

THE WORKFORCE DWELLING UNIT FOR-SALE POLICY TASK FORCE
POLICY FOR ALL-VIRTUAL PUBLIC MEETINGS

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.

b. This policy shall not govern an electronic meeting conducted to address a state of emergency declared by the Governor or the Fairfax County Board of Supervisors. 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. “**BAC**” means the Workforce Dwelling Unit For-Sale Policy Task Force (WDU task force) or any committee, subcommittee, or other entity of the WDU task force.

b. “**Member**” means any member of the WDU task force.

c. “**All-virtual public meeting**”, means a public meeting conducted by the WDU task force 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 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 WDU task force in a single location, but a state of emergency has not been declared by the Governor or Fairfax County Board of Supervisors; 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 WDU task force has not had more than two all-virtual public meetings, or more than 25 percent of its meetings rounded up to the next whole number, whichever is greater, during the calendar year; and

d. The WDU task force's last meeting was not an all-virtual public meeting.

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

a. The WDU task force may schedule its all-virtual public meetings at the same time and using the same procedures used by the WDU task force to set its meetings calendar for the calendar year; or

b. If the WDU task force 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 WDU task force chair or co-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 WDU task force that is scheduled in conformance with this Policy:

a. The meeting notice indicates that the public meeting will be all-virtual and the WDU task force will not change the method by which the WDU task force 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 WDU task force;

c. Audio-visual technology, if available, is used to allow the public to see the members of the WDU task force;

d. A phone number, email address, or other live contact information is provided to the public to alert the WDU task force if electronic transmission of the meeting fails for the public, and if such transmission fails, the WDU task force 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 WDU task force;

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. There are no more than two members of the WDU task force 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 WDU task force 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.