

INTRODUCED: May 8, 2017

AN ORDINANCE No. 2017-100

To amend City Code § 2-761, concerning the classification of boards, commissions, and committees and requirements to make reports, for the purpose of allowing annual written reports instead of annual presentations as a reporting mechanism.

Patron – Ms. Gray

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JUN 12 2017 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That section 2-761 of the Code of the City of Richmond (2015) be and is hereby **amended** as follows:

Sec. 2-761. Classification of boards, commissions and committees and requirements to make reports.

(a) *Definition.* For purposes of this section, the terms “board and commission,” “board or commission,” “boards and commissions” and “boards or commissions” include any one or more of the boards, commissions or similar collegial bodies, however named, which are created by statute, ordinance, resolution or mayoral action and to which the Council or the

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ADOPTED: JUNE 12 2017 REJECTED: _____ STRICKEN: _____

Mayor appoints some or all of the members. These terms specifically include authorities, corporations and non-City entities to which the Council or Mayor appoints some or all of the members.

(b) *Classification.*

(1) Each board and commission shall be classified according to its respective level of authority as follows:

a. *Advisory.* A board or commission is classified as “advisory” if its purpose is to provide advice and comment to the Council, the Mayor or any City agency.

b. *Policy.* A board or commission is classified as “policy” if its purpose is to promulgate public policies or regulations, adjudicate regulatory or statutory violations or make decisions binding on City agencies or members of the public, whether or not such decisions are subject to appeal.

c. *Supervisory.* A board or commission is classified as “supervisory” if its purpose is to be responsible for agency operations, including approving requests for appropriations, appointing an agency director who is subordinate to the board or commission and ensuring that the agency complies with all statutory directives and directives of the board or commission.

(2) Each board and commission established by the City after the effective date of the ordinance from which this section is derived shall be classified according to one of the three classifications in subsection (b)(1) of this section in the ordinance,

resolution or mayoral action establishing the board or commission. For each board and commission existing as of the effective date of the ordinance from which this section is derived and for each board and commission established by a statute that does not classify such board or commission according to one of the three classifications in subsection (b)(1) of this section, the Council shall adopt, and may, from time to time, amend, a resolution classifying such boards and commissions according to one of the three classifications in subsection (b)(1) of this section. Notwithstanding the foregoing, for purposes of the reporting requirements imposed by subsection (c) of this section, all corporations and other non-City entities to the governing bodies of which the Council or the Mayor appoints one or more members and to which the City disburses funds, directly or indirectly, during the then-current fiscal year are classified as “advisory,” provided that nothing in this section shall relieve any corporation or other non-City entity from the requirement to comply with any additional reporting requirements established by any other law or by any grant contract or similar contract between the City and such corporation or non-City entity.

(c) *Reporting.* All boards and commissions shall make reports to a Council Standing Committee to be designated from time to time by resolution. Such report shall be in such form and contain such substance as this subsection may require based on the classification of the board or commission and as the Standing Committee may require. Notwithstanding any provision of this Code to the contrary, the Council may request reports or presentations, as it deems necessary, in addition to the reports or presentations required by this section. The

minimum reporting requirements of a board or commission based on the classification of that board or commission shall be as follows:

(1) *Advisory.* Each board or commission classified as “advisory” shall [~~make an annual presentation~~] annually submit a written report or make an annual presentation to the Standing Committee to which the board or commission is assigned, including at least the following information:

a. Any proposed legislation on which the board or commission recommends that the City Council or the General Assembly act.

b. A list of all meeting dates of the board or commission during the preceding year.

c. Any other information requested by the Standing Committee to which the board or commission is assigned to report.

(2) *Policy.* Each board or commission classified as “policy” shall [~~make an annual presentation~~] annually submit a written report or make an annual presentation to the Standing Committee to which the board or commission is assigned, including at least the following information:

a. Any proposed legislation on which the board or commission recommends that the City Council or the General Assembly act.

b. A list of all meeting dates of the board or commission during the preceding year.

c. Any other information requested by the Standing Committee to which the board or commission is assigned to report.

(3) *Supervisory*. Each board or commission classified as “supervisory” shall make:

a. An annual presentation or annually submit a written report to the Standing Committee to which the board or commission is assigned, including at least the following information:

1. Any proposed legislation on which the board or commission recommends that the City Council or the General Assembly act.

2. A list of all meeting dates of the board or commission during the preceding year.

3. Any other information requested by the Standing Committee to which the board or commission is assigned to report.

b. A quarterly written report to the Standing Committee to which the board or commission is assigned within 30 days of the end of each quarter, including at least the following information:

1. A comparison of the actual expenditures with the budgeted expenditures of the board or commission.

2. A report on performance indicators that indicate how the board or commission performed during the quarter.

3. A list of dates and times when the board or commission met during the quarter.

4. Any operational or policy challenges that the board or commission requests the assistance of the Council, the Mayor, the Chief Administrative Officer or their appointees in addressing.

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