



City Of Richmond, Virginia
Office of the City Clerk

Request to Withdraw Legislation

Paper Number: 2016-R078

Chief Patron: President Mosby

Introduction Date: September 26, 2016

Chief Patron Signature: Michael R. Mosby

For Office Use Only

Attestation: Janet V. Lopez

Effective Date: 10/3/16

INTRODUCED: September 26, 2016

A RESOLUTION No. 2016-R078

To amend Res. No. 2007-R162-2008-29, adopted Feb. 11, 2008, as previously amended by Res. No. 2010-R91-118, adopted Jul. 26, 2010, and Res. No. 2015-R18-23, adopted Mar. 23, 2015, which adopted City Council Expenditure and Reimbursement Guidelines governing the use of Council District Funds and Council Operations Funds, for the purpose of making revisions to the Guidelines.

Patrons – President Mosby and Ms. Trammell

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: NOV 14 2016 AT 6 P.M.

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

I. That Resolution No. 2007-R162-2008-29, adopted February 11, 2008, as previously amended by Resolution No. 2010-R91-118, adopted July 26, 2010, and Resolution No. 2015-R18-23, adopted March 23, 2015, be and hereby is amended as follows:

WHEREAS, the City’s annual budget may make available from year to year monies designated for use as Council District Funds and Council Operations Funds; and

WHEREAS, it is in the best interests of the City of Richmond that the Council adopt guidelines to govern the use of Council District Funds and Council Operations Funds.

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____

NOW, THEREFORE,

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

1. That the document entitled “City Council Expenditure and Reimbursement Guidelines,” as revised, a copy of which is attached hereto, is hereby adopted for the purpose of governing the use of Council District Funds and Council Operations Funds.

II. This amendatory resolution shall be in force and effect upon adoption.



Lou Brown-All
Council Chief of Staff

Richmond City Council

The Voice of the People

Richmond, Virginia

Office of the Council Chief of Staff

Council Ordinance/Resolution Request

TO Allen L. Jackson, Richmond City Attorney

THROUGH Lou Brown-All, Council Chief of Staff *UBA*

FROM Joyce L. Davis, Council Policy Analyst *JLD*
Office of the Council Chief of Staff

COPY Michelle Mosby, 9th District Council member
Haskell Brown, Deputy City Attorney
Meghan Brown, Interim Deputy Council Chief of Staff *MLB*
Uzziah Harris, 9th District Liaison

RECEIVED

SEP 12 2016

OFFICE OF CITY ATTORNEY

DATE September 9, 2016

PAGE/s 1 of 2

TITLE: Amend Richmond City Code, Section 2-36 to remove restrictions prohibiting communication containing an individual Council member's name, picture, photograph or likeness within 90 days of an election.

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

REQUESTING COUNCILMEMBER/PATRON

SUGGESTED STANDING COMMITTEE

Council Member Michelle Mosby and
Council Member Reva Trammell

Governmental Operations

ORDINANCE/RESOLUTION SUMMARY

Amend Richmond City Code, Section 2-36 to remove the restriction prohibiting newsletters and name print announcements such as media announcements within 90 days of an election as well as an amendment to the Council Reimbursement Guidelines.

BACKGROUND

This is to amend Richmond City Code, Section 2-36 which prohibits issuance of printed and electronic materials to include the mailing, publication or distribution, whether by electronic means or otherwise, of newsletters, posters, door hangers, signs, advertisements, notices, trinkets or similar items containing an individual

Council member's name, picture, photograph or likeness within 90 days of an election.

The provisions of Ord. 2007-27-49 (d) state that newsletters or any other publications issued in written or electronic form 90 days prior to a local election involving any contested City Council seat shall not be funded with public monies.

This proposed Ordinance would amend Ord. 2007-27-49 adopted March 12, 2007 to remove the restrictions prohibiting newsletters and name print announcements such as media announcements within 90 days of an election as well as an amendment to the Council Reimbursement Guidelines, Res. No. 2015-R18-23 paragraph (D) adopted March 23, 2015.

The intent of these amendments is to reverse hindrances to a Councilperson in the performance of their normal function of communicating with constituents and executing District meetings.

The requested introduction date is September 26, 2016.

FISCAL IMPACT STATEMENT

Fiscal Impact	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Budget Amendment Required	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Estimated Cost or Revenue Impact	\$	

Attachment/s Yes No

City Council Expenditure and Reimbursement Guidelines

As Revised, 2016

General Guidelines

Specific guidance is provided for those operating expenses associated with City Council members and City Council Office operations and have been distinguished as two separate funds:

I. Council District Funds

Funds to support individual district operations for each Council member. The district amount is established by Council annually and funds unexpended at the end of the fiscal year lapse in accordance with the City's generally accepted accounting rules and procedures and City Charter requirements. The Chief of Staff is responsible for instituting processes to track the use of these funds, by district, and providing monthly expenditure status reports to each Council member of spending in his/her respective district. Each Council member has some discretion in deciding how best to represent and support his/her constituency in terms of allocating funds to the different categories. District funds support the following expenditures:

The following general guidelines are applicable to all categories of Council District expenditures:

- a. All persons and entities receiving payment must complete the W-9 and vendor payment form.
- b. Recurring purchases from the same vendor are subject to the City's competitive procurement requirements.
- c. Any person or entity to whom cumulative payments from Council district funds during the course of a fiscal year exceed \$1,000 shall be submitted to the City Council for approval via resolution. Additional payments over \$1,000 shall require additional approval by resolution. The requirement for City Council approval via resolution shall not apply to payments from Council district funds made to City agencies or the School Board.
- d. Only City purchasing, grant and contract documents may be used for purchases and grants with district or operating funds.

