

Flood Resilience Advisory Committee Charter

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SECTION 1 -- PURPOSE AND BASIC PRINCIPLES

Section 1-1 Purpose of the Charter

- A. To enable the Flood Resilience Advisory Committee (hereinafter referred to as the Flood Committee) to conduct meetings expeditiously and efficiently;
- B. To protect the rights of each individual;
- C. To preserve a spirit of cooperation among Flood Committee members; and
- D. To determine the pleasure of the Flood Committee on any matter.

Section 1-2 Five Basic Principles Underlying the Charter

- A. Only one subject may claim the attention of the Flood Committee at one time;
- B. Each item presented for consideration is entitled to full and free discussion;
- C. Every member has rights equal to every other member;
- D. In instances where the Flood Committee acts by majority decision, the rights of the minority must be preserved; and
- E. Flood Committee members should seek to act in the best interests of the Commonwealth.

Section 1-3 Membership

- A. The Flood Committee is an advisory committee pursuant to Section 10.1-659 of the Code of Virginia.
- B. Members shall serve in an advisory role without compensation.
- C. The Flood Committee shall be comprised of representatives pursuant to Section 10.1-659 of the Code of Virginia and any other representatives as needed.
- D. The Chair may invite any other representatives as needed to serve as a Flood Committee member.
- E. All Flood Committee members may designate someone within their organization to serve as their designee. Flood Committee members may identify an Alternate to serve as a proxy for the Flood Committee member. Both designees and alternates shall be consistent, documented, and are considered members of the public body.
- F. The Department of Conservation and Recreation shall provide staff support to the Flood Committee.

Section 1-4 Role of the Flood Committee

- A. Pursuant to Section 10.1-659 of the Code of Virginia, the Flood Committee shall assist the Virginia Department of Conservation and Recreation with developing, updating, and implementing the Virginia Flood Protection Master Plan pursuant to § 10.1-602 and implementing the Commonwealth's flood resilience, preparedness, prevention, and protection programs.
- B. The Committee shall receive updates to the Virginia Flood Protection Master Plan, the Coastal Resilience Master Plan, and other regional flood resilience plans.
- C. The Committee shall advise the Department of Conservation and Recreation on
 - 1. assessing the impacts of flooding on people, the economy, and the environment;
 - 2. establishing and measuring flood resilience goals and metrics for the Commonwealth;
 - 3. prioritizing state policies, programs, funding, and other strategies to mitigate the impacts of severe and repetitive flooding;

4. enhancing intergovernmental and interagency coordination for flood resilience planning and strategy implementation;
5. conducting stakeholder outreach and engagement in support of flood resilience planning and implementation;
6. assisting local governments to minimize loss of life, property damage, and negative impacts on the environment resulting from flooding;
7. issues relating to the Virginia Flood Protection Master Plan in accordance with the requirements established in § 10.1-602.

SECTION 2 -- MEETINGS

Section 2-1 Meeting Frequency

- A. The Committee shall meet at least two times per calendar year.
- B. The time and place of the meetings of the Flood Committee shall be established by the Chair in coordination with Flood Committee members in accordance with Section 10.1-659 of the Code of Virginia. Flood Committee support staff will send meeting invitations to all Flood Committee members as well as post meetings on Regulatory Town Hall and the DCR Website at least seven working days prior to the meeting.

Section 2-2 Special Meetings

- A. The Flood Committee may hold such special meetings, as the Chair deems necessary, at such times and places as it may find convenient. Where a special meeting has been called, the Flood Committee shall give such notice of the time, place and purpose of the meeting as is feasible.

Section 2-3 Quorum and Method of Voting

- A. At any meeting, those members of the Flood Committee physically present shall constitute a quorum.
- B. All questions submitted to the Flood Committee for decision shall be determined by a recorded vote. The Chair may choose to have the vote by voice vote or by show of hands. Any member who votes or abstains on a matter shall have the option of asking for a roll call vote. Upon such request, the Flood Committee shall be polled and the name of each member voting and how he or she voted shall be recorded.
- C. Unless otherwise specified in this Flood Committee Charter, motions shall be decided by a majority of members present, physically and virtually (pursuant to Section 2-4), and voting.
- D. Provided that notice that a recommendation may be acted on (or voted on) is included in the agenda provided to members at least seven working days prior to a meeting, the Flood Committee may make recommendations consistent with the mission and purpose of the Flood Committee. When possible, these recommendations should be adopted by consensus. Where consensus is not possible, recommendations may be adopted by majority vote. However, members dissenting from the recommendation may provide a minority report that shall be included with the recommendation.
- E. A tie vote fails.

Section 2-4 Policy for Remote Participation in Flood Committee Meeting

- A. It is the policy of the Flood Committee that individual Flood Committee members may participate in meetings of the Flood Committee and Flood Committee Subcommittees by electronic communication means from a remote location that is not open to the public only as permitted by Virginia Code §2.2-3708.3, as amended, and this policy. This policy shall apply strictly and uniformly 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.

- B. An individual member's request for participation from a remote location under this policy shall be considered approved upon receipt of the request by the Chair of the Flood Committee unless the request is in violation of Section 2.2- 3708.3 of the Code of Virginia, as amended. If a member's participation from a remote location is disapproved because such participation would violate this policy, such disapproval shall be recorded in the minutes with specificity.

