

**BYLAWS OF THE
TRI-CITIES AREA METROPOLITAN PLANNING ORGANIZATION**

Ratified June 11, 2020

ARTICLE I – Name and Authority

Section 1. The name of this organization shall be known as the Tri-Cities Area Metropolitan Planning Organization, hereinafter called the MPO.

Section 2. The MPO shall have the authority specified in the *Memorandum of Understanding for Transportation Planning Responsibilities*, the *Memorandum of Understanding Between Petersburg Area Transit and the Tri-Cities Metropolitan Planning Organization*, and the *Memorandum of Understanding for Coordination of Regional Transportation and Air Quality Planning in the Richmond Area MPO and the Tri-Cities Area MPO Study Areas and the Richmond Nonattainment/Maintenance area for Ozone Air Quality Standards* or their currently applicable successor agreements.

ARTICLE II - Purpose

Section 1. The purpose of the MPO is to perform policy and technical functions for the Tri-Cities Area MPO Study Area transportation planning reflecting a multimodal process founded upon coordination and cooperation between planning, transit, and service providers. The policy function is designed to make transportation policies to develop and implement the Tri-Cities Area Metropolitan Transportation Plan and related efforts.

The MPO shall:

- a. establish and maintain a fair, impartial setting for regional transportation decision-making;
- b. evaluate transportation alternatives, scaled to the size and complexity of the region, the nature of its transportation issues, and realistically available options
- c. develop and update a fiscally constrained long-range transportation plan for the Urbanized Area (UZA) covering a planning horizon of at least twenty years that fosters mobility and access for people and goods, efficient system performance and preservation, and quality of life;
- d. develop a fiscally constrained program based on the long-range transportation plan designed to meet the UZA's goals while using spending, regulating, operating, management, and financial tools;
- e. develop an annual Unified Planning Work Program (UPWP) describing its proposed activities;
- f. perform other duties and prepare other products as required by statute, regulation or agreement; and
- g. involve the public and significantly affected sub-groups in the essential functions listed above.

The technical function of the MPO is designed to establish, monitor and review the results of the technical process for urban transportation planning in the Tri-Cities Area. The MPO shall:

- a. establish the technical details of the continuing process through the Memorandum of Understanding (MOU) and pass-through agreements;
- b. establish detailed work activities through the Unified Planning Work Program process that fulfilled these agreements;
- c. review and certify the satisfactory completion of these activities; and
- d. in general, prepare the technical recommendations that the MPO needs to perform its policy functions in either ad hoc working groups, special or standing committees, or at MPO meetings.

ARTICLE III – Membership

Section 1. Membership

The MPO Policy Committee shall be composed of elected members of the governing bodies of member local governments, officials of public agencies that administer or operate major modes of transportation in the metropolitan planning area, providers of public transportation, and appropriate state transportation officials representing the voting member organizations. The membership includes both voting and nonvoting members.

Each member organization may designate one alternate member, hereinafter referred to as alternate, to serve in place of an absent member of that member organization. All alternates shall be vested with the same powers and responsibilities as the regular member they are replacing.

Section 2. Voting Membership

The MPO Policy Committee voting membership shall be composed of the following member organizations with total votes listed for each in the table below.

MEMBER	VOTES
Chesterfield County	1
City of Colonial Heights	1
Dinwiddie County	1
City of Hopewell	1
City of Petersburg	1
Prince George County	1
Petersburg Area Transit	1
Crater Planning District Commission	1
Commonwealth of Virginia Secretary of Transportation or Designee	1
TOTAL VOTES	9

Section 3. Nonvoting Membership

The nonvoting membership of the MPO Policy Committee shall be composed of one representative from each of the agencies or organizations listed below.

Federal Highway Administration
Federal Transit Administration
RideFinders, Inc.
Virginia Department of Rail and Public Transportation

Section 4 **Term of Appointment**

Member organizations shall have the authority to determine the length of the terms of its member(s) and alternate(s) and whether or not they serve at the pleasure of the appointing member organization, but it is recommended that members and alternates serve for a two-year term and be eligible to be reappointed for successive terms.

