

## DIVISION 2. - ADVISORY COMMITTEES

## Sec. 2-793. - Findings and purpose.

- (a) The Council finds that there are numerous committees, boards, commissions, councils, and similar groups that have been established to advise officers and agencies in the executive and legislative branches of the City government and that they are frequently a useful and beneficial means of furnishing expert advice, ideas, and diverse opinions to the City government.
- (b) The Council further finds and declares that:
  - (1) The need for many existing advisory committees has not been adequately reviewed;
  - (2) New advisory committees should be established only upon a determination of necessity;
  - (3) Advisory committees should be terminated when they are no longer carrying out the purposes for which they were established;
  - (4) Standards and uniform procedures should govern the establishment, operation, administration, and duration of advisory committees; and
  - (5) The Council and the public should be kept informed with respect to the number, purpose, membership, activities, and cost of advisory committees.

(Code 2004, § 2-1081; Ord. No. 2006-325-2007-54, § 1, 3-26-2007)

## Sec. 2-794. - Definitions.

For the purpose of this division:

*Advisory committee.*

- (1) The term "advisory committee" means:
  - a. Any committee, board, commission, council, conference, panel, task force, or other similar group; or
  - b. Any subcommittee or other subgroup thereof,

which is established for the purpose of obtaining advice or recommendations for the Mayor, the Council or one or more agencies or officers of the City government.

(2) The term excludes:

- a. Any entity that is composed wholly of full-time, or permanent part-time, officers or employees of the City government;
- b. Any entity formed solely to undertake negotiations or deliberations that could be closed to the public pursuant to the Code of Virginia, § 2.2-3711; or
- c. Any entity, all of the records of which would be exempt from public disclosure pursuant to the Code of Virginia, §§ 2.2-3705.1 through 2.2-3705.8.

(3) The term "advisory committee" shall not include neighborhood associations, civic associations, citizen groups, business organizations or any other entity that is not established by the Mayor or the Council but which provides input to the Mayor or members of the City Council on topics that affect their interests.

*Agency* means any department, bureau, division, board, commission, committee, office or agency of the City government.

(Code 2004, § 2-1082; Ord. No. 2006-325-2007-54, § 1, 3-26-2007)

Cross reference— Definitions generally, § 1-2.

Sec. 2-795. - Applicability; restrictions.

The provisions of this division or of any rule, order, or regulation promulgated under this division shall apply to advisory committees except to the extent that any ordinance establishing any such advisory committee specifically provides otherwise.

(Code 2004, § 2-1083; Ord. No. 2006-325-2007-54, § 1, 3-26-2007)

Sec. 2-796. - Establishing advisory committees; purpose; public notice.

(a) Advisory committees shall only be established by the Mayor via a writing submitted to the City Clerk or by the City Council via an ordinance. Any such writing or ordinance shall contain:

- (1) The committee's official designation;

- (2) The committee's objectives and the scope of its activity;
  - (3) The period of time necessary for the committee to carry out its purposes;
  - (4) The agency or official to whom the committee reports;
  - (5) The agency responsible for providing the necessary support for the committee;
  - (6) A description of the advisory committee's duties, and, if such duties are not solely advisory, a specification of the ordinance or statute granting the authority for such functions;
  - (7) The estimated annual operating costs in dollars and staff-hours for such advisory committee;
  - (8) The estimated number and frequency of committee meetings, and provisions governing the taking of minutes; and
  - (9) The committee's termination date.
- (b) Unless otherwise specifically provided by ordinance, advisory committees shall be utilized solely for advisory functions. Determinations of action to be taken and policy to be expressed with respect to matters upon which an advisory committee reports or makes recommendations shall be made solely by the Mayor or the Council.
- (c) Advisory committees shall be subject to the provisions of the Virginia Freedom of Information Act, Code of Virginia, § 2.2-3700 et seq.

(Code 2004, § 2-1084; Ord. No. 2006-325-2007-54, § 1, 3-26-2007)

Sec. 2-797. - Responsibilities of Council Standing Committees.

- (a) Each Standing Committee of the Council shall make a continuing review of the activities of each advisory committee under its jurisdiction to determine whether such advisory committee should be abolished or merged with any other advisory committee, whether the responsibilities of such advisory committee should be revised, and whether such advisory committee performs a necessary function not already being performed.
- (b) In considering legislation establishing or authorizing the establishment of any advisory committee, each Standing Committee shall determine, and report such determination to the Council, whether the functions of the proposed advisory committee are being or could be performed by one or more agencies or by an advisory committee already in existence, or by enlarging the mandate of an existing advisory committee.

(Code 2004, § 2-1085; Ord. No. 2006-325-2007-54, § 1, 3-26-2007)

Sec. 2-798. - Fiscal and administrative provisions; recordkeeping; audit; agency support services.

(a) For every advisory committee advising:

- (1) The Mayor;
- (2) A City agency; or
- (3) A City official;

the Chief Administrative Officer shall arrange for the maintenance of records as will fully disclose the disposition of any public funds which may be at the disposal of its advisory committees and the nature and extent of their activities. For every advisory committee advising the Council, the Council Chief of Staff shall arrange for the maintenance of records as will fully disclose the disposition of any public funds which may be at the disposal of such advisory committees and the nature and extent of their activities. The City Auditor, or any authorized representatives thereof, shall have access, for the purpose of audit and examination, to any such records.

(b) The Chief Administrative Officer shall be responsible for arranging for the provision of support services to every advisory committee advising:

- (1) The Mayor;
- (2) A City agency; or
- (3) A City official;

unless the establishing letter provides otherwise. The Council Chief of Staff shall be responsible for arranging for the provision of support services to every advisory committee advising the Council, unless the establishing ordinance provides otherwise.

(Code 2004, § 2-1086; Ord. No. 2006-325-2007-54, § 1, 3-26-2007)

Sec. 2-799. - Reports and background papers; depository.

Every advisory committee established by the Mayor or the City Council shall file with the City Clerk two copies of any final report made to the Mayor or the City Council, together with any background papers prepared by any consultants relied upon by such advisory committee. The City Clerk shall establish a depository for such reports and papers where they shall be available to public inspection and use.

(Code 2004, § 2-1087; Ord. No. 2006-325-2007-54, § 1, 3-26-2007)