A. Grants

A monetary grant to a civic, cultural, charitable, community, public school organization or association may be made, provided that the City is authorized to make a grant to such an organization or association by the City Charter or the Code of Virginia (e.g., City Charter § 2.03(f) or (g) or Va. Code § 15.2-953). The organization or association must either be located within the city limits or provide services to City of Richmond residents. Grants shall not be authorized for religious or political purposes. Organizations receiving grants must acknowledge that any organization receiving funding from the City may be subject to an audit review per Ordinance No. 2007-80-116. Council members shall not authorize grants to any organization within a 90 day period prior to City Council Elections.

B. Meetings and Events

Meetings or events prepared or conducted by a Council member in the representation of the Council member's district. Includes cost of any expenses incurred for providing refreshments for constituents in meetings and events open to the public.

C. Constituent Outreach

Communications with constituents to promote civic involvement and public awareness of City operations, services, programs, policies, and matters pending before the City Council and to elicit input from constituents regarding such matters.

D. Printed and Electronic Materials - Communications and Distribution

Includes the mailing, publication or distribution, whether by electronic means or otherwise, of newsletters, posters, door hangers, signs, advertisements, notices, trinkets or similar items containing an individual Council member's name, picture, photograph or likeness. Distribution of this communication is subject to the provisions of section [2-36] 2-34 of the Code of the City of Richmond [~~(2004)~~ (2015), as amended, which prohibits issuance of such communication [~~within 90 days of an election~~] containing any material that directly promotes the candidacy of an identified individual for elected office. An exception to this guideline will be permitted in the occurrence of any catastrophic event as determined and approved by the Council President (or Council Vice President in President's absence) and subsequently reported to Council as expeditiously as possible.

E. Specialized Software and Equipment

Includes specialized software, specialized computer equipment or additional equipment to support a Council member's effective representation of his/her district beyond what is consistently made available for individual Council members.

F. Advertisements

Any placement of a message in any newspaper, magazine or on any broadcast system or electronic medium promoting a Council member sponsored event primarily for district participation.

G. Membership Dues

Any membership in a governmental association or organization outside of those budgeted elsewhere. Membership dues budgeted elsewhere shall include the National League of Cities, Virginia Municipal League, Virginia First Cities, International City Managers Association, Sister Cities Commission.

H. Local Mileage

Mileage that is incurred by a Council member or his/her liaison that is attributable to district work, excluding mileage for attendance at regular council meetings.

II. Council Operations Funds

Funds to support costs generally associated with office operations on behalf of the legislative body. The Chief of Staff or designee thereof is granted authority to use discretion in providing oversight and signoff on expenditures of these funds, including, but not limited to those listed below.

The following general guidelines are applicable to all categories of Council Operations expenditures:

- a. All persons and entities receiving payment must complete the W-9 and vendor payment form.
- b. Recurring purchases from the same vendor are subject to the City's competitive procurement requirements.
- c. Only City purchasing, grant and contract documents may be used for purchases and grants with district or operating funds.

A. Office Supplies, Services and Equipment

Routine duplicating, copier costs, and paper; routine computer equipment, repair and maintenance; supplies for awards and presentations at City Council meetings.

B. Council-Sanctioned Activities

Includes, but is not limited to the following activities: lobbyist contract, public broadcasting contract, studies.

C. Travel Associated with Specific Organizations

Includes travel related to a Council member's participation in the National Convention and/or the Congressional Cities Conference of the National League of Cities, the annual convention of the Virginia Municipal League or annual meeting of Virginia First Cities, or the United States Conference of Mayors. All Council member travel authorizations must be approved by the Council President, Council Vice President, or Finance Committee Chair in advance.

D. Publication Subscriptions

Includes any publication as part of a membership in an organization; a publication specific to government, land use, finance, economics, public safety, parks and recreation services, or other area of municipal governance; and any local publication containing information of general interest to the community.

E. Educational Seminars/Conferences/Training

Attendance of Council members in educational seminars, conferences, and/or training that specifically improves or enhances skills or helps to better inform them of issues impacting City operations, services, and programs.

F. Council Gifts for Visiting Dignitaries and Guests of the City and City Council

Council President and Vice President may approve gift(s) purchased on behalf of City Council for certain official visitors and dignitaries to the City. Such expenditures must be within current budget appropriation and will be administered in accordance with Council's public information guidelines. The maximum purchase is not to exceed \$500 per incident.

G. Liaison Costs

The following individual liaison costs may be included when approved by the respective Council member and when adequate funds are available:

1. Liaison training
2. Liaison educational seminars, conferences, and conventions
3. Liaison professional membership dues

III. Unauthorized Expenditure of Public Funds

Certain expenditures are considered unauthorized and will not be paid for with City funds. They include, but are not limited to:

1. Campaign-related expenses,
2. Political or religious contributions or events,
3. Personal portions of any travel,
4. Personal automobile expenses, i.e., traffic citations, insurance, repairs,
5. Personal losses incurred while on City business, and
6. Training or other educational endeavor undertaken by the Council member or his/her staff to ensure compliance with campaign financing laws; or other laws, rules or regulations associated with the Council member's activities as a political candidate.