

Draft Opening Remarks for May 23, 2023 Public Hearing—City Charter Review Commission

Richmond’s municipal government belongs to the residents of the City of Richmond, and it exists to protect, serve and advance our shared interests. It is through city government that we work together both to meet ongoing needs and to establish the city’s future direction and ultimately, what kind of city we will become.

A bedrock principle of democratic government is that the tools and machinery of government ultimately belong to the people. This principle has long been embedded in the Charter of the City of Richmond, which provides both City Council and the citizens at-large the power to initiate changes in the City Charter. This is significant because it is the City Charter that establishes the precise mechanisms by which local government is organized.

From time to time in Richmond’s history, leaders and citizens have taken time to assess and reassess the City Charter and consider possibilities for altering its structure in order to better advance the public interest.

Some 75 years ago, the current Charter was established by a public process, beginning with a City Charter Commission, chaired by future Supreme Court Justice Lewis F. Powell. That Commission forcefully argued that the city’s prior governing structure (including a two-chamber legislative branch and an elected mayor) was unwieldy and poorly suited to the needs of modern cities. The result of that analysis was the creation of the modern nine-member City Council, with two significant provisions: Council members would be elected at large, and Council would collectively hire a city manager to manage the day-to-day business of city government. The Charter also allowed for a ceremonial Mayor to be chosen by the elected Council members from among themselves. These proposals were endorsed by referendum in 1947 and enacted in 1948.

Considerations of racial justice and fair representation of all groups played no role in the 1948 Charter. Indeed, the Charter was adopted in the context of ongoing racial segregation in the city, state and region, and city leadership had been exclusively white for roughly half a century. Nonetheless, according to scholars Rutledge Dennis and John Moeser, the Richmond Civic Council, a prominent Black organization, endorsed the charter change as an improvement over the previous gerrymandered ward system. Indeed the 1948 election, held after the charter change, saw the at-large election of the first Black member of Richmond City Council in the 20th century, Oliver W. Hill, who served one term. In the 1950s and early 1960s, even as Council remained exclusively white, Black voting rights organizations such as the Richmond Crusade for Voters pushed for and to a substantial degree attained significant electoral influence and by 1966 significant Black representation on Council.

Indeed, the establishment of the 1965 Voting Rights Act combined with demographic changes raised the imminent prospect of majority Black control of Richmond local government. White city leaders (whose previous efforts to forge a merger with Henrico County had been rejected in a 1961 referendum) hastily struck a deal to annex part of Chesterfield County, adding about 47,000 residents, overwhelmingly white, to the City on January 1, 1970 and assuring the June 1970 municipal elections would be conducted with a majority-White city electorate.

Legal challenges to the annexation arguing that this maneuver was racially motivated led the federal government to cancel the 1972 local elections and suspend further electoral activity, a suspension that continued to 1977. The resolution of the dispute called for replacing the at-large system of Council elections with single-member councilmanic districts, in order to assure Black Richmond residents the opportunity to elect candidates of their choice in proportion to their share of the city population. The result was the historic election in 1977 of Richmond's first majority Black City Council, and that Council's selection of Richmond's first Black Mayor, Henry L. Marsh.

The reforms of 1977 represent the first set of major changes to the 1948 City Charter document.

The second major set was enacted by the General Assembly in 2004, following a citywide referendum in November 2003. In November 2003 voters overwhelmingly approved proposals generated by a privately-organized commission led by former Richmond Mayor Thomas Bliley (1970-1977) and former Virginia Governor L. Douglas Wilder (1990-1994), to establish two major changes:

- To provide for a directly elected Mayor, to be elected by winning five of the City's nine council districts;
- To shift from a Council-Manager to a Mayor-Council form of government, in which the Mayor would act as the "Chief Executive Officer" of the City, expressed primarily through the right to hire and fire a Chief Administrative Officer with responsibility for day-to-day operations of city government

This system of government took effect on January 1, 2005 with L. Douglas Wilder serving as first Mayor elected under the new system. This specific form of municipal government was and remains unique within Virginia, although numerous cities nationally have similar structural arrangements.

