

# The City of Alexandria

## Board, Commissions, and Advisory Groups

### Member Handbook

*Effective September 1, 2022*



## **INTRODUCTION**

The City of Alexandria encourages participation by members of the community to serve on Boards, Commissions, and Committees. These vital groups give Alexandria citizens with specific interest an opportunity to actively serve the community and participate in advancing this great city forward.

This handbook was prepared by City of Alexandria staff for members of the City of Alexandria Boards, Commissions, and Committees to inform them of the duties and responsibilities of a member to City Council appointed Boards, Commissions, and Committees and other Advisory Groups (hereafter referred to as Advisory Groups). The main website for the City of Alexandria Boards and Commissions ([www.alexandriava.gov/Boards](http://www.alexandriava.gov/Boards)) contains a complete list and description of all City of Alexandria Advisory Groups, as well as links to other important information.

## **PURPOSE**

The primary role of all Advisory Groups is to gather information, review specific concerns, and make recommendations to the City Council on matters within their scope of responsibility. Advisory Groups are also to promote public participation in determining City policies and program implementation.

## **AUTHORITY AND APPOINTMENTS**

The majority of Advisory Group members are selected by the Alexandria City Council Members. Advisory Group member appointments are typically held at the first City Council meeting of each month, with the exception of July and August. Members are appointed to the Advisory Group through an application and appointment process that has been adopted by the City Council.

## **APPLICATION AND APPOINTMENT PROCESS**

Advisory Group positions are open to all City of Alexandria residents. Vacancies are posted 21 days prior to Council consideration. Applications are received through the City's Advisory Groups website ([www.alexandriava.gov/Boards](http://www.alexandriava.gov/Boards)). Applications are reviewed by the City Clerk's Office for completion and to ensure applicant meets the minimum qualifications for the position prior to submission for City Council consideration.

Advisory Groups contain a combination of members chosen by City Council and members recommended by the state or board-specific organizations. Applicants applying for state or board-specific organization positions and do not live in the City of Alexandria must request a "Residency Waiver." This waiver is also required for all citizens residing outside of the City of Alexandria limits. Waivers are typically granted for specific job or organizational positions, or for applicants endorsed by the board.

Once your application is deemed eligible for a vacancy, it is submitted for Council consideration. Prior to consideration, members of Council may reach out to you regarding your application. In addition, you may reach out to members of Council to emphasize your desire to serve.

City Council reviews the applications and make their appointments at the first City Council meeting of each month, with the exception of summer recess in July and August. All candidates are notified of the results. Applicants selected will receive a welcome packet and be contacted by the board staff for onboarding and meeting details.

Applications for candidates not selected will remain on file for 6 months, unless withdrawn by the applicant or City Council.

**RESPONSIBILITIES AND ROLES OF MEMBERS**

Members of the Alexandria community selected to participate in advancing this great city forward provides an opportunity for genuine public service. Although specific duties of each vary widely with the purpose for which they are formed, there are certain responsibilities that are expected to be observe the following guidelines.

- Treat Everyone with Respect and Courtesy
- Do Your Homework – Be Prepared and Be Familiar with the Docket
- Express Your Ideas and Opinions in an Open and Helpful Manner
- Be Respectful of Others’ Time with Clear and Concise Comments or Questions
- Demonstrate Honesty and Integrity in Your Comments and Actions
- Focus on the Issues Before the Decision-Making Body – Avoid Personalizing Issues
- Listen and Let Others Express their Ideas and Opinions
- If a Decision is Made with which You Do Not Concur, Agree to Disagree and/or Use Appropriate Means of Civil and Civic recourse, and Move On

