

INTRODUCED: May 9, 2016

A RESOLUTION No. 2016-R034

To approve, on behalf of the City of Richmond, the proposed resolution of the *Cephas v. City of Richmond* case by mutual agreement, to authorize the City’s counsel for the *Cephas* case to endorse or execute all documentation necessary to effectuate the terms of the proposed resolution of the *Cephas* case by mutual agreement, and to request that the Mayor recommend any further legislation necessary to fully implement this proposed resolution of the *Cephas* case.

Patron – Mayor Jones

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: MAY 23 2016 AT 6 P.M.

WHEREAS, in a closed meeting lawfully held pursuant to section 2.2-3711(A)(7) of the Code of Virginia (1950), as amended, the Council received a briefing on a proposed resolution of *Cephas v. City of Richmond*, Civil Action No. 3:15CV332 (the “*Cephas* case”), by mutual agreement; and

WHEREAS, an integral condition of the proposed resolution requires that its terms be kept strictly confidential pending approval of the proposed resolution of the *Cephas* case by all parties; and

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: MAY 23 2016 REJECTED: _____ STRICKEN: _____

WHEREAS, the Council, on behalf of the City of Richmond, desires to approve this proposed resolution of the *Cephas* case;

NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RICHMOND:

That the Council, on behalf of the City of Richmond, hereby approves the proposed resolution of the *Cephas* case by mutual agreement, authorizes the City's counsel for the *Cephas* case to endorse or execute all documentation necessary to effectuate the terms of the proposed resolution of the *Cephas* case by mutual agreement, and requests that the Mayor recommend any further legislation necessary to fully implement this proposed resolution of the *Cephas* case.



CITY OF RICHMOND
INTRACITY CORRESPONDENCE



RECEIVED

MAY 09 2016

O&R REQUEST

OFFICE OF CITY ATTORNEY

DATE: May 2, 2016

EDITION: 1 4-5/35

TO: The Honorable Members of City Council

O & R REQUEST

THROUGH: Dwight C. Jones, Mayor [Signature]

MAY 4 2016

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer [Signature]

Chief Administration Office
City of Richmond

THROUGH: Debra Gardner, Deputy Chief Administrative Officer for Health and Human Services and Lenora Reid, Deputy Chief Administrative Officer for Finance and Administration [Signatures]

FROM: Shunda T. Giles, Director of Richmond Department of Social Services [Signature]

RE: Approval of proposed Cephaz v. City of Richmond settlement

ORD. OR RES. No. _____

PURPOSE: To approve, on behalf of the City of Richmond, the proposed resolution of the Cephaz v. City of Richmond case by mutual agreement, to authorize the City's counsel for the Cephaz case to endorse or execute all documentation necessary to effectuate the terms of the proposed resolution of the Cephaz case by mutual agreement, and to request that the Mayor recommend further legislation necessary to fully implement this proposed resolution to the Cephaz case.

REASON: The requested Council resolution is requested to approve, on behalf of the City, a proposed settlement of the pending Cephaz v. City of Richmond case.

RECOMMENDATION: The City Administration recommends the adoption of the requested Council resolution.

BACKGROUND: Kimberly Cephaz and numerous other current and former City Family Services Specialists, Family Services Workers, Social Work Specialists, Social Workers, and Benefit Program Specialists filed the collective action and class action lawsuit Cephaz v. City of Richmond, Civil Action 3:15CV332 in the U.S. District Court for the Eastern District of Virginia on June 2, 2015. The case alleged the City's failure to pay overtime compensation as required

by the Fair Labor Standards Act and Va. Code §§ 9.1-701 through 9.1-703. On April 25, 2016, Council held a closed meeting pursuant to Va. Code §2.2-3711 (A) (7) and received a briefing from the City Attorney on a proposed settlement of the *Cephas* case. The requested Council resolution would constitute the City's approval of that proposed settlement.

FISCAL IMPACT / COST: Pursuant to its terms, the proposed settlement must remain strictly confidential. The cost associated with the proposed settlement is the subject of a budget amendment to the Fiscal Year 2015-2016 budget. No revenue will be lost.

FISCAL IMPLICATIONS: The cost of the proposed settlement is anticipated to have no impact on the City's debt capacity, bond rating, revenue-generating capability or long-term expenditures.

BUDGET AMENDMENT NECESSARY: Yes. A request for a budget amendment is pending concurrently to this request.

REVENUE TO CITY: None.

DESIRED EFFECTIVE DATE: Upon adoption.

REQUESTED INTRODUCTION DATE: May 9, 2016

CITY COUNCIL PUBLIC HEARING DATE: May 23, 2016

REQUESTED AGENDA: Consent.

RECOMMENDED COUNCIL COMMITTEE: Committee referral waiver pursuant to Council Rules VI (B) (2) requested.

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: None.

AFFECTED AGENCIES: Office of the Chief Administrative Officer, Office of the City Attorney, Office of the Mayor.

RELATIONSHIP TO EXISTING ORD. OR RES.: A separate request for a budget amendment is pending concurrently to this request.

REQUIRED CHANGES TO WORK PROGRAM(S): None.

ATTACHMENTS: None.

STAFF:

Selena Cuffee-Glenn, Chief Administrative Officer
Lenora Reid, Deputy Chief Administrative Officer for Finance and Administration

O&R Request

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Debra Gardner, Deputy Chief Administrative Officer for Health and Human Services
Shunda T. Giles, Director, Richmond Department of Social Services