

[Note: this working document reflects initial recommendations on a variety of issues from the Document Optimization Subcommittee, prepared in advance of the June 8, 2023 Commission meeting. This working document is superseded by the “Comprehensive List of Charter Changes Under Consideration” document of June 12, 2023.]

Document Optimization Subcommittee Provisional Report

Summary of Walter Erwin Recommendations and Subcommittee Recommendations

Glossary of Abbreviations

“DGL” means “Duplicates General Law.”

“ND” means the City Charter is Not Determinative on the matter at hand (i.e. is overridden by state or federal law).

“NCGL” means Charter provision is “Not Covered by General Law.”

“CGL” means the Charter provision could be amended to “Conform with Current General Law.”

“CRP” means no changes should be recommended to the Charter provisions without “Consulting Relevant Parties for Prudence” to assure changes do not cause harm.

“FAI” means “Fine as Is” unless the Commission wishes to recommend a change.

Items placed in italics may require additional conversation or inquiry.

Erwin Recommendation (reason)	Topic	Subcommittee Recommendation
2.03(a) Keep (for convenience)	Financial powers	Keep (with general proviso that city has all financial powers permitted by state code)
2.02 (b) Remove (DGL)	Borrow money	Remove
2.02 (c) Remove (DGL)	Appropriate money	Remove
2.02 (e) Remove (DGL)	Receive/refuse gifts	Remove
2.02 (f) Remove (DGL)	Libraries	Remove

2.02 (g) Remove (DGL)	Military/Nonprofit	Remove
2.03 Keep (for convenience)	Utilities	Keep (with general statement that city has all relevant powers provided by state code)
2.04 (b,k) Remove (DGL)	Buildings	Remove
2.04 (c) Review and Update	Police	<i>Need more information re: "special police"</i>
2.04 (e) Remove (DGL)	Right of Way	Remove
2.04 (g) Remove (DGL)	Motor Vehicles	Remove
2.04 (f) Remove (ND)	Railroads	Remove
2.04 (h) Remove (ND)	Various items for regulation	Remove
2.04 (i) Remove (DGL)	Cemeteries	Remove
2.04 (l) Remove (DGL/ND)	Smoke/Air Pollution	Remove

2.04 (m) Remove (DGL)	Nuisances	Remove
2.04 (n) Remove (DGL)	Inflammable Materials/Firearms	Remove
2.04 (r) Remove (DGL/ND)	Various items for regulation	Remove
2.04 (q) Remove (DGL)	Cruelty to Animals	Remove
2.05 (b) Remove (DGL)	Hospitals/Institutions	Remove
2.05 (c) Remove (DGL)	Assistance to the Poor	Remove
2.05 (d) Remove (DGL)	Cemeteries	Remove
2.05 (g) Remove (ND)	Bingo	Remove
2.06 Remove (DGL)	Enforcement of Regulations	Remove
<i>4.06 Revise</i>	<i>Robert's Rules and Exceptions</i>	Revise as recommended, with tweak that suspension of rules must be unanimous or super-majority
<i>4.07 Revise</i>	<i>Allow Electronic Voting</i>	Revise as recommended; clarify it refers to in-person electronic voting
4.09 Revise	<i>Electronic Printing of Ordinances</i>	Revise; keep requirement for print copy filed w/clerk

4.15 (a) Keep (NCGL) Removal from Boards/Commissions **Keep**

*4.15 (b) Consider revision Marijuana as grounds for Removal **Revise to strike references to marijuana and controlled substances***

4.16 (a) Keep (convenience) Powers of Investigation **Keep while adding general statement the City retains all relevant powers specified by general law**

4.17 *Keep* *City Attorney* *No subcommittee recommendation*

This issue is also being discussed by the Governance Subcommittee. The Commission should assure that its final recommendation in this are is consistent with the Rules of Professional Conduct for government attorneys cited by Mr. Erwin.

5.A.03. *Revise (CGL)* *Protected Categories* **Revise to add categories now covered by state; list categories explicitly (in case of future changes in state code)**

5.B. Keep (CRP) Retirement System **Adjust membership of board language to read “The Council shall appoint Board of Trustee members, at least two of whom shall be employees or retirees who are participants of the retirement system. The majority of the Board of Trustees shall be independent and not a member of the Richmond Retirement System.”**

Chapter 6 re Budgets is Being Considered Separately; Mr. Irwin notes there is no inherent problem with the current language

7.B. Keep (CRP) Borrowing **Keep**

8. Keep (FAI) Financial Administration **Keep**

13. *Keep (CRP)* Utilities **Keep**

Note: Administration seemed to recommend removing 13.6, keeping rest of chapter. More information is required.

17. *Simplify (CGL)* Planning **For Discussion**

Mr. Erwin recommends radical simplification of this chapter to conform with state code. This would have implications for certain aspects of Richmond's planning process. Pending further information and discussion the subcommittee is inclined to support this recommendation.

18.03. **Keep (FAI)** Eminent Domain **Develop language specifying correct process (request Mr. Erwin to suggest language)**

20.10 Remove (DGL) Courtrooms **Remove**

20.11 Removes (DGL) Bond Posting **Remove**

Finally, re elections, Mr. Erwin outlines the legal considerations involved in any change in the City's electoral processes. These considerations should be closely studied by the Electoral Subcommittee and the Commission as a whole.