**Roles and Responsibilities for City of Alexandria Boards**

Duties	City Council	City Clerk	Board Chair	Staff Liaison
<b>Maintain/Update Roster</b>		Maintains/Updates		Maintains/Updates
<b>Identify New Members</b>	Considers apps. received	Reviews apps for min. qualifications	Recruit interested persons	Recruit interested persons
<b>Appoint New Members</b>	Makes appointments	Provides official appointment notice		
<b>New Member Orientation</b>		Provides Oath and Term information	Provide mission specific member orientation.	Member Orientation
<b>Establish/Revise Mission &amp; to Enforce Bylaws</b>			Ensuring work conforms to By-laws and enabling legislation	Ensuring By- laws and enabling legislation are followed
<b>Work Program Planning</b>			Takes lead in developing annual work plan	Provides support for annual work plan development
Duties	City Council	City Clerk	Board Chair	Staff Liaison
<b>Set Meeting Agendas and Distribute Materials</b>			Works w/ Staff Liaison to set agenda and materials	Ensuring members and public have notice of meeting and materials
<b>Organize Subcommittees</b>			Where authorized by By-laws or legislation	
<b>Facilitate Meetings</b>			Responsible for facilitating all meetings.	Assists as needed to ensure effectiveness
<b>Seek Public Input at Meetings</b>			Facilitates if input is part of order of business	Ensures proper notice of meeting and opportunity for public participation.
<b>Manage Meeting Process</b>			Facilitates and has primary responsibility	Assists Chair as needed
<b>Meeting Minutes</b>				Ensures minutes are posted to City’s website
<b>Draft Recommendations</b>			Prepares and submits to	Works in collaboration

<b>and Develop Annual Report</b>			City Council in collaboration with Staff Liaison.	with Chair
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**1. Appointment as a member**

Within 60 days of appointment by City Council, all members are required by City Code to qualify by taking the oath either: (i) verbally before the city clerk, or other officer authorized to administer oaths or affirmations, or (ii) in writing on a form provided by the office of the city clerk and clerk of council.

**2. By-laws and other governing documents**

Advisory Groups should maintain focus on the mission as articulated in the By-laws and ordinance or resolution that creates the group. Advisory Groups only have authority to undertake activities they are tasked with performing by City Council. Groups should annually review the By-laws to determine if changes are required.

**3. Annual Reports**

Boards are required to create and submit a report to City Council each year within 60 days after the close of the fiscal year. After the annual report is submitted to City Council, it must be made available to the public for inspection and copying.

**4. Attendance and Absences**

Engagement and participation of Advisory Group members is crucial to the success of their group. The Chair is responsible for keeping a record of each member’s attendance at meetings and forwarding a copy of the attendance record with the Annual Report.

Advisory Group members are required to attend at least 75 percent of all meetings for the group on which they serve. Failure to attend at least 75 percent of all meeting for the group may result in removal by the City Council for neglect of duty.

The Chair of an Advisory Group, in his or her discretion, may excuse the absence of a member from a meeting or multiple meetings if they are informed within a reasonable time in advance by the absent member. These excused absences shall not be considered by the group Chair when preparing the attendance record, but they shall be noted as “excused absences” on the record.

**5. Open Meeting Requirements**

By definition, meeting requirements must be met when more than two (or a quorum if less than three) Advisory Group members get together – formally or informally, in person or electronically – and public business (i.e., topics associated with the Advisory Group’s work) is discussed or transacted.

Public access to Advisory Group meetings is a statutory right of the public pursuant to FOIA. The following are relevant excerpts from FOIA that apply to Advisory Group meetings:

- Notice of a meeting must be posted at least 3 working days prior to the meeting.
- All meetings of public bodies, including all Advisory Groups to the City Council, are to be public, including meetings and work sessions during which no votes are cast or any decisions made. FOIA has limited exemptions from this requirement, see the Closed Meetings subsection below.

- At least one copy of all agenda packets and materials provided to members of the Advisory Group for a meeting shall be made available for the public at the same time such documents are furnished to the members of the Advisory Group.
- Minutes shall be taken in writing at all public meetings and must include the meeting date, location and attendees and at least a summary of matters discussed, and any votes taken. Such minutes are required to be publicly available.
- For electronic communication meetings conducted in accordance with Code of Virginia §§ 2.2-3708.2 or 2.2-3708.3, minutes shall include (i) the identity of the members of the public body who participated in the meeting through electronic communication means, (ii) the identity of the members of the public body who were physically assembled at one physical location, and (iii) the identity of the members of the public body who were not present at the location identified in clause (ii) but who monitored such meetings through electronic communication means.
- Any person may photograph, film, record, or otherwise reproduce any portion of a meeting required to be open. The Advisory Group conducting the meeting may adopt rules governing the placement and use of recording equipment to prevent interference with the proceedings.
- Voting by secret or written ballot in an open meeting is not allowed and is a violation of FOIA.

