



# NORFOLK

*Office of the City Attorney*

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November 4, 2019

To the Honorable Council  
City of Norfolk, Virginia

**PH-5**

Re: Resolution – Supporting Three (3) Amendments to the City of Norfolk’s Charter  
Our File No. 2019-202245-JEC and 2019-202166-JEC

Dear Ladies and Gentlemen:

Attached please find a resolution supporting three amendments to the City of Norfolk’s Charter.

Respectfully submitted,

Bernard A. Pishko  
City Attorney

Recommendation: Adopt Resolution



Sold To:  
City of Norfolk Deputy Clerk - CU80015448  
810 Union St  
Ste 1006  
Norfolk, VA 23510

Bill To:  
City of Norfolk Deputy Clerk - CU80015448  
810 Union St  
Ste 1006  
Norfolk, VA 23510

**Affidavit of Publication**


**State of Illinois  
County of Cook**

Order Number: 6502828  
Purchase Order:

This day, John Farina appeared before me and, after being duly sworn, made oath that:

- 1) He/she is affidavit clerk of The Virginian Pilot, a newspaper published by Virginian-Pilot Media Companies, LLC in the city of Norfolk, Portsmouth, Chesapeake, Suffolk and Virginia Beach and the Commonwealth of Virginia and in the state of North Carolina.
- 2) That the advertisement hereto annexed has been published in said newspaper on the dates stated below
- 3) The advertisement has been produced on the websites classifieds.pilotonline.com and <https://www.publicnoticevirginia.com>


Published on: **Nov 12, 2019.**

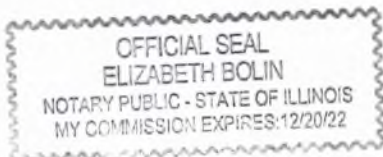
  
John Farina

Subscribed and sworn to before me in my city and state on the day and year aforesaid this 12<sup>th</sup> day of Nov, 20 19.

My commission expires 12/20/22

Elizabeth Bolin

  
Signature of Notary





VIRGINIA  
MEDIA



City of  
**Norfolk**

**PUBLIC HEARING**

The Council of the City of Norfolk will conduct a PUBLIC HEARING in the Council Chamber, eleventh floor, City Hall Building, TUESDAY, NOVEMBER 26, 2019 at 7:00 PM., pursuant to State Law on the Charter changes proposed for consideration at the forthcoming session of the General Assembly. The amendments to be considered are summarized as follows:

1. To repeal Section 2 (22) of the Charter of the City of Norfolk authorizing the City to prohibit paupers from entering the City and to remove those already within the City so as to eliminate that subsection and renumber all remaining subsections of section 2 of the Charter.

2. To amend Section 11 of the Charter of the City of Norfolk authorizing the council to appoint certain officers so as to clarify that all employees serving within such offices are chosen and serve at the will of these officers and not the City Manager.

3. To amend Section 114 of the Charter of the City of Norfolk exempting certain City officers and employees from the classified service so as to exempt from the classified service all employees serving within the offices of officers appointed pursuant to section 11 of the Charter.

Proposed Resolution and attachments are on file in the Office of the City Clerk.

Note: Persons needing special assistance, such as a handheld microphone or ASL interpreter, or any other accommodation under the Americans with Disabilities Act are asked to call the City Clerk's Office at 664-4253 at least three days before the meeting.

Richard A. Bull  
City Clerk

11/12/19 6502828



Form and Correctness Approved:

By *[Signature]*  
Office of the City Attorney

Contents Approved:

By *[Signature]*  
DEPT.

NORFOLK, VIRGINIA

## Resolution

A RESOLUTION EXPRESSING THE SUPPORT OF THE CITY COUNCIL FOR THREE AMENDMENTS TO THE NORFOLK CHARTER SO AS TO REVISE SECTIONS 2(22), 11 AND 114, REGARDING REMOVING PAUPERS, APPOINTING OFFICERS, AND EXEMPTING OFFICERS AND EMPLOYEES FROM THE CLASSIFIED SERVICE.