ARTICLE IV – Officers and Elections

Section 1. The officers of the MPO shall consist of a Chairman, a Vice Chairman, and a Secretary. The Chairman and Vice Chairman shall be elected by the voting membership of the MPO. The Chairman and Vice Chairman must be MPO jurisdictional voting members; MPO alternate members are not eligible to serve as MPO officers. The Secretary shall be the Crater Planning District Commission (CPDC) staff liaison to the MPO.

Section 2. The election of officers shall be held no later than June 30 of each year. The newly elected officers shall take office on July 1 and shall serve for a one-year term.

Section 3. The office of MPO Chairman shall be rotated among the member local governments and the MPO may consider an order of succession incorporated into a nonbinding guidance document approved by the MPO Policy Committee.

Section 4. Duties and Powers of MPO Officers:

a. Chairman

The Chairman shall preside over all meetings of the MPO when in attendance. The Chairman may address remarks to an issue before the MPO and may request appropriate actions. The Chairman may request an action; however, he or she will not be eligible to move or second any action for a vote. The Chairman shall be eligible to vote on all actions regardless of a tie vote. The Chairman will be responsible for appointing the Chairman for all MPO Committees except for the Technical Advisory Committee. The Chairman is responsible for appointing all committee members except as noted in Article VII of these bylaws.

b. Vice Chairman

The Vice Chairman shall serve as Acting Chairman of the MPO in the absence of the Chairman. When the Vice Chairman is serving as Acting Chairman, the Vice Chairman shall be vested with authority to perform all the duties and exercise all the powers of the Chairman, including those vested in or delegated to the Chairman in these Bylaws.

c. Secretary

The Secretary shall be responsible for the preparation and maintenance of a permanent written record of all MPO actions and proceedings, and shall transmit notices, agendas, monthly status reports, and the minutes of each MPO meeting to each member one week prior to the next regular meeting.

ARTICLE V - Meetings

- Section 1.** Regular meetings of the MPO Policy Committee shall be held monthly, as necessary, at a suitable meeting time and place, normally on the first Thursday of the month. Special meetings may be called by the Chairman. When a meeting falls on a holiday, the rescheduled meeting shall be determined by the Chairman. Members shall be notified in advance of a rescheduled meeting.
- Section 2.** A quorum shall exist when a majority of the votes allocated to voting member organizations are represented by members or alternates at the meeting. Vacancies shall not be considered in the establishment of a quorum.
- Section 3.** Meeting Agendas
- a. The agenda for each MPO Policy Committee meeting shall be prepared jointly by the Chairman and the MPO Secretary.
 - b. The agenda shall be transmitted at least six (6) days prior to the next meeting.
 - c. Additions to the agenda shall be made at the beginning of the meeting upon an affirmative vote of two-thirds of the votes represented at the meeting. An item may be added to the agenda for the next MPO meeting upon an affirmative vote of a majority of the votes represented at the current meeting.
 - d. At the discretion of the Chairman, the agenda may include items for consent action. Any voting member shall have the right to request and to have a consent action item removed from the agenda for consent action and placed on that day's MPO meeting agenda for review and discussion, with the Chairman having the right to determine where to consider the item on the meeting agenda.
- Section 4.** Parliamentary authority for MPO proceedings not otherwise specified by these bylaws shall be the most recently published edition of *Robert's Rules of Order*.
- Section 5.** Each voting member organization shall have the right to invite technical representatives to participate in meetings and discussions of the MPO as advisors on specific agenda topics.
- Section 6.** The MPO is a "public body" and subject to the Virginia Freedom of Information Act (§ 2.2-3700, et seq. of the Code of Virginia) (FOIA). In accordance with the provisions of FOIA, all meetings of the Policy Committee or any committees or subcommittees established by the Policy Committee shall be open to the public unless lawfully convened into a closed meeting in accordance with FOIA. No meeting during which MPO business is discussed shall be conducted through telephonic or electronic means.

