

RICHMOND REDEVELOPMENT AND HOUSING AUTHORITY

PROPOSED RESOLUTION

Meeting Date: November 19, 2025

Agenda Item No.: 7

TITLE: RESOLUTION ON APPROVAL AND ADOPTION OF RRHA BOARD OF COMMISSIONERS' REMOTE PARTICIPATION AND ALL-VIRTUAL MEETINGS POLICY

RESOLUTION:

WHEREAS, pursuant to the Virginia Freedom of Information Act ("Virginia FOIA") §2.2-3708.3(D), before a public body conducts an all-virtual meeting or allows members to use remote participation, the public body must annually adopt or affirm a policy outlining the public body's requirements for the use of an all-virtual meeting or remote participation by a member;

WHEREAS, the Richmond Redevelopment and Housing Authority ("RRHA") is a public body under Virginia FOIA, and it is necessary for the RRHA Board of Commissioners (the "Board") to adopt the Remote Participation and All-Virtual Meetings Policy (the "Policy"), attached hereto as **Exhibit A**, to remain compliant with Virginia FOIA; and

WHEREAS, such approval and adoption of the Policy by the Board will allow for the continued use of all-virtual meetings and permit Commissioners to participate remotely in meetings, in accordance with the Policy and the RRHA Board of Commissioners' Bylaws.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves and adopts the Remote Participation and All-Virtual Meetings Policy; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board shall, at least once annually, affirm or re-adopt the Policy in compliance with Virginia FOIA and the conditions governing the use of all-virtual meetings and remote participation by Commissioners.

COMMISSIONERS' ACTION

Approved _____

Disapproved _____

SIGNED:

Eddie L. Jackson, Jr., Chair
RRHA Board of Commissioners

Votes Recorded				
Commissioner	Aye	Nay	Abstain	Absent
Eddie L. Jackson, Jr.				
Harold Parker, Jr.				
Dyanne Broidy				
Kyle R. Elliott				
Barrett Hardiman				
W.R. "Bill" Johnson, Jr.				
Gregory Lewis				
Marika McCray				
Charlene Pitchford				

EXHIBIT A

RRHA BOARD OF COMMISSIONERS

REMOTE PARTICIPATION AND ALL-VIRTUAL MEETINGS POLICY

**RICHMOND REDEVELOPMENT & HOUSING AUTHORITY
BOARD OF COMMISSIONERS**

TITLE: REMOTE PARTICIPATION AND ALL-VIRTUAL MEETINGS POLICY	EFFECTIVE DATE: 12/01/2025
CHAIR OF THE BOARD: EDDIE L. JACKSON, JR.	SUPERCEDES OR REPLACES POLICY NUMBER/DATED:

1.0 Purpose and Need

As a Virginia local public body, the Richmond Redevelopment and Housing Authority (“RRHA”) Board of Commissioners (the “Board”) desires to adopt this policy, as permitted by Virginia Code §§ 2.2-3708.2 and 2.2-3708.3, to provide for the use by the Board of all virtual public meetings and to afford members thereof the opportunity to participate remotely in a Board meeting when such member may be unable to attend the meeting due to: (1) a physical disability or medical condition of a member; (2) a medical condition of a family member of the member for whom the member is required to provide care; (3) the member’s principal residence is more than sixty (60) miles from the meeting location identified in the required notice for such meeting; or (4) a personal matter. This policy supplements the requirements under RRHA’s Bylaws.

2.0 Definitions

“All-virtual public meeting” means a public meeting (i) conducted by a public body, other than those excepted pursuant to subsection C of § 2.2-3708.3, using electronic communication means, (ii) during which all members of the public body who participate do so remotely rather than being assembled in one physical location, and (iii) to which public access is provided through electronic communication means.

“Board Committee” means any committee, subcommittee, or other entity however designated of the Board to perform delegated functions of the Board or to advise the Board.

“Electronic communication” means the use of technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities to transmit or receive information.

Medical condition of a family member of a Board member means those situations in which a family member’s medical condition requires the Board member to provide care for the family member and thus prevents the Board member from physically attending the meeting.

“Personal matter” means any matter deemed by a member of the Board that prevents their attendance in person at a meeting of the Board, examples of which include, but are not limited, to personal, family or business matters that prevent attendance at the meeting location; severe weather conditions or unexpected traffic or travel conditions that prevent travel to the meeting location.

Physical disability or other medical condition of the Board member includes, but is not

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limited, to temporary hospitalization or confinement to home, contagious illness, any temporary or permanent physical disability that prevents travel to the meeting location by the Board member.

“Remote participation” or *“participate remotely”* means participation by an individual member of a public body by electronic communication means in a public meeting where a quorum of the public body is otherwise physically assembled.

