



## Legislation Text

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**File #:** ORD. 2021-347, **Version:** 1

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To establish the 2022 City Charter Review Commission to conduct a comprehensive review of the City Charter with the objective of making recommendations for appropriate revisions thereto.

WHEREAS, since the establishment of the City's current Council-Mayor form of government in 2004, the General Assembly of Virginia, at the request of the Council of the City of Richmond, has made piecemeal amendments to parts of the Charter of the City of Richmond (2020), as amended; and

WHEREAS, the Council of the City of Richmond is of the opinion that it would be in the best interests of the City of Richmond that a 2022 City Charter Review Commission be appointed to conduct a comprehensive review of the Charter of the City of Richmond (2020), as amended, with the objective of making recommendations for appropriate revisions to such charter; and

WHEREAS, the Council of the City of Richmond is of the opinion that such commission should submit its final report to the Council and the Mayor no later than June 1, 2023, to allow sufficient time for the Council to consider its report and then request that any changes to the Charter be made during the 2024 session of the General Assembly of Virginia; and

WHEREAS, it is estimated that the annual operating costs for the 2022 City Charter Review Commission will be approximately \$5,000.00, including 10 staff hours;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the Council of the City of Richmond hereby establishes the 2022 City Charter Review Commission (the "Commission") pursuant to the following provisions:

A. **Purpose.** The purpose of the Commission is to conduct a comprehensive review of the Charter of the City of Richmond (2020), as amended, with the objective of making recommendations for appropriate revisions to such charter.

B. **Composition.**

1. **Appointment.** The Commission shall consist of five persons appointed by the Council for a term commencing upon appointment and terminating on the date that the Commission ceases to exist pursuant to section 1(D)(2) of this ordinance. All appointments shall be otherwise governed by section 2-767 of the Code of the City of Richmond (2020), as amended.

2. **Qualifications.**

a. Each person appointed to the Commission shall be meet one or more of the following qualifications:

(1) A person who is a current or former delegate in the Virginia House of Delegates or senator in the Virginia Senate;

(2) A person with substantial experience in local government, based on either practical experience or academic research; or

(3) A person who is a citizen-at-large of the City.

b. No officer or employee, as of the date on which this ordinance is adopted, of the City or of any authority or other political subdivision operating in the city shall be eligible for appointment to the Commission.

c. Membership on the Commission shall be otherwise governed by section 2-768 of the Code of the City of Richmond (2020), as amended.

C. **Duties.** The Commission shall perform the following duties and, with the assistance of the Office of the

Council Chief of Staff, promptly propose a plan of work with a budget for additional, non-City resources recommended for the performance of these duties and present such to the Council and the Mayor:

1. **Review.** The Commission shall undertake a comprehensive review of the Charter of the City of Richmond to:

a. Assess the history of the Charter of the City of Richmond with a special emphasis on its history under the present Council-Mayor form of government established in 2004;

b. Identify:

- (1) Ambiguities and conflicts;
- (2) Clerical and grammatical errors; and
- (3) Outdated or otherwise inapplicable text

in the Charter of the City of Richmond; and

c. Evaluate any amendments to the Charter of the City of Richmond that the Mayor or members of the Council may propose.

2. **Public Participation.** The Commission shall ensure public participation in its review process by:

a. Soliciting written suggestions to inform the Commission's work;

b. Posting reports on its progress and sharing information with the public via appropriate media releases and a publicly accessible website; and

c. Any other means the Commission believes will ensure public participation in its review process.

3. **Recommendations.** The Commission shall consider the results of its review and public participation processes and make recommendations for amendments to the Charter of the City of Richmond that include:

- a. The resolution of ambiguities and conflicts;
- b. The correction of clerical and grammatical errors;
- c. The removal of outdated or otherwise inapplicable text;
- d. Any clarifications or changes to the definition and delineation of the authority of the Council, the Mayor, and the Chief Administrative Officer;
- e. Any other clarifications or changes pertaining to the City's current form of government, including, but by no means limited to, whether the Council should have staggered terms or how to address any issues with the legal representation of the City;
- f. The enactment of amendments to general laws that would benefit the City; and
- g. Proposed text for the legislation needed to effectuate the Commission's recommendations.

4. **Final Report.** The Commission shall submit to the Council and the Mayor a final written report, containing the Commission's findings and recommendations developed pursuant to sections 1(C)(1) through 1 (C)(3) of this ordinance, no later than June 1, 2023.

D. **Conduct of Affairs.**

- 1. **Classification.** For purposes of section 2-773(b) of the Code of the City of Richmond (2020), as amended, the Commission is classified as "advisory."
- 2. **Duration.** The Commission shall continue in existence until it has submitted the final written report called for by section 1(C)(4) of this ordinance.
- 3. **Officers.** The Commission shall select from among its membership a chairman and other such officers as it may deem necessary for the conduct its affairs.
- 4. **Freedom-of-Information.** All meetings and records of the Commission shall be subject to the

provisions of the Virginia Freedom of Information Act, codified as sections 2.2-3700 through 2.2-3715 of the Code of Virginia (1950), as amended. The Commission's final report required by section 1(C)(4) of this ordinance shall be retained permanently as a public record in accordance with the requirements of the Virginia Public Records Act, codified as sections 42.1-76 through 42.1-90.1 of the Code of Virginia (1950), as amended.

5. **Meetings.** The Commission shall meet at least once each month and may meet as often as it deems necessary in order to complete its duties and submit its report by the deadline set by section 1(C)(4) of this ordinance.

6. **Procedures.** The Commission may adopt bylaws or rules of procedure not inconsistent with this ordinance to govern the conduct of its meetings and operations.

7. **Quorum.** Three members of the Commission shall constitute a quorum.

8. **Reporting.** For purposes of section 2-773(c) of the Code of the City of Richmond (2020), as amended, the Commission shall report to the Organizational Development Standing Committee of the Council. In addition, on the first day of each month, the Commission shall transmit to the Council and the Mayor a brief summary of the Commission's activities during the preceding month.

9. **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 Commission in completing the duties imposed by this ordinance. The Chief Administrative Officer shall designate at least one employee from the agencies that report to the Chief Administrative Officer to assist the Commission 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 Commission in completing the duties imposed by this ordinance.

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