



Legislation Text

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City of Alexandria, Virginia

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MEMORANDUM

**DATE:** JUNE 18, 2024

**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

**THROUGH:** JAMES F. PARAION, CITY MANAGER

**FROM:** CHERAN C. IVERY, CITY ATTORNEY

**DOCKET TITLE:**

Consideration of a Resolution Adopting an Updated Electronic Participation Policy for Public Meetings. [ROLL-CALL VOTE]

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**ISSUE:** Consideration of an update to the Electronic Participation Policy for Public Meetings of the City Council and Advisory Groups.

**RECOMMENDATION:** That the City Council adopt the attached resolution and policy that will be effective as of July 1, 2024.

**BACKGROUND:** On June 22, 2021, the City Council adopted an electronic participation policy for public meetings pursuant to the authority for such policies provided in the Virginia Freedom of Information Act (FOIA). The current electronic participation policy allows for members of the City Council to participate in a limited number of meetings using electronic communication means if a quorum of the body is present in the room and the member provides notice of either a medical or personal reason. In the 2024 General Assembly session, FOIA was updated to clarify that (1) an individual member with a disability or a caregiver who uses remote participation counts toward the quorum as if the individual was physically present, (2) any member who participates pursuant to the electronic participation policy cannot be prohibited or restricted from voting on matters before the public body, and (3) the electronic participation policy must be readopted at least once annually.

In addition, FOIA allows certain public bodies to utilize all-virtual public meetings, whereby all members of the public body may participate through electronic communication means rather than being assembled in one physical location. While local governing bodies, such as City Council, are prohibited from using this method of meeting, FOIA permits any local governing 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 to adopt a policy governing remote participation and all-virtual public meetings on behalf of its committee, subcommittee, or other entities.

**DISCUSSION:** The attached resolution and policy add the recent FOIA amendments to the City Council's existing policy and extends the application of the policy for remote participation and all-virtual public meetings to the committees, subcommittees, or other entities established by City Council, when applicable. Further, consideration of the policy at this time ensures compliance with the new requirement that a policy be adopted annually.

**FISCAL IMPACT:** None.

**ATTACHMENTS:**

1. Resolution with Updated Electronic Participation Policy Attached.

**STAFF:**

David Lanier, Assistant City Attorney.