

Alexandria Commission for Women
City Hall, 301 King Street, Room 2000
November 10, 2020

MEMBERS PRESENT: Amanda Keiser; Ann Harbour; Anuja Miner; Diana Karczmarczyk; Elizabeth “PJ” Palmer Johnson; Jodie Rubenstein; Julie Harbour; Katherine “Katie” Seifu; Lateisha Garrett; Shelley Brown; T. Nicole Hutchinson; Uzma Quraishi; Gayle Terry; Marie Divine and Yvette Jiang

MEMBERS EXCUSED N/A

OTHER ATTENDEES: City of Alexandria Vice Mayor Elizabeth Bennett-Parker; Joanna Anderson, City Attorney; David Lanier, Jr., Assistant City Attorney/Freedom of Information Act (FOIA) Officer; Meghan Roberts, City Attorney; Stacey D. Hardy-Chandler, Department of Community and Human Services (DCHS), Center for Children and Families; Debra Evans, DCHS , Domestic Violence Program/Sexual Assault Center (DV/SA) and LaTanya Chinagorom, DCHS, Center for Children and Families, DV/SA

1. WELCOME AND CALL TO ORDER

The meeting of the Alexandria Commission for Women (ACFW) was called to order by Chair Harbour at 5:04 p.m. The notice for the City of Alexandria virtual requirements were read. The floor was opened for public comment.

2. INTRODUCTIONS OF NEW COMMISSION MEMBERS

New Commission members introduced themselves and they include: Gayle Terry, Marie Divine and Yvette Jiang. Commissioners welcomed them aboard.

3. REVIEW AND APPROVAL OF OCTOBER 2020 MINUTES

Review of the minutes for October 2020 took place. First Vice Chair Karczmarczyk motioned to approve the minutes as amended. Chair Harbour moved to approve the minutes as amended. Commissioner Brown seconded. There were none opposed. Chair Harbour approved to accept the minutes.

4. PUBLIC COMMENT

Vice Mayor Bennett-Parker made public comment and provided information on the issue of the State law regarding the ability of individual members of public bodies to participate electronically in meetings. The FOIA Council is currently discussing this issue. They have an Electronic Subcommittee that is scheduled to meet on Wednesday, November 18, 2020, at 2 p.m., to further discuss and decide what recommendations to

make and to see if any changes can be made. The FOIA Council will meet in early December 2020 then will proceed to the General Assembly.

Vice Mayor Bennett-Parker expressed that it is important that our advisory bodies, as well as our governing bodies, reflect the diversity of voices and lived experiences as the community. This is a topic that she is passionate about.

Vice Mayor Bennett-Parker encouraged individuals to provide written comments on topics they feel strongly about to the FOIA Council. There is a link available to sign up to provide live public testimony. The Commission was encouraged to share this information with other folks, especially people outside of Alexandria (Northern Virginia). Changes will affect the entire state and affects all of the public body. She believes the public benefits when our government reflects the population.

5. PRESENTATION BY ALEXANDRIA CITY ATTORNEY, JOANNA ANDERSON

Alexandria City Attorney (CA) Joanna Anderson provided guidelines on holding online meetings. City Attorneys Meghan Roberts (represents DCHS) and David Lanier, Jr. (represents FOIA and other areas) were in attendance as well. The City Attorney's Office gained new employees and now has 12 attorneys. The CA's Office represents the City Council, Commissions and Boards, City Manager and all City Departments. They also do the civil work for the City to ensure all procedures are followed, legal issues that need to be considered when making decisions for the City are complied with (contracting/purchasing/ ordinance writing) and other matters that need to be addressed to make the government run. The CA's represent different Departments for different issues within the in the City.

Ms. Anderson shared procedural information in her PowerPoint slides to include FOIA Requests, Roberts Rules, general rules, bylaws, authorizing language in the City Code, and other specific items within the Commission:

- FOIA: The purpose is to make sure the public is aware of the Commission and has access to the work that the City is doing. There are two main sections of FOIA that are to be complied with: 1) public records, 2) access to public meetings of public bodies. The Commission is considered a public body. Public records are all writings and recordings, regardless of physical form or characteristic prepared or owned by, in the possession of a public body to include notes that were written, text messages, anything that is in writing is subject to the open documents rules.

The public body definition is anybody that is doing work associated for City Council (advisory groups, board and commissions, etc.).

