

INTRODUCED: December 13, 2021

AN ORDINANCE No. 2021-347

As Amended

To establish the 2022 City Charter Review Commission to conduct a comprehensive review of the City Charter with the objective of making recommendations for appropriate revisions thereto.

\_\_\_\_\_  
Patrons – President Newbille, Vice President Robertson and Ms. Lambert

\_\_\_\_\_  
Approved as to form and legality  
by the City Attorney  
\_\_\_\_\_

PUBLIC HEARING: JAN 10 2022 AT 6 P.M.

WHEREAS, since the establishment of the City’s current Council-Mayor form of government in 2004, the General Assembly of Virginia, at the request of the Council of the City of Richmond, has made piecemeal amendments to parts of the Charter of the City of Richmond (2020), as amended; and

WHEREAS, the Council of the City of Richmond is of the opinion that it would be in the best interests of the City of Richmond that a 2022 City Charter Review Commission be appointed to conduct a comprehensive review of the Charter of the City of Richmond (2020), as amended, with the objective of making recommendations for appropriate revisions to such charter; and

AYES:            9            NOES:            0            ABSTAIN:        \_\_\_\_\_

ADOPTED:      MAR 14 2022      REJECTED:      \_\_\_\_\_      STRICKEN:      \_\_\_\_\_

WHEREAS, the Council of the City of Richmond is of the opinion that such commission should submit its final report to the Council and the Mayor no later than June 1, 2023, to allow sufficient time for the Council to consider its report and then request that any changes to the Charter be made during the 2024 session of the General Assembly of Virginia; and

WHEREAS, it is estimated that the annual operating costs for the 2022 City Charter Review Commission will be approximately \$5,000.00, including 10 staff hours;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the Council of the City of Richmond hereby establishes the 2022 City Charter Review Commission (the “Commission”) pursuant to the following provisions:

A. **Purpose.** The purpose of the Commission is to conduct a comprehensive review of the Charter of the City of Richmond (2020), as amended, with the objective of making recommendations for appropriate revisions to such charter.

B. **Composition.**

1. **Appointment.** The Commission shall consist of [~~five~~] nine persons appointed by the Council for a term commencing upon appointment and terminating on the date that the Commission ceases to exist pursuant to section 1(D)(2) of this ordinance. All appointments shall be otherwise governed by section 2-767 of the Code of the City of Richmond (2020), as amended.

2. **Qualifications.**

a. Each person appointed to the Commission shall meet one or more of the following qualifications:

(1) [~~A person who is a current or former delegate in the Virginia House of Delegates or senator in the Virginia Senate;~~

(~~2~~) A person with substantial experience in local government, based on either practical experience or academic research; or

(3) A person who is a citizen-at-large of the City.

b. No officer or employee, as of the date on which this ordinance is adopted, of the City or of any authority or other political subdivision operating in the city shall be eligible for appointment to the Commission.

c. Membership on the Commission shall be otherwise governed by section 2-768 of the Code of the City of Richmond (2020), as amended.

C. **Duties.** The Commission shall perform the following duties and, with the assistance of the Office of the Council Chief of Staff, promptly propose a plan of work with a budget for additional, non-City resources recommended for the performance of these duties and present such to the Council and the Mayor:

1. **Review.** The Commission shall undertake a comprehensive review of the Charter of the City of Richmond to:

a. Assess the history of the Charter of the City of Richmond with a special emphasis on its history under the present Council-Mayor form of government established in 2004;

b. Identify:

(1) Ambiguities and conflicts;

(2) Clerical and grammatical errors; and

(3) Outdated or otherwise inapplicable text

in the Charter of the City of Richmond; and

c. Evaluate any amendments to the Charter of the City of Richmond that the Mayor or members of the Council may propose.

2. **Public Participation.** The Commission shall ensure public participation in its review process by:

a. Soliciting written suggestions to inform the Commission's work;

b. Posting reports on its progress and sharing information with the public via appropriate media releases and a publicly accessible website; and

c. Any other means the Commission believes will ensure public participation in its review process.

3. **Recommendations.** The Commission shall consider the results of its review and public participation processes and make recommendations for amendments to the Charter of the City of Richmond that include:

a. The resolution of ambiguities and conflicts;

b. The correction of clerical and grammatical errors;

c. The removal of outdated or otherwise inapplicable text;

d. Any clarifications or changes to the definition and delineation of the authority of the Council, the Mayor, and the Chief Administrative Officer;

e. Any other clarifications or changes pertaining to the City's current form of government, including, but by no means limited to, whether the Council should have staggered terms or how to address any issues with the legal representation of the City;

f. The enactment of amendments to general laws that would benefit the City; and

g. Proposed text for the legislation needed to effectuate the Commission's recommendations.