ARTICLE VI - Voting

- Section 1.** Voting member organizations shall designate a representative to cast its vote as listed in Article III, Section 2 of these bylaws.
- Section 2.** All members and alternates of voting member organizations are vested with the authority to speak for and act and vote on behalf of the appointing organization in matters concerning regional transportation planning activities.

Section 4. Each member organization shall notify the MPO Secretary of its authorized representative and alternate in writing prior to the first meeting of the MPO Policy Committee in which they will act in their official capacity.

Section 5. Voting on matters before the MPO Policy Committee shall generally be conducted by voice vote. Either before or immediately following a voice vote, any member may request that the vote be conducted (or conducted again) by either a show of hands or a roll call. In conducting such votes, those members or alternates who are present and voting shall, when called upon by the MPO Secretary, announce the vote they are casting. It shall be up to the Chairman to determine the order in which voting representatives and alternates are asked to show or announce their vote.

Section 6. No proxy voting shall be allowed.

ARTICLE VII – MPO Committees

Section 1. Standing Committees

The MPO is supported by Standing Committees as described below. These bylaws shall be applicable to all standing committees.

Section 2. Technical Advisory Committee

There shall be a Technical Advisory Committee (TAC) composed of one technical representative from each of the following local governments and organizations:

Voting Members:

Chesterfield County
City of Colonial Heights
Dinwiddie County
City of Hopewell
City of Petersburg
Prince George County
Petersburg Area Transit
Virginia Department of Transportation
Virginia Department of Rail and Public Transportation
Crater Planning District Commission

Non-Voting Members:

RideFinders, Inc.
Fort Lee
Petersburg National Battlefield Park

Each local government or organization shall be responsible for designating its member and alternate to TAC. A quorum shall consist of a majority of the TAC membership, which shall include, at a minimum, four of the local government representatives. Either TAC members or alternates will be considered in determining TAC meeting quorums and for

voting on actions before TAC.

The purpose of the TAC is to serve as a technical advisory committee to the MPO, providing technical review, comments, and recommendations on specific transportation plans, programs, studies, and other appropriate documents and regional transportation issues. The TAC shall address other matters and concerns if directed by the MPO or the MPO Chairman.

TAC shall specifically be responsible for reviewing and providing technical comments and recommendations to the MPO on the following:

- a. Unified Planning Work Program
- b. Transportation Improvement Program
- c. Long-Range Transportation Plan
- d. Air Quality Planning

The TAC shall meet as required in the performance of its duties.

Section 3. Other Committees

The MPO may create other committees by a two-thirds vote of those present, assuming a quorum is present. These bylaws apply to the operation of any MPO committee.

ARTICLE VIII – Amendment

Section 1. These bylaws may be amended by an affirmative vote of two-thirds of all votes on the MPO Policy Committee at that time, at two consecutive meetings of the MPO Policy Committee. Proposed changes in the bylaws shall be transmitted to each voting member at least 10 days prior to the meeting when the voting will be conducted.

Section 2. These bylaws shall become effective immediately upon ratification by a vote of the MPO Policy Committee as described in Section 1 above. Each MPO member shall be given a copy.

AMENDMENT NOTES:

TRI-CITIES AREA METROPOLITAN PLANNING ORGANIZATION

NON-BINDING GOVERNANCE GUIDANCE DOCUMENTS

Approved and Adopted June 11, 2020

MPO RESOLUTIONS: Establishing the Non-Binding Governance Guidance Documents

DOCUMENT 1:	MPO Policy Committee Leadership Rotation	page 1
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TRI-CITIES AREA METROPOLITAN PLANNING ORGANIZATION

NON-BINDING GOVERNANCE

GUIDANCE DOCUMENT #1

MPO Policy Committee Leadership Rotation

In order to facilitate a regular and orderly rotation of leadership of the MPO Policy Committee among the representatives of the member jurisdictions, the MPO Chairmanship may be rotated among the representatives from the respective jurisdictions in the order presented below. The MPO Vice Chairman may be from the jurisdiction on the list following that of the MPO Chairman.