- - -

WHEREAS, Charter Section 2 (22) of the Charter of the City of Norfolk authorizes the City to prohibit paupers from entering the City and to remove those already within the City; and

WHEREAS, Charter Section 11 of the Charter of the City of Norfolk authorizes the council to appoint certain officers and makes them at will employees; and

WHEREAS, Charter Section 114 of the Charter of the City of Norfolk exempts certain City officers and employees from the classified service; and

WHEREAS, proposed amendments to all three sections of the Charter are set forth in Attachment A to this Resolution; and

WHEREAS, these proposed amendments to the Charter were the subject of a public hearing on November 26, 2019 as required by Section 15.2-202 of the Code of Virginia, 1950, as amended, and confirmed by the publisher's affidavit which is set forth in Attachment B to this Resolution; and

WHEREAS, the council has maturely considered the proposed amendments and is of the opinion that they should be passed; now, therefore,

BE IT RESOLVED by the council of the City of Norfolk:

Section 1:- That the council hereby approves the proposed Charter amendments reflected in Attachment A, and respectfully requests the Virginia General Assembly pass said amendments.

Section 2:- That the council authorizes and directs the proper City officials to take all necessary actions to present this Resolution and its attachments which are incorporated by reference, together with any other appropriate documentation, to the Virginia General Assembly for its favorable consideration.

Section 3:- That this Resolution shall be in effect from and after the date of its adoption.



ATTACHMENT A

RESOLUTION IN SUPPORT OF CHARTER CHANGES  
CITY OF NORFOLK VIRGINIA

The City proposes the following changes to its Charter. All proposed additions are underlined, all deletions lined through.

1. **Proposed revisions to section 2(22)** of the Charter of the City of Norfolk Virginia (Charter). The City requests that section 2(22) be repealed in its entirety and the remaining subsections of Chapter 2 of the Charter be re-numbered accordingly:

~~(22) To prevent persons having no visible means of support, paupers and persons who may be dangerous to the peace or safety of the city from coming to said city from without the same; and for this purpose to require any railroad company, the master of any ship or vessel or the owners of any conveyance bringing such person to the city, to take such person back to the place whence he was brought, or enter into bond with satisfactory security that such person shall not become a charge upon said city within one year from the date of his arrival; and also to expel therefrom any such person who has been in said city less than ninety days.~~

2. **Proposed revisions to section 11** of the Charter:

**Sec. 11. - Elections Appointment by council; when held; terms, etc.**

The council shall appoint a city manager, a city assessor, a city clerk, a city attorney, a city auditor and a high constable, each of whom shall be appointed for an indefinite period and serve at the will of the council. The employees serving these officers, regardless of whether their appointments are confirmed by the council, shall serve at the will of their respective officers.

3. **Proposed revisions to section 114** of the Charter:

**Sec. 114. - Officers exempted from classified service.**

Officers who are elected by the people or who are elected, appointed, or confirmed by the council, pursuant to this Charter, members of the school board, the teachers in the public schools and all other persons employed by said school board, heads of the administrative departments of the city, the deputy chief of police, assistant city managers, employees who report directly to and whose positions require the personal trust and confidence of the city manager, employees, regardless of their positions, hired and permanently assigned to work for and under the supervision of the constitutional officers of the city or of the circuit court judges of the city, assistant heads of administrative departments and heads or chiefs of bureaus and divisions within said departments, but not including such positions within the departments of fire and police other than that of deputy chief of police, members of the law department, all officers and employees who work in the offices of those officers appointed by the council pursuant to Section 11 of this Charter, and civil service examiners, shall not be included in such classified service; provided, however, that the council may by ordinance provide that the health officer of said city and such of his trained medical assistants as may be required to give full time to the duties of their positions shall be included in the classified service.