



## Legislation Text

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**File #:** RES. 2019-R018, **Version:** 1

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To request the Richmond delegation to the General Assembly of Virginia to introduce and support the enactment of legislation to amend sections 5.05 and 6.11 of the Charter of the City of Richmond to clarify that the Council shall have 14 calendar days from the date of the City Clerk's receipt of the Mayor's notice of veto of any budget ordinance, or any portion thereof, to override such veto, notwithstanding the requirement of section 6.11 that the Council adopt the budget by no later than May 31 of each year.

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

That, in accordance with section 15.2-202 of the Code of Virginia (1950), as amended, the Richmond delegation to the General Assembly of Virginia is hereby requested to introduce and support the enactment of legislation to amend sections 5.05 and 6.11 of the Charter of the City of Richmond as set forth in the document entitled "Requests of the City of Richmond for City Charter Amendments during the 2020 Session of the General Assembly of Virginia," a copy of which is attached to and made a part of this resolution.

### **Requests of the City of Richmond for City Charter Amendments during the 2020 Session of the General Assembly of Virginia**

#### **Amended Sections:**

#### **§ 5.05. General duties; mayor.**

It shall be the duty of the mayor to:

(a) Attend, or appoint a designee empowered to answer questions and make recommendations on behalf of the mayor to attend, all meetings of the council with the right to speak but not to vote; the mayor or his designee shall have the right to attend a closed meeting pursuant to § 2.2-3711 of the Code of Virginia, unless the council determines that the subject matter of the closed meeting includes the office of the mayor and that inclusion of the mayor or his designee shall be detrimental to the purpose of the council's deliberations;

(b) Keep the council advised of the financial condition and the future needs of the city and of all

matters pertaining to its proper administration, and make such recommendations as may seem to the mayor desirable;

(c) Oversee preparation of and submit the annual budget to the council as provided in Chapter 6 of this charter;

(d) Perform such other duties as may be prescribed by this charter or which may be required of the chief executive officer of a city by the general laws of the Commonwealth, or by ordinances adopted by the council, provided that the mayor shall have the power to veto any city ordinance by written notice of veto delivered to the city clerk within 14 calendar days of council's actions, subject to override thereafter by the council with a vote of six or more of the currently filled seats on council at any regular or special meeting held within 14 calendar days of the clerk's receipt of the notice of veto, notwithstanding any requirement set forth in this charter or any other law that the council act to adopt the ordinance that is the subject of the veto by a certain date; however, the appointment of members of a redevelopment and housing authority in the city shall be made by the council; and

(e) Issue such regulations as may be necessary in order to implement the mayor's duties and powers.

***EXPLANATION: Subsection (d) of section 5.05 is understood to apply if the Mayor decides to veto a budget ordinance, appropriation ordinance, or ordinance providing for additional revenue in its entirety instead of vetoing only particular line items in a City budget ordinance. The first paragraph of section 6.11 requires that the Council adopt the budget, the appropriation ordinances, and the ordinances providing for additional revenue no later than May 31 of each year. The amendments to section 5.05 clarify that the City Council is not required to act on a veto in less than 14 calendar days after the City Clerk receives notice of the veto, notwithstanding the May 31 deadline.***

#### **§ 6.11. Adoption of budget, appropriation ordinance and ordinances for additional revenue.**

Not later than the thirty-first day of May in each year the council shall adopt the budget, the appropriation ordinances and such ordinances providing for additional revenue as may be necessary to put the budget in balance. If for any reason the council fails to adopt the budget on or before such day, the budget as submitted by the mayor shall be the budget for the ensuing year and the appropriation ordinance and the ordinances providing additional revenue, if any, as recommended by the mayor shall have full force and effect to the same extent as if the same had been adopted by the council, notwithstanding anything to the contrary in this charter.

The mayor shall have the power to veto any particular item or items of any city budget ordinance by written notice of veto delivered to the city clerk within 14 calendar days of council's action. Council may thereafter override the mayor's veto with a vote of six or more of the currently filled seats on council at any regular or special meeting held within 14 calendar days of the city clerk's receipt of the notice of veto, notwithstanding any requirement set forth in this charter or any other law that the council act to adopt the ordinance that is the subject of the veto by a certain date. Vetoes of any one or more items shall not affect other items not vetoed.

***EXPLANATION: The second paragraph of section 6.11 is understood to apply if the Mayor decides to veto only particular line items in a City budget ordinance instead of vetoing a budget ordinance, appropriation ordinance, or ordinance providing for additional revenue in its entirety. The first paragraph of section 6.11***

*requires that the Council adopt the budget, the appropriation ordinances, and the ordinances providing for additional revenue no later than May 31 of each year. The amendments to section 6.11 clarify that the City Council is not required to act on a veto in less than 14 calendar days after the City Clerk receives notice of the veto, notwithstanding the May 31 deadline.*