Chesterfield County
City of Colonial Heights
Dinwiddie County
City of Hopewell
City of Petersburg
Prince George County

TRI-CITIES AREA METROPOLITAN PLANNING ORGANIZATION

NON-BINDING GOVERNANCE

GUIDANCE DOCUMENT #2

Meeting Attendance

Whenever any voting member fails to attend or send an alternate to three (3) consecutive MPO meetings without good reason, the Chairman or Secretary of the MPO shall inquire as to the cause of the absence and, if appropriate, inquire of the appointing authority if the delinquent member is to remain a representative on the MPO.

TRI-CITIES AREA METROPOLITAN PLANNING ORGANIZATION

NON-BINDING GOVERNANCE

GUIDANCE DOCUMENT #3

**Technical Advisory Committee Leadership
Rotation**

In order to facilitate a regular and orderly rotation of leadership of the Technical Advisory Committee (TAC) among the representatives of the member jurisdictions, the TAC Chairmanship may be elected pursuant to the order listed below. The TAC Vice Chairman may be elected by the TAC from the jurisdiction following that of the TAC Chairman. Terms of the Chairman and Vice Chairman shall be one year, from July 1 to June 30 of the following year.

Chesterfield County
City of Colonial Heights
Dinwiddie County
City of Hopewell
City of Petersburg
Prince George County

TRI-CITIES AREA METROPOLITAN PLANNING ORGANIZATION

NON-BINDING GOVERNANCE

GUIDANCE DOCUMENT #4

Membership Appointment Resolution Template

RESOLUTION OF THE [GOVERNING BODY] OF THE [TOWN/CITY/COUNTY]

WHEREAS, the [Town/City/County] is a member organization of the Tri-Cities Area Metropolitan Planning Organization (TCAMPO); and

WHEREAS, the TCAMPO Policy Committee is composed of local elected officials and officials of public agencies; and

WHEREAS, pursuant to Article III, Section 2 of the TCAMPO Bylaws, the [Town/City/County] is required to appoint local officials to serve as authorized representatives; and

WHEREAS, the [Governing Body] of the [Town/City/County] desires to appoint [name of individuals] to the TCAMPO for [term]; and

WHEREAS, pursuant to Article III, Section 1 of the Bylaws, the [Board/Council] also designates [name of individual] as an alternate to serve in place of an absent representative;

NOW, THEREFORE, BE IT RESOLVED, by the [Board/Council] of [Town/City/County] as follows:

1. The [Board, Council] hereby appoints [list names of appointee]
2. The [Board/Council] appoints [name of alternate] to serve as an alternate in place of the absent representative.

Adopted:

Chairman/Mayor

Attest:

County/City Manager

TRI-CITIES AREA METROPOLITAN PLANNING ORGANIZATION

MEETING CANCELTION POLICY

GUIDANCE DOCUMENT #5

Meeting Cancellation Policy

In the event of inclement weather or other event constituting an emergency, staff will contact the MPO Chairman to make a determination on cancellation of the MPO meeting. An MPO meeting may be canceled if:

- the meeting place is closed;
- utility failure at the meeting place;
- driving is likely to be hazardous;
- attendance is likely to be below the requirements for a quorum; or
- The Chairman determines that there is another appropriate cause

The Crater Planning District Commission follows the State of Virginia Employee emergency closing schedule for inclement weather for the Capital Region.

Notification of Cancellation

Every effort will be made to notify members and other potential attendees, as appropriate, of the determined MPO meeting cancellation. Notification methods may include the following, as possible:

- An e-mail notification will be sent to all MPO members and alternate members.
- Telephone calls will be made to persons without e-mail.
- The closing will be posted on the website (www.richmondregional.org).
- The Crater PDC recorded telephone answering message will include Crater PDC office closing or late opening information. •

**TRI-CITIES AREA METROPOLITAN PLANNING ORGANIZATION
REVISING THE MPO BYLAWS**

WHEREAS, the U.S. Department of Transportation provides financial assistance to public agencies for transportation technical studies; and

WHEREAS, the U.S. Department of Transportation requires approval of regional transportation plans and programs by the Metropolitan Planning Organization (MPO) in accordance with 23 U.S. C. Part 450; and

WHEREAS, the Tri-Cities Area Transportation Policy Committee is the duly designated Metropolitan Planning Organization for the Tri-Cities Area; and

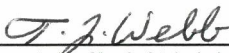
WHEREAS, it is necessary to revise the Bylaws for the Tri-Cities Area MPO as a corrective action noted by the federal certification to the MPO.

