

INTRODUCED: July 24, 2017

AN ORDINANCE No. 2017-147

To establish an Ethics Reform Task Force to review and provide recommendations concerning ethical standards applicable to local government in the city.

Patron – Ms. Larson

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: SEPT 11 2017 AT 6 P.M.

WHEREAS, the Council believes that it is in the best interests of the citizens of the City of Richmond that the Council establish an Ethics Reform Task Force to review the ethical standards applicable in the City government for the purpose of making recommendations to the Council, the Mayor, and other City agencies on how to increase the level of accountability, public confidence, and public trust in City officers and employees and the officers and employees of other local governmental entities and constitutional officers in the city; and

WHEREAS, it is estimated that the annual operating costs for the Board will be approximately \$5,000, including ten staff hours;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: SEPT 11 2017 REJECTED: _____ STRICKEN: _____

§ 1. That the Council hereby establishes the Ethics Reform Task Force (the “Task Force”) pursuant to the following guidelines:

A. **Purpose.** The Task Force shall make recommendations to the Council, the Mayor and other City agencies on how to increase the level of accountability, public confidence, and public trust in City officers and employees and the officers and employees of other local governmental entities and constitutional officers in the city. For purposes of section 2-761 of the Code of the City of Richmond (2015), as amended, the Task Force is classified as “advisory.”

B. **Composition.**

1. **Appointment.** The Task Force shall consist of 11 members. The Council shall appoint nine members, and the Mayor shall appoint two members. All appointments shall be otherwise governed by sections 2-755 and 2-756 of the Code of the City of Richmond (2015), as amended.

2. **Qualifications.** The membership of the Task Force should possess experience and expertise concerning ethical standards in both the public sector and the private sector and concerning areas, such as human resources and procurement, that may be relevant to the consideration of appropriate ethical standards for a governmental organization.

C. **Duties.**

1. **Review.** The Task Force shall review (i) the State and Local Government Conflict of Interests Act and any other applicable provisions of state law, (ii) the applicable provisions of the Code of the City of Richmond (2015), as amended, (iii) any applicable provisions of the City Council’s Rules of Procedure, (iv) any applicable provisions of the City’s Administrative Regulations, (iv) Resolution No. 96-R120-181,

adopted November 25, 1996, and (v) any other rules, regulations, policies, procedures, and practices that apply to ethical considerations or standards in the City government, in other local governmental entities in the city, and to constitutional officers in the city.

2. **Recommendations.** Based on its review pursuant to section 1(C)(1) of this ordinance, the Task Force shall make recommendations of any modifications to existing laws, rules, regulations, policies, procedures, and practices that the Council, the Mayor, other City agencies, other local governmental entities in the city, or constitutional officers in the city lawfully may implement to increase the level of accountability, public confidence, and public trust in City officers and employees and the officers and employees of other local governmental entities and constitutional officers in the city. The Task Force should make recommendations in the following areas:

a. Lawful modifications to City ordinances and resolutions, including, but not necessarily limited to, those provisions of the Code of the City of Richmond (2015), as amended, concerning (i) the employee disclosure of misconduct and protection from retaliation found in Chapter 2, Article III, Division 5 thereof, (ii) the requirements for the filing of statements of economic interests found in section 2-760 thereof, and (iii) prohibited working relationships between family members found in section 2-1295 thereof, and including the City Council's Rules of Procedure, that the Task Force recommends that the Council make.

b. Lawful modifications to the City's Administrative Regulations that the Task Force recommends that the Mayor make.

c. Lawful modifications to rules, regulations, policies, procedures,

and practices that the Task Force recommends that City agencies, other local governmental entities in the city, and constitutional officers in the city make.

d. Modifications to state laws, including, but not necessarily limited to, the State and Local Government Conflict of Interests Act and the Campaign Finance Disclosure Act of 2006, that the Task Force recommends that the Council request the General Assembly to make.

e. Any consequences, where permitted by law, that the Task Force recommends be imposed for varying levels of ethical violations.

f. Any lawful ways in which policies on the acceptance of gifts and related issues may be clarified.

g. Any proposed requirements for mandatory training in ethical standards for specified City officers and employees.

h. Any lawful proposals for the expansion of accountability to the public in ethical matters and the expansion of public access to information concerning compliance with ethical standards.

i. If lawful, any proposal as to the establishment of a local government ethics board for the purpose of ensuring compliance with and enforcement of applicable ethical laws.

3. **Report.** The Task Force shall submit a written report, containing the results of the Task Force's reviews and recommendations, to the Organizational Development Standing Committee no later than the meeting of the Organizational Development Standing Committee scheduled for March 5, 2018.

