

**POLICY OF THE COLONIAL HEIGHTS CITY COUNCIL FOR
PARTICIPATION IN MEETINGS BY ELECTRONIC COMMUNICATION**

1. **AUTHORITY**

This policy is adopted pursuant to Virginia Code § 2.2-3708.2.

2. **DEFINITIONS**

- a. **“Council”** means the Colonial Heights City Council.
- b. **“Member”** means any member of the Council.
- c. **“Remote participation”, “remotely participate”, or “participate remotely”** means participating by a member of the Council via telephonic, video, or other audio or combined audio and video electronic communication method where the member is not physically assembled with the other Council members.
- d. **“Meeting”** means a meeting as defined by Virginia Code § 2.2-3701.
- e. **“Notify” or “notifies”** means actual notice, including but not limited to email, text, telephone, or in-person notice.

3. **MANDATORY REQUIREMENTS**

The following conditions must be met for a member to participate remotely by electronic communication means:

- a. A quorum of the Council must be physically assembled at a primary or central meeting location; and
- b. Arrangements have been made for the voice of the member remotely participating to be heard by all persons at the primary or central meeting location. If at any point during the meeting the voice of the member remotely participating no longer is able to be heard by all persons at the meeting location, the member remotely participating shall no longer be permitted to participate remotely.

4. **PROCESS TO REQUEST REMOTE PARTICIPATION**

- a. On or before the day of the meeting, and at any point before the meeting begins, the requesting member shall notify the Mayor (or the Vice-Mayor if the requesting member is the Mayor) that he is unable physically to attend a meeting due to a personal matter, or a temporary or permanent disability or other medical condition that prevents his physical attendance at the meeting.
- b. The requesting member shall also notify the City Clerk of his request, but his failure to do so shall not affect his ability to remotely participate.
- c. If the requesting member is unable physically to attend the meeting due to a personal matter, the requesting member shall state with specificity the nature of the personal matter. Remote participation due to a personal matter is limited to two times per calendar year for each member.

There is no limit to the number of times that a member may participate remotely due to a temporary or permanent disability or other medical condition.

d. The requesting member is not obligated to provide independent proof of why he is not able physically to attend the meeting.

5. PROCESS TO APPROVE OR DISAPPROVE PARTICIPATION FROM A REMOTE LOCATION

When a quorum of the Council has assembled in one location for the meeting, the Council shall vote on whether to approve or disapprove the member's request to participate remotely. No request shall be approved unless the request conforms with this policy and the requestor's voice can be heard by all persons at the primary or central meeting location.

6. RECORDING IN MINUTES

a. If the member is allowed to participate remotely due to a temporary or permanent disability or other medical condition, the Council shall record in its minutes the Council's approval of the member's remote participation and the remote location from which the member participated.

b. If the member is allowed to participate remotely due to a personal matter, such matter shall be stated in the minutes with specificity, whether this is the first or second meeting of the calendar year in which the member has participated remotely due to a personal matter, and the remote location from which the member participated.

c. If the Council disapproves a member's request to participate remotely, the disapproval and the grounds upon which the requested participation violate this policy shall be recorded in the minutes with specificity.

7. CLOSED MEETING

If the Council goes into a closed meeting, the member participating remotely shall ensure that no third party is able to hear or observe the closed meeting.

8. STRICT AND UNIFORM APPLICATION

This policy shall be applied strictly and uniformly, without exception, to the entire Council 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.