**6. Closed Meetings**

Advisory Groups may close their publicly-noticed meetings to the public only if they are discussing one of the topics expressly authorized by law including, among others:

- Specific personnel matters
- Disposition or acquisition of real property
- Prospective competitive procurements where a public meeting would compromise the City's bargaining position
- Consultation with legal counsel
- Terrorism preventive matters

Appropriate notice requirements must be met, and the body must adopt a motion specifying the statutory basis for the closed meeting as well as a certification after the closed session has been concluded. All closed meeting discussions are confidential and any actions to be taken based on the closed session must be done only in a reconvened public meeting following the closed meeting. The City Attorney's Office should be consulted when an Advisory Group is considering a closed meeting.

**7. Quorum**

No action or business shall take place without the presence of a quorum. Alternatively, other actions are permissible without the presence of a quorum provided the Advisory Group does not engage in the transaction of public business. Figure 1 below lists common actions that do or do not require a quorum.

**Figure 1**

Quorum Not Required	Quorum Required
<ul style="list-style-type: none"> <li>- Call the meeting to order</li> <li>- Fix the time to which to adjourn</li> <li>- Adjourn</li> <li>- Recess</li> <li>- Try to obtain a quorum</li> <li>- Informal discussions</li> <li>- Allow citizens to speak</li> </ul>	<ul style="list-style-type: none"> <li>- Votes</li> <li>- Engage in discussions or receive presentations that could be serve as the basis for an official decision of the public body</li> </ul>

A quorum consists of a majority of the voting members in the Advisory Group. A regular member that is not voting for whatever reason, such as a conflict of interest, shall still be considered when counting a quorum. Vacant positions shall not be considered for quorum. Additionally, note that members may not cast any votes until they have taken the oath or affirmation required in City Code 2-4-7(h).

## **8. Voting**

It is important that the voices and opinions of every member of an Advisory Group are heard. Therefore, all votes must be taken in public session and the votes of at least a majority of the Advisory Group are required to take any action that:

- Is administratively final at the Advisory Group level without a further appeal.
- May be appealed by the City Council or a court of competent jurisdiction.
- Is a part of a recommendation or proposal for action by City Council or any other City Board or Commission.

Note that the affirmative votes of a larger majority may be required by the Advisory Group's enabling legislation. Voting by secret or written ballot in an Open Meeting is not allowed and is a violation of FOIA. Additionally, note that members may not cast any votes until they have taken the oath or affirmation required in City Code 2-4-7(h).

## **9. Remote Participation in Meetings by Individual Members**

Generally, remote participation in meetings is not permitted under FOIA. However, public bodies may permit one or more of their members to participate in meetings remotely in certain cases when i) a quorum is physically assembled and ii) the public body has adopted a policy that complies with § 2.2-3708.3 of FOIA. A member who wishes to participate in a meeting through electronic means must be unable to attend the meeting due to a personal matter, a medical condition that prevents the member's physical attendance, a family member's medical condition that requires the member to provide care for such family member, or the member's principal residence is more than 60 miles from the meeting location. Participation by the absent member due to a personal matter is limited to two meetings or 25 percent of the meetings held by the Advisory Group per calendar year, whichever is greater. If a member is participating remotely in accordance with the electronic participation policy, he or she may participate in the meeting as if she or he were physically in attendance. Please refer to Appendix D for more information.

## **10. All-Virtual Public Meetings**

Certain public bodies may also hold all-virtual meetings during which all members may participate remotely rather than being assembled in one physical location provided public access is also provided through electronic communication means. An all-virtual meeting must comply with the following requirements:

- 1) The meeting notice shall indicate that the meeting will be all-virtual and a statement that the method by which the Advisory Group meets shall not be changed unless a new notice is advertised
- 2) Public access to all-virtual public meetings is provided via electronic communication means
- 3) The electronic communication means used allows the public to hear all members of the Advisory Group participating in the all-virtual public meeting and, when audio-visual technology is available, to see the members of the group as well
- 4) A phone number or other live contact information is provided to alert the Advisory Group if the audio or video transmission of the meeting fails. The Advisory Group shall monitor the means of communication during the meeting and recess until public access is restored if the transmission fails for the public

