



RVA First District

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December 23rd Legislative Updates

A quick update on various legislative items coming up that I will be voting on or working on!

Passed

Three wins for transparency this week, thanks to Council Member Gibson who has been doing a great job getting legislation through the pipeline. They got varying degrees of attention at the meeting.

No Fees for Legally Required Disclosures

The least discussed topic was regarding [2025-211](#), which basically says the city can't charge a fee for posting info to our public portal if it's info that we are already legally obligated to post in the first place. It remained on the consent agenda and passed with no further discussion.

Increased Financial Disclosure for Certain Boards & Commissions

The second was [2025-209](#), an ordinance to require that our appointees on certain important boards and commissions file more detailed financial disclosure forms. The boards impacted include the Richmond Redevelopment & Housing Authority, as well as the Economic Development Authority and the Affordable Housing Trust Fund Board. These boards already had a requirement to fill out a "short form" (the form set forth in Code of Virginia, § 2.2-3118) but now have a more detailed disclosure requirement (the form set forth in Code of Virginia, § 2.2-3117) to lay out potential conflicts of interest that these board members may have.

The supporters present at Public Comment seemed focused on the RRHA, but it's an important requirement for all of these boards, which each have the power to issue bonds or expend large amounts of funds. Notably, the Planning Commission and the Richmond Retirement System remained on the "short form" list. GRTC Board was added to the short form list after being previously excluded from either. I voted to support this legislation.

FOIA Library and Inclusion Criteria

The vote garnering the most attention was to create a formal process and requirements for the Mayor's new FOIA Library. There were two proposals on the docket, one ([2025-210](#) by CM Gibson) more ambitious than the other ([2025-240](#), by Mayor Avula). Neither did anything to change the existing requirements that the city answer every FOIA as legally required. Both put rules in place to publicly post a subset of those responses to a free public database for easy access by all.

Making FOIA results more accessible to additional members of the public, beyond those who requested the content directly, should help us all identify and highlight problems in the government that need to be fixed. By broadly publishing these city records, we can crowd-source our oversight. We can also reduce the financial burden on journalists and citizen watchdogs who can now find some of the info they need without having to submit a costly duplicate request.

The city's fledgling FOIA Library was initially created after the water crisis by Ross Catrow, the city's head of Strategic Communications, who is also Richmond-famous for being the citizen (and professional) journalist behind Good Morning RVA and RVA News before that. Clearly, Council Member Gibson's introduction of mandatory legislation is what truly catalyzed this conversation, but I also believe that Ross's values regarding transparency and good governance are partly to thank for this initiative and this eventual legislation.

WHY I VOTED FOR ONE AND NOT THE OTHER

There were two similar proposals up for vote last week. I voted for the Mayor's proposed framework, and not for Gibson's. I respected the framing and guardrails of each proposal, but I believe the Mayor's (co-patroned by 4 other Council Members) is the more responsible approach.

The major difference was whether virtually every FOIA request by a citizen (with some exceptions) should be published to the public site for all to read, or whether a set of publicly-defined criteria should dictate the publication of records to this site based on relevance to public interest.

The criteria for inclusion in the library are wide sweeping, and should include everything people are hoping to see in the library, without risking as much exposure of personal items or noise from people who would use frivolous FOIA requests as a publication platform in itself. Here are the criteria:

The City will post releasable, responsive records into the Freedom of Information Act Request Library that (a) are requested by two or more requesters; (b) contribute to public understanding of the City's operations, policies, or decision-making activities; (c) expose wrongdoing or misconduct of a public official, government employee or member of the public; (d) are relevant to the

evaluation, performance, or accountability of City programs or functions; or (e) are otherwise of sufficient public interest to warrant proactive disclosure in order to promote transparency, public understanding, or accountability in City operations.

What I and my fellow Council Members may have gotten wrong is whether the administration might fail to follow the legally stated criteria. They may claim in their discretion that items of public interest are not interesting enough for this platform. We can watch the delivery of the library content over the coming months and judge how well the criteria are performing.

A NOTE ABOUT OVERSIGHT AND TRANSPARENCY

After seeing some of the follow-up discourse, there are a few points on oversight and transparency I wish to highlight:

1. This new library is a big step in transparency for our city, and may serve as an example for others. I respect the tactic that some advocates will use to criticize it, by comparing it to the more aggressive approach. But this new library will be a more transparent system than any other municipality has attempted.
2. There is not (as some have reported) a requirement that only FOIAs with two separate requestors will be published. Any FOIA that is relevant to the public interest will be published, and there are five different ways a FOIA can be accepted by meeting *any one* of those five criteria (they are listed in the ordinance with an “*or*” not an “*and*”). The last four criteria relate to the merit of the content. The first is whether two or more people have requested it, regardless of the merit of the content. So the two-or-more-requestors requirement is only for items that are otherwise not relevant to the public interest. So we should expect everything newsworthy to be in the library, even if requested by only one person.
3. While we are celebrating our FOIA wins for journalists and citizen watchdogs, I want to highlight that the Council’s Office of the Auditor and current Interim Inspector General continue to do very thorough, unbiased work in uncovering waste, fraud, and abuse in the City Government. Even the recent reporting in the press about fraudulent spending in our Fire Department was itself a story about an issue that our own Auditors had already uncovered, reported, and referred to our Inspector General.

Increased Fines for Unlicensed Demolitions

Another legislative win: One of the conclusions from the Cultural Heritage Stewardship Plan was to discourage demolitions in various ways, including increasing the fines for unlicensed demolitions. We passed a resolution requesting that the administration begin the process to increase these fines significantly.

With all the incentives to build new homes in the city, we need to implement protections like this to discourage unwarranted demolitions. Once historic homes are demolished, there is no way to get them back.

In Progress

Real Estate Tax Deferment

I will be copatroning an ordinance coming through the Finance subcommittee next month to create a program for Real Estate Tax deferment. This is a process that state law allows, in which homeowners that experience a high increase in assessments can defer the extra tax burden to a later time - typically until the home is sold and the large assessment delivers a cash windfall. This could be a great program for homeowners of modest/fixed incomes whose home values have appreciated greatly but whose income doesn't match the assessment of their home.

No other Virginia municipality has attempted this before, so there are details to sort out. But I will be co-patroning this legislation because I am optimistic that it could be a great tool for maintaining affordability.

In Development

Energy Efficiency Program

I have been working with Council Member Lynch and affordability advocates to craft legislation creating a city-administered Energy Efficiency program. This program, to fund home improvements such as better insulation, will have the dual benefit of reducing the rising energy expense for families in the city and reducing emissions as well.