WHEREAS, the Draft Revised Bylaws were reviewed and approved with slight changes by the Crater PDC's attorney; and

WHEREAS, under the existing 1980 Bylaws, the Policy Committee had 10 days' notice of the revision and a 2/3 vote of the members (assuming quorum is present) is necessary to approve the Bylaws revision.

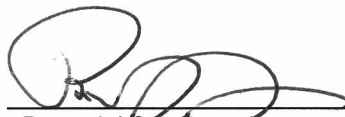
NOW, THEREFORE BE IT RESOLVED, the Policy Committee of the Tri-Cities Area Metropolitan Planning Organization hereby approves the revised Bylaws of the Tri-Cities Area Metropolitan Planning Organization.

Upon a motion by M. Chris seconded by M. Chris and carried, a motion was adopted to approve the amendment to the FY20 Unified Planning Work Program presented on June 11, 2020 with 6 of the 6 voting members present.



The Honorable T. J. Webb, Chair
Tri-Cities Area MPO
6/11/20

June 11, 2020



Ronald Svejksky
Secretary Tri-Cities Area MPO
6/11/20

June 11, 2020

THE TRI-CITIES AREA METROPOLITAN PLANNING ORGANIZATION
POLICY FOR ALL-VIRTUAL PUBLIC MEETINGS

Adopted: 4/11/24

1. **AUTHORITY AND SCOPE**

- a. This policy is adopted pursuant to the authorization of Va. Code § 2.2-3708.3 and is to be strictly construed in conformance with the Virginia Freedom of Information Act (VFOIA), Va. Code §§ 2.2-3700-3715 and is in effect for one year after adoption.
- b. This policy shall not govern an electronic meeting conducted to address a state of emergency declared by the Governor or a local governing body. Any meeting conducted by electronic communication means under such circumstances shall be governed by the provisions of Va. Code § 2.2-3708.2.

2. **DEFINITIONS**

- a. **"TCAMPO"** means the Tri-Cities Area Metropolitan Planning Organization or any committee, subcommittee, or other entity of the Tri-Cities Area Metropolitan Planning Organization.
- b. **"Member"** means any member of the TCAMPO.
- c. **"All-virtual public meeting"**, means a public meeting conducted by the TCAMPO using electronic communication means during which all members of the public body who participate do so remotely rather than being assembled in one physical location, and to which public access is provided through electronic communication means, as defined by Va. Code § 2.2-3701.
- d. **"Meeting"** means a meeting as defined by Va. Code § 2.2-3701.
- e. **"Notify" or "notifies,"** for purposes of this policy, means written notice, including, but not limited to, email, with read-receipt request, or letter, but does not include text messages or messages exchanged on social media.

3. **WHEN AN ALL-VIRTUAL PUBLIC MEETING MAY BE AUTHORIZED**

An all-virtual public meeting may be held under the following circumstances:

- a. It is impracticable or unsafe to assemble a quorum of the TCAMPO in a single location, but a state of emergency has not been declared by the Governor or the local governing body where the meeting is being held; or
- b. Other circumstances warrant the holding of an all-virtual public meeting, including, but not limited to, the convenience of an all-virtual meeting; and
- c. The TCAMPO has not had more than two all-virtual public meetings, or more than 50 percent of its meetings rounded up to the next whole number, whichever is greater, during the calendar year; and
- d. The TCAMPO's last meeting was not an all-virtual public meeting.

