

INTRODUCED: April 27, 2026

A RESOLUTION No. 2026-R019

To authorize the Council's Organizational Development Standing Committee to investigate the City's failure to publish a monthly payment register as required by City Code § 12-16 and application of exclusions allowed under the Virginia Freedom of Information Act.

Patrons – Ms. Gibson, Ms. Trammell, and Ms. Abubaker

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: MAY 11 2026 AT 6 P.M.

WHEREAS, pursuant to section 15.2-1409 of the Code of Virginia (1950), as amended, the governing body of any locality may make such investigations relating to its government affairs as it deems necessary, including ordering the attendance of witnesses and the production of books and papers; and

WHEREAS, pursuant to section 4.16(a) of the Charter of the City of Richmond (2020), as amended, “[t]he council, or any committee of members of the council when authorized by the council, shall have power to make such investigations relating to the municipal affairs of the city as it may deem necessary, and shall have power to investigate any or all departments, boards,

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____

commissions, offices and agencies of the city government and any officer or employee of the city, concerning the performance of their duties and functions and use of property of the city;” and

WHEREAS, pursuant to section 12-16 of the Code of the City of Richmond (2020), as amended, the Director of Finance is required to cause to be published the City’s monthly payment register on the City’s website, including, among other things, the name of payees, the amount of each payment, and each invoice description; and

WHEREAS, upon the information and belief of the Council, City officials ceased publication of the monthly payment register in 2019 and in a letter to Councilmember Gibson dated March 10, 2026, the Mayor cited a “highly manual extraction and data-inspection process” as a barrier to timely publication of the payment register as required by section 12-16 of the Code of the City of Richmond (2020), as amended; and

WHEREAS, according to an article published in *The Richmonder* online on March 27, 2026, the City estimated a cost of \$5,732.40 to fulfill a Virginia Freedom of Information Act request for a copy of the City’s payment register for the fiscal year commencing July 1, 2024, and ending June 30, 2025 – citing the amount of time it would take for City staff to review and redact an estimated 2,000 pages of records; and

WHEREAS, section 12-16(b) of the Code of the City of Richmond (2020), as amended, says, “[t]he Director of Finance may redact particular fields for particular payments only if and to the extent required by law or permitted by the Virginia Freedom of Information Act, Code of Virginia, §§ 2.2-3700—2.2-3714, provided that nothing in this section shall require the Director of Finance to redact any of the information in the register simply because the Virginia Freedom of Information Act, Code of Virginia, §§ 2.2-3700—2.2-3714, so permits;”

NOW, THEREFORE,

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

That the Council authorizes the Organizational Development Standing Committee to investigate the City's failure to publish a monthly payment register as required by section 12-16 of the Code of the City of Richmond (2020), as amended.

BE IT FURTHER RESOLVED:

That the investigation for which this resolution calls shall include a review of unredacted monthly payment registers, subject to any redactions required by law, for the fiscal year commencing July 1, 2024, and ending June 30, 2025, and for the fiscal year commencing July 1, 2025, and ending June 30, 2026, through the date of the adoption of this resolution.

DATE: April 20, 2026

TO: The Honorable Members of City Council

THROUGH: RJ Warren, Council Chief of Staff

THROUGH: Will Perkins, Senior Legislative Services Manager

FROM: The Honorable Kenya Gibson 3rd District

RE: To authorize the Council's Organizational Development Standing Committee to investigate the City's failure to publish a monthly payment register as required by City Code § 12-16 and application of exclusions allowed under the Virginia Freedom of Information Act.

CNL-2025-0033

PURPOSE:

Patron requests an ordinance to authorize the Council's Organizational Development Standing Committee to investigate the City's failure to publish a monthly payment register as required by City Code § 12-16 and application of exclusions allowed under the Virginia Freedom of Information Act. The investigation shall include a review of unredacted monthly payment registers covering Fiscal Year 2025 and Fiscal Year 2026 through the date of adoption of this resolution.

BACKGROUND & COMMUNITY ENGAGEMENT:

The requirement to publish the City's payment register data was adopted by Council over a decade ago via Ord. 2014-257-2015-9 with the following articulation of purpose: "'Transparency' is government's obligation to share information with residents that is needed to make informed decisions and hold officials accountable. Governments that take a proactive lead in disclosing payment register information hold themselves accountable to constituents." However, as reported by *The Richmonder*, the City has not complied with its legal mandate to publish the payment register since 2019, and recently estimated a cost of \$5,732.40 to fulfill a Virginia Freedom of Information Act (FOIA) request for staff to review and redact an estimated 2,000 pages of records.

Further, Section 12-16(b) says the Director of Finance "may redact particular fields for particular payments only if and to the extent required by law or permitted by the Virginia Freedom of Information Act, Code of Virginia, §§ 2.2-3700—2.2-3714, provided that nothing in this section shall require the Director of Finance to redact any of the information in the register simply because the Virginia Freedom of Information Act, Code of Virginia, §§ 2.2-3700—2.2-3714, so permits" (*emphasis added*).

FOIA was passed to address a recognized evil—government officials doing things that are contrary to the public interest, contrary to law, contrary to the very reason they have their public office paid for with your tax dollars, things they know they should not be doing, and then covering it all up. Hiding it from the public. Hiding it from the people they are supposed to be serving, the people who are paying their salaries.

Virginia passed the Freedom of Information Act to remedy this widely recognized problem. Because if citizens cannot get access to information that shows what their government is doing, they cannot hold that government accountable. And if citizens cannot hold the government accountable, then we don't have a democracy. We have a pseudo democracy. A pretend democracy. A government that exists not to serve the people who put it in power, but a government that exists to serve the people who are running it.

Strict compliance with FOIA is not optional. It is mandatory. The General Assembly knew when they passed FOIA that it would be burdensome and expensive for the governments of the Commonwealth to comply with it. But it's a small price to pay for preserving our democracy.

ALIGNMENT WITH STRATEGIC INITIATIVES:

- Thriving City Hall, Goal A: Do the basics better: Improve core operations of City government.
- Thriving City Hall, Goal B: Lead well: Practice accountability and implement meaningful performance review.
- Thriving City Hall, Goal G: Steward public resources through strong financial management.

FISCAL IMPACT: Council staff estimate that existing resources within the Office of Council Chief of Staff will be sufficient to support this investigation.

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: April 27, 2026

CITY COUNCIL PUBLIC HEARING DATE: May 11, 2026

REQUESTED AGENDA: Regular

RECOMMENDED COUNCIL COMMITTEE: Organizational Development Standing Committee

AFFECTED AGENCIES: Department of Finance

RELATIONSHIP TO EXISTING ORD. OR RES.: Ord. 2014-257-2015-9

ATTACHMENTS: N/A

STAFF: Will Perkins, Senior Legislative Services Manager, (804-382-7811)