- Public Records Requirements: All members of public bodies and City employees are required to retain the public documents that pertain to the work they are doing. Electronic documents that are developed as part of the work as a Commissioner are also considered public record. It was advised to have a separate email account to retain the documents there to lessen the concern about intrusiveness.
- Meetings: A meeting is defined as three members of a body meeting at once to discuss public business. Two Commissioners can meet to discuss public business, but when three members meet it automatically becomes a public meeting. When at a social setting or gathering or other meeting/event and there are more than two members present, it is fine as long as the members do not discuss or appear to be meeting about Commission public business. It was suggested to consider the use of "reply all" in emails because if communication exists within a specific time frame of receiving the message than it can be seen as a replacement for an in-person meeting which is against policy because this meeting is not available for the public to join. Therefore, if a matter is emailed to a group and there is a discussion that needs to occur, it is important to save the conversation for a regular meeting and share it in an open space abiding by all policies. Reply all emails cannot serve as a replacement for a meeting. It was further advised not to blind copy on public documents and to list all intended recipients for emails for transparency.

Meetings under FOIA are required to be in-person meetings (this was temporarily changed to allow flexibility due to COVID). Meetings by telephone and video are typically not allowed. Telephone or video conferencing can be used only if a person has a disability, medical condition, or personal matter that prevents them from attending in person. This method is only authorized twice per year.

As a public body, the Commission needs to have its own electronic meeting policy adopted.

The bylaws state when Boards and Commission hold meetings. It is decided in the bylaws. If a meeting change is needed, the meeting can be changed in the bylaws.

- Voting: FOIA requires all voting be open in public and that all votes and voters are recorded. Your individual votes need to be clear. This voting can be done in written ballot form only if upon announcing the winner and who voted is announced as well.

- Violation of FOIA: Violations of FOIA are personal violations to individual Commissioners where there are penalties involved. Individual Commissioners can seek the FOIA handbook via an internet search or contact the City Attorney's Office for it.
- General Rules and Memberships: The City Code has a section that talks about the general rules for all the Boards and Commissions. Each Commission has its own authorizing language that addresses its specific purpose and might have slightly different rules for each Commission. Members must attend at least 75% of all the meetings with the attendance report provided to the City Clerk's Office annually.

Some of the more general rules that apply to everyone is that members are appointed by City Council. A 10-year term limit is in place and one may be removed for counsel for neglect of duty or for violations of the law.

One regular meeting is required each year. The ACFW's language says the Commission members should meet once a month from September to June and may meet in July and August. The requirement for ACFW meetings is 10 times per year. Annual reports are required. Agendas are important and must be sent out to the public and posted a minimum of three days before the meeting takes place according to the FOIA and City Code rules on the events page site via electronic posting. The announcements can be physically posted in the City Clerk's Office as well (pre-COVID). Minutes must be posted to include all the specific information from the meeting, including motions and voting. The City Code, Title 12, Chapter 6 outlines the Commission for Women's authorized language.

The City of Alexandria has a separate Charter because it is not a county. Alexandria has to comply with the State Code as well. All the Boards and Commissions procedural rules should be governed by Robert's Rules, unless the Code says otherwise. Robert's Rules is where requirements for motions and amendments to the motions are provided.

The electronic meeting requirements have been altered because of the COVID-19 pandemic. The General Assembly changed the authority to be able to meet reference regular business via electronic means and they made requirements that came along with the authority. This change lasts through the end of this Fiscal Year (June 2021).

- Conflicts of Interest: These rules are to ensure compliance and the integrity of the Boards and Commissions to ensure the public feels that public business is being done in a fair manner so that

there is no conflict of interest under the State and local government *Conflict of Interest Act*. Some provisions are in the City Code that deal with conflicts of interest. The State law is focused mostly on money issues to ensure votes/decisions before the Board or Commission is not benefitting members financially from the outcome of the votes. If so, it could potentially be a conflict of interest.

Procedure rules must comply with the procedures in the City Code. Ensure you have two-thirds of a vote to make changes.

- Fundraising: Boards and Commissions are not authorized to fundraise directly. Organizations like Friends of Commissions or Boards are organizations that are started by someone in the community and are run by people in the community. They can't be initiated by a City or City Department, Board, or an employee on behalf of the City. Fundraising must be from a separate private organization governed by 501(c)(3) laws.

The question was raised if Commissions can co-sponsor an event with the 501(c)(3) handling the finance aspect. The answer was that the Commission should ensure they are very separate; they cannot be one and the same. Commission members can sit on an advisory group that has a different interest. The Executive Board Meetings must follow all the rules, unless it is a closed meeting.

