



**City Of Richmond, Virginia
Office of the City Clerk**

Request to Withdraw Legislation

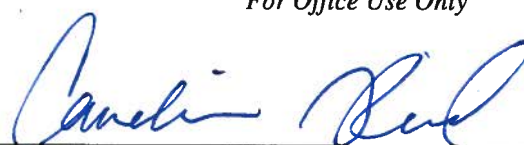
Paper Number: _____ Res. No. 2016-R039

Chief Patron: _____ Councilor Cynthia Newbille

Introduction Date: _____ May 23, 2016

Chief Patron Signature: _____


For Office Use Only

Attestation: _____


Effective Date: _____ June 1, 2016

INTRODUCED: May 23, 2016

A RESOLUTION No. 2016-R039

To request that the Chief Administrative Officer cause to be conducted a study and comparative analysis of provisions in similar jurisdictions in the Commonwealth for regulating the political activity of classified employees as expressed in City Code § 2-1293(b).

Patron – Ms. Newbille

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JUNE 13 2016 AT 6 P.M.

WHEREAS, section 2-1293(b) of the Code of City of Richmond (2015), as amended, prohibits an officer or employee in the classified service of the City from continuing in such position after becoming a candidate for nomination or election to an office elected by voters of an election district which includes all or part of the City or by the voters at large of the City for a constitutional office serving only the City; and

WHEREAS, this prohibition applies only to certain classified employees and not to unclassified employees; and

WHEREAS, this prohibition derived from the former section 9.13 of the Charter of the City of Richmond as adopted in 1948; and

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____

WHEREAS, pursuant to section 15.2-1512.2 of the Code of Virginia (1950), as amended, section 2-1293(b) of the Code of the City of Richmond (2015), as amended, does not apply to “emergency medical services personnel,” “Firefighters,” or “law enforcement officers;” and

WHEREAS, the Council believes that it is in the best interest of the citizens of the City of Richmond that the Council request that the Chief Administrative Officer cause to be conducted a study and comparative analysis of any similar provisions in similar jurisdictions in the Commonwealth that regulate the political activity of classified employees in the manner for which section 2-1293(b) of the Code of the City of Richmond (2015), as amended, provides;

NOW, THEREFORE,

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

That the Chief Administrative Officer is hereby requested to cause to be conducted a study and comparative analysis of any provisions in similar jurisdictions in the Commonwealth that regulate the political activity of classified employees in the manner for which section 2-1293(b) of the Code of the City of Richmond (2015), as amended, provides.

BE IT FURTHER RESOLVED:

That the Chief Administrative Officer is hereby requested to complete such study and comparative analysis and to provide the Council with a report on the study’s findings by no later than December 30, 2016.



Richmond City Council

The Voice of the People

Richmond, Virginia

Lou Brown Ali
Council Chief of Staff

Office of the Council Chief of Staff

Council Ordinance/Resolution Request

TO Allen L. Jackson, Richmond City Attorney

THROUGH Lou Brown Ali, Council Chief of Staff

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

COPY Cynthia Newbille, 7th District Council member
Haskell Brown, Deputy City Attorney
Vincent Jones, Deputy Council Chief of Staff
Sam Patterson, 7th District Liaison

DATE May 13, 2016

PAGE/s 1 of 2

TITLE: Resolution for a Comparative Analysis of Localities and Elective Service of
Classified Employees

RECEIVED

MAY 16 2016

OFFICE OF CITY ATTORNEY

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

REQUESTING COUNCILMEMBER/PATRON

Council member Cynthia Newbille

SUGGESTED STANDING COMMITTEE

Organizational Development

ORDINANCE/RESOLUTION SUMMARY

Resolution to request a study to conduct an equity study, comparative analysis of localities of classified employees being nominated or serving in an elective office in the city and to provide recommendations by December 30, 2016

BACKGROUND

This Resolution is to request that the Chief Administrative Officer conduct an equity study and comparative analysis of localities regarding City Code §2-1293 (b) which addresses classified employees being nominated or serving in an elective office in the city.

The subject of the study is to conduct research and comparative analysis for the provision expressed in City Code § 2-1293(b) under which classified employees becoming candidates for nomination or election to an elective office in the City forfeit their City employment. That law reads as follows:

No officer or employee in the classified service of the City shall continue in such position after becoming a candidate for nomination or election to an office elected by voters of an election district which includes all or a part of the City or by the voters at large of the City for a constitutional office serving only the City.

Pursuant to City Code §2-1293 (b), this provision does not apply to unclassified employees and pursuant to Virginia Code §15.2-1512.2 does not apply to emergency medical services personnel, "firefighters", and "law enforcement officers" in the Department of Fire and Emergency Services and the Department of Police.

The Resolution requests the Chief Administrative Officer to provide the study not later than December 30, 2016 with recommendations if amendments should be considered. Any recommendations considered would not be effective until after January 1, 2017.

FISCAL IMPACT STATEMENT

Fiscal Impact Yes ☐ No ☒

Budget Amendment Required Yes ☐ No ☒

Attachment/s Yes ☐ No ☒

Richmond City Council Ordinance/Resolution Request Form/updated 12.22.08/sm