4. **Final Report.** The Commission shall submit to the Council and the Mayor a final written report, containing the Commission's findings and recommendations developed pursuant to sections 1(C)(1) through 1(C)(3) of this ordinance, no later than June 1, 2023.

**D. Conduct of Affairs.**

1. **Classification.** For purposes of section 2-773(b) of the Code of the City of Richmond (2020), as amended, the Commission is classified as "advisory."

2. **Duration.** The Commission shall continue in existence until it has submitted the final written report called for by section 1(C)(4) of this ordinance.

3. **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.

4. **Freedom-of-Information.** All meetings and records of the Commission shall be subject to the provisions of the Virginia Freedom of Information Act, codified as sections 2.2-3700 through 2.2-3715 of the Code of Virginia (1950), as amended. The Commission's final report required by section 1(C)(4) of this ordinance shall be retained permanently as a public record in accordance with the requirements of the Virginia Public Records Act, codified as sections 42.1-76 through 42.1-90.1 of the Code of Virginia (1950), as amended.

5. **Meetings.** The Commission shall meet at least once each month and may meet as often as it deems necessary in order to complete its duties and submit its report by the deadline set by section 1(C)(4) of this ordinance.

6. **Procedures.** The Commission may adopt bylaws or rules of procedure not inconsistent with this ordinance to govern the conduct of its meetings and operations.

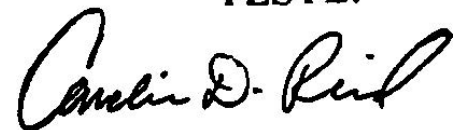
7. **Quorum.** Three members of the Commission shall constitute a quorum.

8. **Reporting.** For purposes of section 2-773(c) of the Code of the City of Richmond (2020), as amended, the Commission shall report to the [~~Organizational Development~~] Governmental Operations Standing Committee of the Council. In addition, on the [~~first~~] fifteenth day of each month, the Commission shall transmit to the Governmental Operations Standing Committee of the Council and the Mayor a brief summary of the Commission's activities during the preceding month.

9. **Staff and Resources.** The Office of the Council Chief of Staff shall provide such staff and resources, and shall coordinate the provision of assistance by members of the City administration and the offices of appointees of the City Council, as may be necessary to assist the Commission in completing the duties imposed by this ordinance. The Chief Administrative Officer shall designate at least one employee from the agencies that report to the Chief Administrative Officer to assist the Commission in completing the duties imposed by this ordinance. 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.

**A TRUE COPY:  
TESTE:**



**City Clerk**

# Council Ordinance/Resolution Request

**TO** **Haskell C. Brown, III, Interim Richmond City Attorney**  
**Richmond Office of the City Attorney**

**THROUGH** Joyce L. Davis  
Interim Council Chief of Staff

**FROM** William E. Echelberger, Jr, Council Budget Analyst

**COPY** Cynthia Newbille, 7<sup>th</sup> District Council member  
Ellen Robertson, 6<sup>th</sup> District Council member  
Tabrica C. Rentz, Interim Deputy City Attorney  
Samuel Patterson, 7<sup>th</sup> District Liaison  
Tavares Floyd, 6<sup>th</sup> District Liaison

**DATE** Dec. 3, 2021

**PAGE/s** 1 of 4

**TITLE:** Resolution to Establish City Charter Review Commission

This is a request for the drafting of an **Ordinance**  **Resolution**

**REQUESTING COUNCILMEMBER/PATRON**

President Cynthia Newbille and Vice  
President Ellen Robertson

**SUGGESTED STANDING COMMITTEE**

Governmental Operations

**ORDINANCE/RESOLUTION SUMMARY**

The patron requests a resolution to establish the City Charter Review Commission to conduct a comprehensive review of the current City Charter with the objective of making recommendations to address revisions to the City Charter.

**BACKGROUND**

- The current Richmond City Charter dates to 1948, with numerous amendments over the years. A chart of these amendments can be found at:  
[https://library.municode.com/va/richmond/codes/code\\_of\\_ordinances?nodeId=CHTR\\_C OMPARATIVE\\_TABLEAC](https://library.municode.com/va/richmond/codes/code_of_ordinances?nodeId=CHTR_C OMPARATIVE_TABLEAC)
- The current Richmond City Charter was amended by the General Assembly in 2004 to create the present Council-Mayor form of government, which establishes Richmond City Council as the governing body of city government and a Mayor is elected to oversee a Chief Administrative Officer in the delivery of day-to-day government operations.
- The present Council-Mayor form of government is unique among the Commonwealth of Virginia's cities.
- Resolution 2008-R114-115 established the City Charter Review Commission in 2008 to review the Richmond City Charter and to recommend any necessary changes at that time.