D. Conduct of Affairs.

1. **Quorum.** Six members of the Task Force shall constitute a quorum.
2. **Officers.** The Task Force shall select from among its membership a chairman and other such officers as it may deem necessary for the conduct its affairs.
3. **Duration.** The Task Force shall continue in existence until it has submitted the report called for by section 1(C)(3) of this ordinance.
4. **Meetings.** The Task Force shall meet as often as it deems necessary in order to complete its duties and submit its report by the time called for in section 1(C)(3) of this ordinance.
5. **Freedom-of-Information.** All meetings and records of the Task Force shall be subject to the provisions of the Virginia Freedom of Information Act, codified as sections 2.2-3700 through 2.2-3714 of the Code of Virginia (1950), as amended.
6. **Procedures.** The Task Force may adopt by-laws or rules of procedure not inconsistent with this ordinance to govern the conduct of its meetings and operations.
7. **Staff and Resources.** The Office of the Council Chief of Staff shall provide such staff and resources, and shall coordinate the provision of assistance by members of the City administration and the offices of appointees of the City Council, as may be necessary to assist the Task Force in completing the duties imposed by this ordinance. The Office of the City Attorney shall provide any legal advice or opinions necessary to assist the Task Force in completing the duties imposed by this ordinance.

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



Lou Brown Ali
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-Ali, Council Chief of Staff *MKB on behalf*

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

COPY Kristen Larson, 4th District Council member
Haskell Brown, Deputy City Attorney
Meghan Brown, Deputy Council Chief of Staff *MKB*
Bryce Lyle, 4th District Council Liaison

RECEIVED

JUN 16 2017

OFFICE OF CITY ATTORNEY

DATE June 16, 2017

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TITLE: Ordinance is to Establish an Ethics Reform Task Force

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

REQUESTING COUNCILMEMBER/PATRON

SUGGESTED STANDING COMMITTEE

Council Member Kristen Larson

Governmental Operations

ORDINANCE/RESOLUTION SUMMARY

Ordinance is to establish an Ethics Reform Task Force to review current laws for reform of local government ethics laws and administration.

BACKGROUND

This Ordinance is to establish an Ethics Reform Task Force (referred to as Ethics Task Force) to review current ethics laws for clear and consistent standards for compliance and to increase the level of ethics for an effective program for local government administration in the City of Richmond. The Ethics Reform Task Force shall serve in an advisory capacity.

The purpose of the Ethics Reform Task Force is to improve ethical standards and administration and expand and clarify the Code of Ethics. The intent is to increase public trust, confidence and accountability for local elected officials, administrators and employees of the City of Richmond.

Duties and Functions

The duties of the Ethics Task Force are to review the Richmond City Code, Council Rules and City of Richmond Administrative Regulations and other related documents and make recommendations to Council and Mayor on updates needed. The Ethics Task Force will complete a report of its recommendations due to the Organizational Development Committee on March 5, 2018.

The Ethics Task Force should review policies and make recommendations to the City Council to improve local government ethics requirements as follows:

1. Update and amend current ordinances, Council Rules, administrative regulations and policies.
2. Strengthen Conflict of Interest policies and provisions.
3. Review consequences, administrative actions, civil and criminal penalties taken for serious ethics violations.
4. Update the whistleblower policy.
5. Update policies of nepotism that prohibit working relationships between family members and no participation in matters related to family members.
6. Review the policies on acceptance of gifts and other related issues.
7. Improve campaign finance provisions; Improve financial disclosure policies; the financial disclosure process by clarifying positions required to file.
8. Determine if mandatory ethics training for certain positions should be required.
9. Expand public accountability and access to ethics information.
10. Determine whether a local government ethics board should be established for compliance and enforcement.

Composition; terms of office

The Richmond City Council Ethics Task Force shall be composed of eleven members whom the Council and the Mayor shall appoint. Of the eleven members, the Council shall nominate nine members and the Mayor shall nominate two members.

Members should have experience and expertise in ethics rules and regulations in the government or private sector, procurement, human resources, related legal issues, Freedom of Information Act (FOIA), and other code of ethics areas.

The Ethics Task Force shall elect from its membership a chairman, assistant chairman, secretary and such officers as it may find necessary for the conduct of its affairs.

Terms of office. The members of the Ethics Task Force shall serve until the report is delivered to Council.

This Ethics Task Force will be staffed by the Office of the Council Chief of Staff, with the assistance of other Council Offices and Administration staff as deemed needed, for advising and consultation for approximately 10 hours at a costs of \$5,000.

The recommended introduction date is June 26, 2017.

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	\$	
Staff Costs - \$5,000		

Attachment/s Yes No

Richmond City Council Ordinance/Resolution Request Form/updated 12.22.09/trs