3.0 Guiding Principles for Members to Participate Remotely in Board or Board Committee Meetings

- 3.1. The Board practices open and transparent governance in full compliance with the Virginia Freedom of Information Act (“FOIA”) and other applicable laws and regulations. However, the Board desires to adopt this policy to allow for all-virtual meetings without a quorum physically assembled and to allow for Board members to participate remotely in those circumstances recognized under Virginia Code §§ 2.2-3708.2 and 2.2-3708.3.
- 3.2. The Board further desires to adopt this policy on behalf of its Board Committees as allowed pursuant to Virginia Code §2.2-3708.3(D) to provide Committee members the opportunity to participate remotely in meetings of the Committees in those circumstances recognized under Virginia Code §§ 2.2-3708.2 and 2.2-3708.3.
- 3.3. This policy shall apply strictly and uniformly to the entire membership of the Board and Board Committees without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at any meeting.
- 3.4. No action needs to be taken by a Board Committee to apply the provisions of this policy to the Board Committee. This policy shall apply to every Board Committee as fully as it does to the Board, even if the policy does not make reference at times to its application to Board Committees, unless the contrary is evident.

4.0 Procedures for All-Virtual Board Meetings Without a Quorum Physically Assembled

As permitted by Virginia Code § 2.2-3708.3, at any of its meetings, the Board may meet by electronic communication means without a quorum of the Board physically assembled at one location in situations other than a declared state of emergency. The Board convening a meeting in accordance with this section shall:

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- 1) The Board shall provide notice of the virtual meeting in accordance with the provisions of § 2.2-3707 and indicate that the meeting will be an all-virtual public meeting in the required meeting notice along with a statement notifying the public that the method by which the Board chooses to meet shall not be changed unless the Board provides a new meeting notice in accordance with the provisions of § 2.2-3707;
- 2) Public access to the all-virtual public meeting shall be provided via electronic communication means;
- 3) The electronic communication means used shall allow the public to hear all members of the Board participating in the all-virtual public meeting and, when audiovisual technology is available, to see the members of the Board as well;
- 4) A phone number or other live contact information shall be provided to the public to alert the Board if the audio or video transmission of the meeting provided by the Board fails, the Board shall monitor such designated means of communication during the meeting, and the Authority shall take 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 the Authority for a meeting shall be made available to the public in electronic format at the same time that such materials are provided to members of the Board;
- 6) The public shall be 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 Board shall be 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 shall resume before the public body votes to certify the closed meeting as required by subsection D of § 2.2-3712;
- 9) The public body shall not convene an all-virtual public meeting (i) more than five (5) times per calendar year, and (ii) consecutively with another all-virtual public meeting; and

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10) Minutes of all-virtual public meetings held by electronic communication means shall be 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 this policy, such disapproval shall be recorded in the minutes with specificity.

5.0 Procedures for All-Virtual Board Meetings During a Declared Public Emergency Without a Quorum Physically Assembled

As permitted by Virginia Code § 2.2-3708.2, at any of its meetings or joint meetings with another public body, the Board may meet by electronic communication means without a quorum of the Board physically assembled at one location when the Governor has declared a state of emergency in accordance with Virginia Code § 44-146.17 or when there is a local state of emergency declared within the City of Richmond pursuant to Virginia Code § 44-146.21, provided that (i) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and (ii) the purpose of the meeting is to provide for the continuity of operations of the Board or the discharge of its lawful purposes, duties, and responsibilities. The Board convening a meeting in accordance with this section shall:

- 1) Give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to its members;
- 2) Make arrangements for public access to such meeting through electronic communication means, including videoconferencing if already used by the Board;
- 3) Provide the public with the opportunity to comment at its meetings when public comment is customarily received at such meetings; and
- 4) Otherwise comply with the provisions of this policy and Virginia Code §§ 2.2-3708.2 and 2.2-3708.3.

The nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes.

The provisions of this section shall be applicable only for the duration of the emergency

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declared pursuant to Virginia Code § 44-146.17 or § 44-146.21.

6.0 Procedures for a Board Member to Participate Remotely in a Meeting

As permitted by Virginia Code § 2.2-3708.3 and pursuant to the RRHA Bylaws Section 13, when a quorum of the Board is physically assembled at the primary meeting location, a member may request to participate remotely when that the member will be unable to attend the meeting in person due to one of the following reasons:

- 1) The member has a temporary or permanent disability or other medical condition that prevents the member's physical attendance (*For purposes of determining whether a quorum is physically assembled, an individual member of a public body who is a person with a disability as defined in § 51.5-40.1 and uses remote participation counts toward the quorum as if the individual was physically present*);
- 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 (*For purposes of determining whether a quorum is physically assembled, an individual member of a public body who is a caregiver for a person with a disability and uses remote participation counts toward the quorum as if the individual was physically present*);
- 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 Section 5.0, the Board 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 Board 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

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attendance. If participation is approved pursuant to subdivision 3, the Board 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 Board shall also include in its minutes the specific nature of the personal matter cited by the member.

