.83). This amount will reflect in each fiscal year, increasing accordingly to apply 3% increase each annual payment after commencement date.

**DESIRED EFFECTIVE DATE:** upon adoption

**REQUESTED INTRODUCTION DATE:** September 8, 2025

**CITY COUNCIL PUBLIC HEARING DATE:**

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** Land Use, Housing, and Transportation Standing Committee

**AFFECTED AGENCIES:** Mayor, Chief Administrative Officer, Office of the City Attorney, Department of Budget and Strategic Planning, Department of Public Works, Department of Parks, Recreation and Public Facilities, Office of Sustainability

**RELATIONSHIP TO EXISTING ORD. OR RES:** N/A

**ATTACHMENTS:** Ground Lease between the Lessor and Lessee

**STAFF:** Laura Thomas, Director- Office of Sustainability | [laura.thomas@rva.gov](mailto:laura.thomas@rva.gov)