4. **PROCESS TO AUTHORIZE AN ALL-VIRTUAL PUBLIC MEETING**

- a. The TCAMPO may schedule its all-virtual public meetings at the same time and using the same procedures used by the TCAMPO to set its meetings calendar for the calendar year; or
- b. If the TCAMPO wishes to have an all-virtual public meeting on a date not scheduled in advance on its meetings calendar, and an all-virtual public meeting is authorized under Section 3 above, the TCAMPO Chair may schedule an all-virtual public meeting provided that any such meeting comports with VFOIA notice requirements.

5. **ALL-VIRTUAL PUBLIC MEETING REQUIREMENTS**

The following applies to any all-virtual public meeting of the TCAMPO that is scheduled in conformance with this Policy:

- a. The meeting notice indicates that the public meeting will be all-virtual and the TCAMPO will not change the method by which the TCAMPO chooses to meet without providing a new meeting notice that

comports with VFOIA;

- b. Public access is provided by electronic communication means that allows the public to hear all participating members of the TCAMPO;
- c. Audio-visual technology, if available, is used to allow the public to see the members of the TCAMPO;
- d. A phone number, email address, or other live contact information is provided to the public to alert the TCAMPO if electronic transmission of the meeting fails for the public, and if such transmission fails, the TCAMPO takes a recess until public access is restored;
- e. A copy of the proposed agenda and all agenda packets (unless exempt) are made available to the public electronically at the same time such materials are provided to the TCAMPO;
- f. The public is afforded the opportunity to comment through electronic means, including written comments, at meetings where public comment is customarily received; and
- g. When audio-visual technology is available, a member of a public body shall, for purposes of a quorum, be considered absent from any portion of the meeting during which visual communication with the member is voluntarily disconnected or otherwise fails or during which audio communication involuntarily fails;
- h. There are no more than two members of the TCAMPO together in one physical location.

6. **RECORDING IN MINUTES**

Minutes are taken as required by VFOIA and must include the fact that the meeting was held by electronic communication means and the type of electronic communication means used.

7. **CLOSED SESSION**

If the TCAMPO goes into closed session, transmission of the meeting will be

suspended until the public body resumes to certify the closed meeting in open session.

8. **STRICT AND UNIFORM APPLICATION OF THIS POLICY**

This Policy shall be applied strictly and uniformly, without exception, to the entire membership, and without regard to the matters that will be considered or voted on at the meeting.

TRI-CITIES AREA METROPOLITAN PLANNING ORGANIZATION (TCAMPO/MPO)

POLICY AND PROCEDURES

To allow participation in meetings of the Tri-Cities Area Metropolitan Planning Organization (TCAMPO/MPO) and its committees by a member of the commission from a remote location through electronic communication means

The Tri-Cities Area Metropolitan Planning Organization (TCAMPO/MPO) hereby approves and adopts the following policy and procedures to allow and facilitate participation in commission meetings by members of the commission from a remote location through electronic communication means, as authorized by § 2.2-3708.3 of the *Code of Virginia*:

Participation in Meetings by Electronic Communications from a Remote Location

Members of the Tri-Cities Area Metropolitan Planning Organization (TCAMPO/MPO) may participate in meetings of the TCAMPO/MPO by electronic communication means from a remote location that is not open to the public if, on or before the day of a meeting, a commission member notifies the commission chair that:

- a. Such member is unable to attend the meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance;
- b. Such member is unable to attend the meeting due to a family member's medical condition that requires the member to provide care for such family member, thereby preventing the member's physical attendance; or,
- c. Such member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter.

In addition, (i) such member's remote participation by electronic communication means shall be approved by a majority vote of those participating in the meeting, (ii) a quorum of the public body is physically assembled at one primary or central meeting location, and (iii) the voice of the remote participant(s) must be able to be heard by all persons at the primary or central meeting location. Remote participation by a commission member pursuant to above paragraph (c) of this policy is limited to two meetings each calendar year or 25 percent of the meetings held per calendar year, rounded up to the next whole number, whichever is greater.

