

INTRODUCED: January 22, 2024

AN ORDINANCE No. 2024-026

To amend City Code §§ 2-1158, concerning composition and terms of office for the Clean City Commission, 2-1159, concerning duties and functions, and 2-1160, concerning organization and reporting requirements, for the purpose of modifying the membership, functions, and operations of the Clean City Commission.

Patrons – Ms. Lynch and Ms. Jordan

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: FEB 12 2024 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That sections 2-1158, 2-1159 and 2-1160 of the Code of the City of Richmond (2020) be and are hereby **amended** and reordained as follows:

Sec. 2-1158. Composition; terms of office; eligibility for reappointment.

(a) Composition. The Commission shall be composed of ~~[15]~~17 members ~~[appointed by the Council nine members shall be from among the eligible voters within each Council district,~~ five members shall be at-large corporate or citizen volunteers, either or both, and one member shall be the Director of Public Works, or the designee thereof. However, if a member from among the

AYES: 7 NOES: 0 ABSTAIN: _____

ADOPTED: FEB 12 2024 REJECTED: _____ STRICKEN: _____

~~eligible voters within a Council district has not been identified and appointed within 180 days from the date of a vacancy, the Council, with the approval of the member of the Council representing the Council district for which a vacancy has occurred, may appoint any person who resides or works in the City of Richmond to fill such vacancy. The members shall serve for terms of [two years and upon the expiration of a term of office, the member holding that office may continue to serve until a successor is appointed. Any vacancy shall be filled for the unexpired term in the manner in which members are regularly appointed. All other aspects of the Commission and its membership not addressed in this division shall be governed by Article V, Division 1 of this chapter].~~ The Council shall appoint 15 members. Of the 15 members appointed by the Council, one member from each City Council district who resides or has a principal place of employment in such district shall be appointed, and five members shall be at-large corporate or community representatives, who may be nominated by the Commission, and, notwithstanding the provisions of section 2-768 to the contrary, shall not be subject to any requirement that they maintain a residence or principal place of employment in the city. The Mayor shall appoint two members who reside or have a principal place of employment in the city in accordance with the provisions of section 2-768. The Director of Public Works or the designee thereof shall serve as an ex officio member.

(b) *Terms of office.* The members of the Commission shall serve for terms of three years from the first day of July following their appointment and shall be limited to two consecutive terms, except for the Director of Public Works or the designee thereof. Upon the expiration of a term of office, the member holding that office may continue to serve until a successor is appointed and qualified. Any vacancy shall be filled for the unexpired term in the same manner as provided

in subsection (a) of this section. All other aspects of the Commission and its membership not addressed in this division shall be governed by Article V, Division 1 of this chapter.

However, if a member who resides or has a principal place of employment in a Council district has not been identified and appointed within 180 days from the date of a vacancy, the Council, with the approval of the member of the Council member representing the Council district for which a vacancy has occurred, may appoint any person who resides or has a principal place of employment in the city to fill such vacancy. Members who are appointed to fill vacancies or unexpired terms may serve immediately upon appointment and qualification.

(c) *Eligibility for reappointment.* Members who are serving on the Commission as of the effective date of the ordinance providing for this subsection shall be eligible for reappointment, subject to the requirements set forth in this subsection. All members who are eligible for reappointment and wish to continue serving on the Commission may apply for a new term in the year in which such member's current term expires but may continue to serve until a successor is appointed and qualified. Members who have served on the Commission for three or more consecutive years shall be eligible for reappointment for not more than one new consecutive term of three years, ending on the final day of June of the year in which the member's new term expires. Members who have served on the Commission for less than three consecutive years shall be eligible for reappointment for two additional consecutive terms of three years each, in accordance with the provisions of this division.

Sec. 2-1159. Duties and functions.