In 2009, Richmond City Council established a City Charter Review Commission to examine numerous specific issues related to the Charter with the intent of improving the Mayor-Council form of government in practice, and there have been several relatively minor amendments to the Charter over the past decade to address specific issues or concerns.

In 2022, Richmond City Council established the current City Charter Review Commission to conduct a broad examination of the Richmond City Charter in its entirety, including the powers of the Mayor, Chief Administrative Officer, and City Council (in effect, its form of government).

The Commission consists of nine City residents selected by City Council who are serving on a volunteer basis. This is an advisory Commission. Decision-making power regarding changes to the Charter rests with the Virginia General Assembly, who will take up deliberation on proposed changes either on the recommendation of City Council or as a result of any voter referendum that may eventually result from this process.

The Commission's aim is to consider how best to implement democratic self-government in the City of Richmond under the city's current conditions, taking account of both the city's experience with the current form of government and the numerous changes that have taken place in Richmond from 2004 to the present.

We undertake this work noting that Richmond residents differ in their priorities and expectations of city government. Some residents assess city government primarily from a service delivery lens (whether the City provides good services at reasonable cost). Other residents believe city government should focus primarily on tackling major ongoing concerns such as public safety and public education. And still other residents believe city government should act as a vehicle for expanding greater social, economic, and racial justice wherever possible, so as to address the city's historical and ongoing inequities. These various concerns and priorities are not mutually exclusive, and many residents share each of these concerns to one degree or another.

We also undertake this work recognizing that Richmond is a racially diverse city that continues to be impacted by decisions and structures established in the era of segregation. Protecting the voting and electoral power of racial and ethnic minorities must be a prime consideration of any assessment of our city's governance structure; so must creating a governance form that can protect and advance the interests of those same voters. But Richmond also is an ever-evolving experiment in multiracial democracy based on the fundamental concept of people from diverse backgrounds learning to share power, and to deliberate and to work together, and in so doing to discover and then advance the public interest.

The Commission's work is informed by past efforts to create a more inclusive, representative, and effective local government. We respect the work of the many Richmond residents and professionals within and adjacent to city government who have worked tirelessly in recent decades to advance the city's best interests as they understood them. But while we must study and learn from the past, our primary aim in this process is to address the forward-looking question of "what should democratic self-government and the practice of multiracial democracy look like in City of Richmond in the decades to come?"

This work is also undertaken with full awareness that many of the City's challenges and issues derive from the legacy of policies and structural arrangements enacted at the regional and state level. From affordable housing to regional transportation to public education funding to criminal justice policies, the City of Richmond's well-being is profoundly impacted by state policy as well as decisions enacted by other local governments in the metropolitan area. In debates about the charter revisions enacted twenty years, many astute observers noted that charter change was no panacea for the city's challenges.

That observation holds true today as well. But Richmond's challenged history and challenging state context makes it all the more imperative that local government operate as effectively as possible, both as a provider of services and as a locus for democracy and self-government.

The City Charter is not the only thing that is important to the city's future, but it is indeed important. It is thus both an honor and a high responsibility for the members of the Commission to participate in this process of examining the Charter and making recommendations for possible changes, a responsibility we have all taken seriously.

We also take very seriously as part of the process the voice of the people. Richmond voters and residents have real choices to make with respect to how our government functions, and public participation is critical to the substance and success of the Commission process. Whatever your views, perspectives or questions, we deeply value your taking the time to be with us tonight, and we look forward to hearing from you.

I will now turn the floor over to Commission Vice-Chair Ms. Rachael Deane who will summarize the work process the Commission has undertaken to date as well as outline the flow for the remainder of tonight's meeting. Thank you.

--Thad Williamson, Ph.D., City Charter Review Commission Chair

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