VIRGINIA FREEDOM OF INFORMATION ACT (as of July 1, 2022)

§2.2-3708.3. Meetings held through electronic communication means; situations other than declared states of emergency.

A. Public bodies are encouraged to (i) provide public access, both in person and through electronic communication means, to public meetings and (ii) provide avenues for public comment at public meetings when public comment is customarily received, which may include public comments made in person or by electronic communication means or other methods.

B. Individual members of a public body may use remote participation instead of attending a public meeting in person if, in advance of the public meeting, the public body has adopted a policy as described in subsection D and the member notifies the public body chair that:

1. The member has a temporary or permanent disability or other medical condition that prevents the member's physical attendance;

2. A medical condition of a member of the member's family requires the member to provide care that prevents the member's physical attendance;

3. The member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting; or

4. The member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. However, the member may not use remote participation due to personal matters more than two meetings per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.

If participation by a member through electronic communication means is approved pursuant to this subsection, the public body holding the meeting shall record in its minutes the remote location from which the member participated; however, the remote location need not be open to the public and may be identified in the minutes by a general description. If participation is approved pursuant to subdivision 1 or 2, the public body shall also include in its minutes the fact that the member participated through electronic communication means due to a (i) temporary or permanent disability or other medical condition that prevented the member's physical attendance or (ii) family member's medical condition that required the member to provide care for such family member, thereby preventing the member's physical attendance. If participation is approved pursuant to subdivision 3, the public body shall also include in its minutes the fact that the member participated through electronic communication means due to the distance between the member's principal residence and the meeting location. If participation is approved pursuant to subdivision 4, the public body shall also include in its minutes the specific nature of the personal matter cited by the member.

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.

C. With the exception of local governing bodies, local school boards, planning commissions, architectural review boards, zoning appeals boards, and boards with the authority to deny, revoke, or suspend a professional or occupational license, any public body may hold all-virtual public meetings, provided that the public body follows the other requirements in this chapter for meetings, the public body has adopted a policy as described in subsection D, and:

1. An indication of whether the meeting will be an in-person or all-virtual public meeting is included in the required meeting notice along with a statement notifying the public that the method by which a public body chooses to meet shall not be changed unless the public body provides a new meeting notice in accordance with the provisions of §2.2-3707;

2. Public access to the all-virtual public meeting is provided via electronic communication means;

3. The electronic communication means used allows the public to hear all members of the public body participating in the all-virtual public meeting and, when audio-visual technology is available, to see the members of the public body as well;

4. A phone number or other live contact information is provided to alert the public body if the audio or video transmission of the meeting provided by the public body fails, the public body monitors such designated means of communication during the meeting, and the public body takes a recess until public access is restored if the transmission fails for the public;

5. A copy of the proposed agenda and all agenda packets and, unless exempt, all materials furnished to members of a public body 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 public body;

6. The public is afforded the opportunity to comment through electronic means, including by way of written comments, at those public meetings when public comment is customarily received;

7. No more than two members of the public body are together in any one remote location unless that 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 public body votes to certify the closed meeting as required by subsection D of § 2.2-3712;

9. The public body does not convene an all-virtual public meeting (i) more than two times per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater, or (ii) consecutively with another all-virtual public meeting; and

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.

D. Before a public body uses all-virtual public meetings as described in subsection C or allows members to use remote participation as described in subsection B, the public body shall first adopt a policy, by recorded vote at a public meeting, that shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting. The policy shall:

1. Describe the circumstances under which an all-virtual public meeting and remote participation will be allowed and the process the public body will use for making requests to use remote participation, approving or denying such requests, and creating a record of such requests; and

2. Fix the number of times remote participation for personal matters or all-virtual public meetings can be used per calendar year, not to exceed the limitations set forth in subdivisions B 4 and C 9.

Any public body that creates a committee, subcommittee, or other entity however designated of the public body to perform delegated functions of the public body or to advise the public body may also adopt a policy on behalf of its committee, subcommittee, or other entity that shall apply to the committee, subcommittee, or other entity's use of individual remote participation and all-virtual public m