Commission members cannot vote in a closed session; must vote in open session.

6. OLD/NEW BUSINESS

- Old Business:
 - Friends of the Alexandria Commission for Women: Many discussions took place within the past year on the future relationship between ACFW and the Friends of the Alexandria Commission for Women. Chair Harbour and First Vice Chair Karczmarczyk met with Friends to introduce themselves as the new Executive Committee and to have discussions. Currently, the Board of the Friends of the Alexandria Commission for Women wants to disband.
 - Friends shared some ideas and different options that the Commission may want to consider. Friends is open to the ACFW finding new community members to keep the organization as is, but without any of the current members.
 - Friends suggested that the ACFW can take up the mantle and create a new board, where they could take over.

- In the in the past it was discussed that the Commission create a relationship with ACT for Alexandria to be an overseer of the funding that the Commission already has and any new funding that comes in. (ACT holds \$10K of the amount that is left in the principle balance).
- Create a completely new 501(c)(3), which would require a board that is separate from the Commission to oversee and run. **Action Item: Commissioners were asked for ideas on how to move forward considering the legal limitations for Commissioners in the fundraising capacity .**
- Funding: Friends successfully obtained a \$7,500 grant from ACT, which was part of the release money that they had established for community organizations. They have spent all that money and then there was a second grant from Alfred Street Baptist Church for \$20,000 and the balance is \$8K that is remaining.

Both the ACT funds, and Alfred Streets funds were grants awarded to the DV/SA programs under the Friends of the Commission. Funds that were specifically related to assisting survivors with rent and utility and basic need items for survivors that were having trouble due to COVID. The \$20K was awarded for rental and utility assistance as well as transportation medical assistance with bills related to COVID and food for survivors.

Friends solicited gifts and there was a grant line item that assists survivors that is under the Friends of the Commission for Women. There is a separate entity that has historically supported some of the Commission's activities but not exclusively.

Friends is stepping back from this and will not be a part of what moves forward. It was suggested that the Commission combine Friends with Vola Lawson Foundation and create a women's foundation for Alexandria (something broader than just Friends) and it should have its own 501(c)(3) that will have the ability to send grant applications to that entity. Commissioner Garrett offered to champion this structure. **Action Item: Commissioner Garrett was asked to write up a proposal for how the relationship between the Commission and the Women's Foundation should be and send it to Commissioner Harbour to ensure rules are being**

followed. **Action Item: It was recommended to ask Stacey Hardy-Chandler about how the Fairfax City Commission for Women works their fundraising arm (if they have one). Action Item: Commissioner Garrett will ask ACT if the Commission could create a relationship with them for short notice needs for domestic violence survivors.**

It was recommended that the Commission will not set up the relationship with ACT; have someone else set it up. It was encouraged to follow Fairfax City's lead and to ensure Commissioners past and present do not have access to these finances. Friends will cease to exist. The Commission can recruit people to create a new board.

- *New Business:* The next Commission meeting will be run retreat style to discuss items more broadly and how the Commission will move forward in the age of COVID. **Action Item: Each Commissioner will get a call from one of the Executive Committee members to get answers to some questions and to get ideas on what issues they want to discuss during the retreat.** The Status on Women Report, next steps, and how the Commission would like to frame events going forward will be discussed.
- *Announcements:* Vice Mayor Bennett-Parker wants to know if anyone is interested in helping her on her mission to expand public meetings. **Action Item: Commissioners were asked to send an email to Commissioner Harbour or Vice Mayor Bennett-Parker directly, if interested. Commissioners can also send an email directly to the FOIA Committee. Commissioner Harbour also has a link to a form that is easy to fill out pertaining to the topic.**

Adjournment

Chair Harbour called for a motion from the floor to adjourn. The motion was so moved by Commissioner Harbour. First Vice Chair Karczmarczyk seconded the motion. The meeting was adjourned at 6:45 p.m.

Important Dates / Reminders / Announcements

- ✓ **National Slavery & Human Trafficking Prevention Month (January)**
- ✓ **National Teen Dating Violence Awareness & Prevention Month (TDVAM) (February)**
- ✓ **Salute to Women (March)**
- ✓ **TODSTWD (April 23)**
- ✓ **SAAM Events (April)**

- ✓ **Women's History Walk (May)**
- ✓ **Domestic Violence Awareness Month (October)**
- ✓ **Breast Cancer Awareness Month (October)**