- The proposed resolution will create a new City Charter Review Commission based on the following guidelines:
  - **Composition:** City Council shall appoint five persons to serve as members of the City Charter Review Commission, subject to the following:
    1. Term of Appointment. Each commission member shall be appointed to a term of three years, or the termination date of the commission whichever comes first.
    2. Officers. The commission shall select one of its members to serve as chairman of the commission. Additionally, the commission shall select from among its membership such other officers (secretary, etc.) as it deems necessary to discharge its functions.
    3. Residency. Each commission member shall either reside in the city or have such member's principal place of employment in the city.
  - **Qualifications.** The five commission members shall be chosen from one or more of the following categories:
    1. Current or former state legislator(s) (i.e., Delegate or Senator).
    2. Current citizen(s)-at-large of the City of Richmond.
    3. Individual(s) with substantial experience in local government administration, based on either practical experience, or academic research.

No elected City of Richmond official, employee of the City serving as of the date on which the Council adopts the requested resolution, or employee or official of a City authority shall be eligible for appointment to the Commission.
  - **Oversight:** The Commission shall report to the Council's Organizational Development Standing Committee.
  - **Purpose:** The City Charter Review Commission shall conduct a comprehensive review of the current City Charter with the objective of making recommendations for revisions to the City Charter. The Commission shall make recommendations to the appropriate standing committee of City Council of any recommended changes.
  - **Duties:** The City Charter Review Commission shall have the following duties and responsibilities:
    1. Propose a plan of work, and budget for additional non-city resources, for presentation to the Mayor and Richmond City Council.
    2. Undertake a comprehensive review of the current Charter for revisions.
    3. Review and evaluate the history of the Richmond City Charter, with special emphasis on the present Council-Mayor form of government as adopted in 2004, and any subsequent amendments thereto.
    4. Review the Charter in order to identify:
      - a. Potential conflicts and ambiguities;
      - b. Beneficial clarifications of language;
      - c. Beneficial changes in any general laws;
      - d. Beneficial changes pertaining to the current form of government;
      - e. Beneficial clarifications, or changes to the definition and delineation of authority of the council and mayor;



- f. Opportunities for removal of outdated or no longer applicable language;
  - g. Opportunities for operational efficiencies (i.e., staggered terms for Council, issues with legal representation, etc.);
  - h. Opportunities for beneficial changes to general language or grammatical errors; and
5. Review and evaluate any other charter changes that may be put forward by Richmond City Council, or the Mayor.
  6. Present its recommendations through public dialogue with residents. The Charter review process shall encourage public dialogue to invite resident participation through solicitation of written suggestions and recommendations to inform the work of the Charter Review Commission.
  7. Post reports on its progress and share information with the public on a public website and news releases.
  8. Prepare a comprehensive report, which shall be retained as a public record, setting forth the results of the Commission's review of the Charter.
  9. Prepare proposed legislation providing for any changes recommended by the Commission.
  10. Complete its work and submit a final report to Council and the Mayor, no later than June 1, 2023 to allow sufficient time for the Council to consider its report and then request that any changes to the Charter be made during the 2024 session of the General Assembly of Virginia.
- o **Conduct of Affairs.**
    1. Quorum. Three members of the Task Force shall constitute a quorum.
    2. Duration. The Commission shall continue in existence until it has submitted the report called for by the proposed resolution.
    3. Meetings. The Commission shall meet at least once a month or as often as it deems necessary in order to complete its duties.
    4. Reporting. On the first day of each month, the Commission shall transmit to the Council and Mayor a brief summary of the Commissions' activities for the preceding month.
    5. Freedom-of-Information. Commission meetings, minutes and records shall be subject to the provisions of the Virginia Freedom of Information Act, codified as sections 2.2-3700 through 2.2-3714 of the Code of Virginia (1950), as amended.
    6. Procedures. The Commission may adopt by-laws or rules of procedure not inconsistent with this resolution to govern the conduct of its meetings and operations.
    7. Staff and Resources. The Commission shall have as its staff (a designee from the City Attorney's Office, Council Chief of Staff Office and such other staff as the Council Chief of Staff may identify. The Chief Administrative Officer shall designate at a minimum at least one employee from the Administration to assist the Commission in the duties imposed by this resolution.

8. Classification. The Commission is classified as "advisory" for purposes of section 2-761 of the Code of the City of Richmond (2015), as amended.

**FISCAL IMPACT STATEMENT**

Fiscal Impact Yes  No

Budget Amendment Required Yes  No

Estimated Cost or Revenue Impact:

Staff time and resources will be needed to assist the Commission, which is an estimated cost of approximately \$5,000 for every 10 staff hours of staff time expended to assist the Commission. No actual operating budget has been dedicated or currently identified for this Commission other than the staff resources as listed in the resolution.

Attachment/s Yes  No