The Clean City Commission shall provide advice and recommendations to the Council and the Chief Administrative Officer, concerning programs and policies to reduce litter, encourage proper disposal and recycling, and improve the local environment in the City of Richmond. For

purposes of Section 2-773, the Commission is classified as “advisory[~~-~~],” provided, however, that the Commission may also, to the extent permitted by law, serve as a local affiliate of Keep Virginia Beautiful, Incorporated, or a similar nonprofit organization. The Commission shall also provide advice and recommendations to the Department of Public Works concerning any funding appropriated to or administered by the Department of Public Works related to the duties and functions of the Commission. The Clean City Commission shall perform the following duties:

(1) Achieve visible improvements in the manner in which the local environment is maintained with noticeable reductions in the amount of litter and illegal dumping.

(2) Improve the level of public awareness regarding litter and recycling problems as well as improving the level of responsibility by all parties who generate or handle solid waste.

(3) ~~[Review existing litter control and dumping ordinances and suggest ways to improve enforcement.~~

~~(4) Work with all City and State agencies to reduce the amount of illegal dumping by contractors, citizens and all others who in the course of their day-to-day operations create large amounts of hard to dispose solid waste]~~ Recommend changes to the Code of the City of Richmond, the Code of Virginia, and other laws, as necessary, to implement, improve, or enforce laws related to litter control, proper disposal of waste, recycling, and illegal dumping.

(4) Collaborate with City and state agencies concerning ways to reduce the amount of littering and illegal dumping by contractors, residents of the city, and others who, in the course of their day-to-day operations, create and dispose of large amounts of solid waste.

(5) Collaborate with the Department of Public Works, Department of Public Utilities, Department of Parks, Recreation and Community Facilities, Office of Sustainability, the School

Board of the City of Richmond, City and state agencies, and other public and private organizations on shared goals concerning litter control, proper disposal of waste, recycling, and illegal dumping.

(6) Serve as the local affiliate of Keep Virginia Beautiful, Incorporated, or similar nonprofit organizations.

(7) Identify available grants or other funding, including charitable donations, as appropriate, related to the duties and functions of the Commission.

(8) Work with the Department of Public Works on improving all relevant programs and operations, including citywide neighborhood cleanups, the Clean City Commission's Adopt-a-Spot program, recycling events, and composting.

(9) Convene, coordinate, or support volunteer litter cleanup groups and events throughout the city, to the extent permitted by law.

Sec. 2-1160. Organization; reporting.

(a) *Organization.* ~~[There shall be a Chairperson and Vice Chairperson of the Commission, who shall be elected by the members from among themselves within two months following the annual installation of new full-term members. Eight members of the Commission shall constitute a quorum. The Department of Public Works shall provide an executive coordinator to act as Secretary for the meetings and run the day-to-day operations and programs as set forth by the Commission. In addition, the]~~ The Clean City Commission shall do the following:

(1) Adopt bylaws or rules of procedure not inconsistent with this division to govern the conduct of its meeting and operations. The Commission shall file a copy of the bylaws with the City Clerk.

~~(2) Establish its own bylaws and rules of procedure consistent with applicable provisions of the Code of Virginia, the Charter and this Code and file a copy of the bylaws~~

~~with the City Clerk]~~ Elect a chairperson and, as deemed necessary by the Commission, such other officers. The Commission may also appoint committees in accordance with the Commission's bylaws or rules of procedure.

~~[(2)]~~ (3) ~~[The Commission shall hold regular meetings at least quarterly and other meetings as needed.]~~ Include in the Commission's bylaws or rules of procedure a process and criteria for nominating the five at-large members of the Commission. Any nominations shall be submitted to Council as soon as reasonably practicable when vacancies occur or before the first day of July of each year in which a member's term expires.

~~[(3)]~~ (4) ~~[File with the City Clerk notices of all meetings in accordance with the Virginia Freedom of Information Act (Code of Virginia, § 2.2-3700 et seq.)]~~ Include in the Commission's bylaws or rules of procedure a process and procedure for taking actions when serving as a local affiliate of nonprofit organizations.