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- 5) A copy of the proposed agenda and all agenda packets and, unless exempt, all materials furnished to members of the Advisory Group for a meeting is made available to the public in electronic format at the same time that such materials are provided to members of the group
- 6) The public is afforded the opportunity to comment through electronic means, including by way of written comments, at those public meeting when public comment is customarily received
- 7) No more than two members of the Advisory Group are together in any one remote location unless the remote location is open to the public to physically access it
- 8) If a closed session is held during an all-virtual public meeting, transmission of the meeting to the public resumes before the Advisory Group votes to certify the closed meeting as required by § 2.2-3712(D)
- 9) The Advisory Group shall not convene an all-virtual meeting more than (i) two (2) meetings or (ii) 25% of the meetings held per calendar year rounded up to the next whole number, whichever is greater. The Advisory Group shall not hold consecutive all-virtual meetings
- 10) Minutes of all-virtual public meetings held by electronic communication means are taken as required by § 2.2-3707 and include the fact that the meeting was held by electronic communication means and the type of electronic communication means by which the meeting was held. If a member's participation from a remote location pursuant to this subsection is disapproved because such participation would violate the policy adopted pursuant to subsection D, such disapproval shall be recorded in the minutes with specificity.

Additionally, pursuant to § 2.2-3708.2, public bodies may hold meetings without a quorum physically assembled when either the Governor has declared a state of emergency or the local public body has declared a local state of emergency.

Other than in compliance with the proceeding requirements, remote participation and all-virtual public meetings, including conference calls, skype, and other electronic means are not permitted.

### **11. Records Requirements**

All records of the Advisory Group, including written communication among Advisory Group members, are subject to the FOIA. This means that, should a member of the public ask to review all deliberations on a subject that the Advisory Group discussed, Advisory Group members are required to produce any records (e.g., emails, messages, notes) related to the topic. Prior to being released, the City Attorney's Office reviews all documents to assure that documents responsive to the request – with redactions should they be necessary – are released within the required timeframe. All Advisory Group records must also be preserved based on the City's record management policy and the Library of Virginia Retention schedule.

### **12. Conflicts of Interest**

The State and Local Government Conflict of Interests Act affects all persons elected or appointed to any governmental or advisory agency or group of the City of Alexandria government. The term "advisory agency" includes citizen Advisory Groups appointed to make non-binding recommendations to the Alexandria City Council or the City Manager.

No member may accept money or any other thing of value or take other advantages based upon his position as a member of the Advisory Group. Members cannot have a personal interest in a contract or transaction. If a member of an Advisory Group has concerns about whether they should participate in a transaction, they may contact the City Clerk or their staff liaison.

### **13. Required Disclosure Forms**

As required by the State and Local Government Conflict of Interests Act, Section 2.2-3113 et seq. of the



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Virginia Code or [Section 2-5-11](#) of the City of Alexandria Code, many Advisory Group members are required to file one or more of the following upon appointment and annually by the date set by the Virginia State Code with the Clerk to the City Council:

- Financial Disclosure Statement, or
- Statement of Economic Interest, or
- Disclosure of Real Estate Holdings.

Current members receive an annual reminder with the appropriate form from the Clerk to the City Council. Completed forms are due in the City Clerk's Office by the enumerated deadline. Failure to file the appropriate form is a violation of State and City law and may result in the removal of the member from the Advisory Group.

### **14. Member Removal**

City Council by majority vote may remove Advisory Group members for the following reasons:

- Good cause
- Failure to confirm appointment by oath within 60 days of appointment,
- Member is no longer working in the best interest of the board or city,
- Absent for more than 25% of meetings in a calendar year,
- No longer qualifies for appointed position (no longer a resident of the City of Alexandria or no longer employed or represent a position specific organization)
- Convicted of a gross misdemeanor or felony that results in loss of confidence.

### **15. Resignations**

Any member choosing to resign from a position on an Advisory Group must submit their intention in writing to the city clerk. The required writing may be in physical or electronic form.