7.0 Procedure for Making and Approving Requests

Requests for remote participation or that the Board conduct an all-virtual public meeting shall be conveyed to staff who shall then relay such requests to the chair of the Board.

Individual participation from a remote location shall be approved unless such participation would violate this policy or the provisions of FOIA. If a member's participation from a remote location is challenged, then the Board shall vote whether to allow such participation.

The request for remote participation or that the Board conduct an all-virtual public meeting shall be recorded in the minutes of the meeting. If the Board votes to disapprove of the member's participation because such participation would violate this policy, such disapproval shall be recorded in the minutes with specificity. The minutes shall include other information as required by §§ 2.2-3707, 2.2-3708.2, and 2.2-3708.3, depending on the type of remote participation or all-virtual public meeting.

8.0 Responsibility and Authority

This policy shall be reviewed and approved annually, as required under § 2.2-3708.3(D), or revised as required to conform to current law and regulations.

Approved:

Eddie L. Jackson, Jr., Chair
RRHA Board of Commissioners

Date

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2.0 Definitions

“All-virtual public meeting” means a public meeting (i) conducted by a public body, other than those excepted pursuant to subsection C of § 2.2-3708.3, using electronic communication means, (ii) during which all members of the public body who participate do so remotely rather than being assembled in one physical location, and (iii) to which public access is provided through electronic communication means.

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- 3.2. The Board further desires to adopt this policy on behalf of its Board Committees as allowed pursuant to Virginia Code §2.2-3708.3(D) to provide Committee members the opportunity to participate remotely in meetings of the Committees in those circumstances recognized under Virginia Code §§ 2.2-3708.2 and 2.2-3708.3.
- 3.3. This policy shall apply strictly and uniformly to the entire membership of the Board and Board Committees without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at any meeting.
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- 2) Public access to the all-virtual public meeting shall be provided via electronic communication means;
- 3) The electronic communication means used shall allow the public to hear all members of the Board participating in the all-virtual public meeting and, when audiovisual technology is available, to see the members of the Board as well;
- 4) A phone number or other live contact information shall be provided to the public to alert the Board if the audio or video transmission of the meeting provided by the Board fails, the Board shall monitor such designated means of communication during the meeting, and the Authority shall take 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 the Authority for a meeting shall be made available to the public in electronic format at the same time that such materials are provided to members of the Board;
- 6) The public shall be 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 Board shall be 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 shall resume before the public body votes to certify the closed meeting as required by subsection D of § 2.2-3712;
- 9) The public body shall not convene an all-virtual public meeting (i) more than five (5) times per calendar year, and (ii) consecutively with another all-virtual public meeting; and

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10) Minutes of all-virtual public meetings held by electronic communication means shall be 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 this policy, such disapproval shall be recorded in the minutes with specificity.

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- 1) Give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to its members;
- 2) Make arrangements for public access to such meeting through electronic communication means, including videoconferencing if already used by the Board;
- 3) Provide the public with the opportunity to comment at its meetings when public comment is customarily received at such meetings; and
- 4) Otherwise comply with the provisions of this policy and Virginia Code §§ 2.2-3708.2 and 2.2-3708.3.

The nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes.

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- 1) The member has a temporary or permanent disability or other medical condition that prevents the member's physical attendance *(For purposes of determining whether a quorum is physically assembled, an individual member of a public body who is a person with a disability as defined in § 51.5-40.1 and uses remote participation counts toward the quorum as if the individual was physically present)*;
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- 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.

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attendance. If participation is approved pursuant to subdivision 3, the Board 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 Board shall also include in its minutes the specific nature of the personal matter cited by the member.

7.0 Procedure for Making and Approving Requests

Requests for remote participation or that the Board conduct an all-virtual public meeting shall be conveyed to staff who shall then relay such requests to the chair of the Board.

Individual participation from a remote location shall be approved unless such participation would violate this policy or the provisions of FOIA. If a member's participation from a remote location is challenged, then the Board shall vote whether to allow such participation.

The request for remote participation or that the Board conduct an all-virtual public meeting shall be recorded in the minutes of the meeting. If the Board votes to disapprove of the member's participation because such participation would violate this policy, such disapproval shall be recorded in the minutes with specificity. The minutes shall include other information as required by §§ 2.2-3707, 2.2-3708.2, and 2.2-3708.3, depending on the type of remote participation or all-virtual public meeting.

8.0 Responsibility and Authority

This policy shall be reviewed and approved annually, as required under § 2.2-3708.3(D), or revised as required to conform to current law and regulations.

Approved: _____

Eddie L. Jackson, Jr., Chair
RRHA Board of Commissioners

_____ Date