~~[(4)]~~ ~~— Follow, unless otherwise provided, the general laws and requirements for citizen boards, commissions and committees of the City]~~ Hold regular meetings at least quarterly and other meetings as needed and take meeting minutes in accordance with the Virginia Freedom of Information Act.

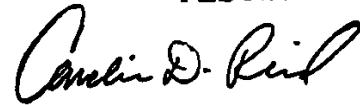
~~[(5)]~~ ~~— Establish five standing committees as follows: Communications, Schools, Business and Industry, Community Organizations, and Municipal Operations.]~~

(b) Administrative support. The Department of Public Works shall provide an executive coordinator to act as secretary or assistant secretary for the meetings of the Commission and manage the operations and programs administered by the Commission.

~~(b)~~ (c) *Reporting.* On an annual basis, the Commission shall provide the Council and the Chief Administrative Officer with (i) any recommendations concerning programs to reduce litter, encourage proper disposal and recycling, and improve the local environment in the City of Richmond, (ii) any recommendations concerning changes to laws related to litter control, proper disposal of waste, recycling, and illegal dumping, (iii) a summary of the Commission's actions to perform, recommendations to improve, or challenges to meet its duties and functions, and (iv) any other applicable information as required by Article V, Division 1 of this chapter.

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

**A TRUE COPY:
TESTE:**



**Carolin D. Reed
City Clerk**



Richmond City Council

The Voice of the People

Richmond, Virginia

Office of the Council Chief of Staff

Ordinance/Resolution Request

TO Laura Drewry, City Attorney

THROUGH LaTasha Holmes, Council Chief of Staff

FROM Steven Taylor, Council Policy Analyst

COPY Stephanie Lynch, 5th District Council Member
Katherine Jordan, 2nd District Council Member
Amy Robins, 5th District Liaison
Sven Philipsen, 2nd District Liaison
Tabrica Rentz, Deputy City Attorney

DATE August 23, 2023 rev. January 12, 2024

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TITLE **Proposed changes to the Clean City Commission concerning membership/composition, bylaws, terms, appointments, duties, and reporting, etc.**

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

REQUESTING COUNCILMEMBER/PATRON

S. Lynch & K. Jordan

SUGGESTED STANDING COMMITTEE

Government Operations

ORDINANCE/RESOLUTION SUMMARY

The patrons request that legislation be drafted amending ordinances establishing and governing the Clean City Commission and making changes to its charter, purposes, membership, composition, terms of office, duties, and reporting requirements as proposed by the current Clean City Commission after much study and deliberation to improve its ability to serve the City.

Current City Code Section 2-1158 governs membership. It is proposed here that the Code be altered to increase the number of commissioners from 15 to 17 and to allow at large-membership, in order to help the commission pursue partnerships with community members and increase the number of experts working for the commission purposes. Currently, the Mayor does not appoint any commissioners. The proposed amendments the City Code will allow the mayor to appoint three commission members. See current City Code Section 2-1158 governing membership of the commission.

It is also proposed that terms of office for commission members begin on July 1, and that terms of commissioners be three years rather than the current two-year terms. See Section 2-1160.

Finally, it is proposed that the language regarding member and commission duties, bylaws, and reporting requirements be altered to be more specific and clearer on member and commission duties, end the residency requirement usually required for board and commission members, proscribe bylaws in a manner like the City’s other boards and commissions, and eliminate vague language regarding reporting requirements so that reporting to the Council is clear and relevant.

BACKGROUND

The Council created the Clean City Commission with Res. 92-R377-93-21. Its current charter was adopted in 2015. The purpose of the commission is to assist in beautifying the city by cleaning up refuse, litter, and debris by organizing efforts to clean up our neighborhoods and beautify them. This proposal represents efforts to update the commission’s structure and relationship to City government to efficiently fulfill its purposes.

FISCAL IMPACT STATEMENT

Fiscal Impact Yes No

Budget Amendment Required Yes No

Estimated Cost or Revenue Impact \$ N/A

Note: N/A

Attachment/s **Yes** **No**