Section 2-5 Policy for All-Virtual Meetings

- A. The Flood Committee and Flood Committee Subcommittees may convene a maximum of two all-virtual public meetings per calendar year or up to 25% of the meetings held per calendar year rounded up to the next whole number, whichever is greater. However, the all-virtual meetings cannot be held consecutively with another all-virtual meeting. These limitations shall apply separately with respect to the meetings of each of the Flood Committee's Subcommittees.
- B. All-virtual public meetings may be convened for the following reasons:
 - 1. It is impracticable or unsafe to assemble a quorum of the Flood Committee in a single location, but a state of emergency has not been declared by the Governor or Board of Supervisors; or
 - 2. Other circumstances warrant the holding of an all-virtual public meeting, including, but not limited to, the convenience of an all-virtual meeting.
- C. All-virtual public meetings must meet the following conditions in accordance with §2.2-3708.3:
 - 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. The phone number of the Chair or designated staff will be provided at the start of each meeting to alert the Flood Committee if the audio or video transmission of the meeting fails. The Flood Committee staff will monitor such designated means of communication during the meeting, and the Flood Committee will take a recess until public access is restored if the transmission fails for the public; and
 - 3. No more than two members of the Flood Committee are together in any one remote location unless that remote location is open to the public to physically access it.

Section 2-6 Flood Committee to Sit In Open Session

- A. The Flood Committee shall sit in open session and all persons conducting themselves in an orderly manner may attend the meetings.

SECTION 3 -- OFFICERS

Section 3-1 Chair and Vice-Chair

- A. Pursuant to Section 10.1-659 of the Code of Virginia, the Director of the Department of Conservation and Recreation shall serve as chairman of the Committee. The Chief Resilience Officer of the Commonwealth shall serve as vice-chairman of the Committee.
- B. The Chair shall preside over all meetings of the Flood Committee unless delegated to the Vice-Chair or other Flood Committee member. If the Chair and Vice-Chair are not present and their duties have not been delegated, the members present at the meeting shall nominate and pass a motion for a member to preside over the meeting.

- C. The Chair shall appoint Flood Committee members to serve on standing committees and ad hoc committees established by the Flood Committee.

Section 3-2 Preservation of Order

- A. At meetings of the Flood Committee, the presiding officer shall preserve order and decorum.

SECTION 4 -- CONDUCT OF BUSINESS

Section 4-1 Statutory Requirements

- A. The Flood Committee will comply with the requirements of the Freedom of Information Act (FOIA) as contained within Chapter 37 of Title 2.2 of the Code of Virginia and the Administrative Process Act (APA) as contained within Chapter 40 of Title 2.2 of the Code of Virginia.

Section 4-2 Order of Business

- A. The Flood Committee shall adopt an agenda for each meeting by recorded vote pursuant to Section 2-3. The adoption of the agenda shall be the first item for action following the Call to Order and Roll Call.

Section 4-3 Public Comment

- A. The Flood Committee shall set aside no less than twenty (20) minutes for Public Comment on each Flood Committee Meeting Agenda. Public Comment shall be held after the conclusion of the regular agenda. During this period the Flood Committee shall receive comment from any member of the general public on any non-agenda item or any agenda item not scheduled for public hearing by the Flood Committee, provided that the Chair can prohibit or proscribe the use of obscenity or other speech tending to create a breach of the peace; and provided further that no individual shall be permitted to address the Flood Committee for more than five (5) minutes. In the event that more than four (4) speakers wish to be heard during Public Comment, the Chair shall allocate the aforesaid twenty (20) minutes among speakers in an equitable manner. The time allocated for Public Comment may be extended by majority vote of the Flood Committee.

Section 4-4 Meeting Agenda Submissions

- A. Flood Committee agenda requests from Flood Committee members shall be submitted to the Chair at least fourteen calendar days prior to the Flood Committee meeting.

Section 4-5 Chair Suspending Rules

- A. One or more of these rules of the Flood Committee Charter may be suspended with the concurrence of a two-thirds majority of the members present.

Section 4-6 Amendment of Rules

- A. This Flood Committee Charter may be amended by majority vote, provided that a proposed amendment may not be voted on unless the text thereof shall have been presented to the Flood Committee at a previous meeting at which the date for a vote on the proposal had been established. Any proposed amendment shall be subject to further amendment at the meeting at which the vote is taken.

Section 4-7 Robert's Rules of Order

- A. A. The proceedings of the Flood Committee, except as otherwise provided in this Flood Committee Charter and by applicable State law, shall be governed by Robert's Rules of Order.

SECTION 5 -- AGENDA

Section 5-1 Preparation

- A. The Chair shall prepare an agenda for the Flood Committee Meetings conforming to the order of business specified in Section 4-2 titled "Order of Business".
- B. Matters may be placed on a Flood Committee agenda only in the following manner:
 - 1. By the Chair; or
 - 2. At the request of a member, with the assent of the Chair; or
 - 3. By a majority of members present at a meeting and voting, provided that the matter shall not be considered for a vote until a subsequent meeting.
- C. All items that are requested to be placed on the agenda must be submitted to the Chair at least fourteen calendar days prior to the meeting.

Section 5-2 Delivery of Agenda

- A. The agenda and related materials for Flood Committee meetings shall be available to each member of the Flood Committee and the public at least seven working days prior to the meeting.

SECTION 6 -- FLOOD COMMITTEE APPOINTMENTS

Section 6-1 Flood Committee Standing of Ad-Hoc Subcommittees

- A. The Chair may establish standing or ad-hoc subcommittees of the Flood Committee. Each subcommittee, once established by the Flood Committee, shall consist of at least two members of the Flood Committee appointed by the Chair annually or at the inception of the subcommittee for new standing subcommittees. The Chair may appoint individuals to subcommittees who are not otherwise members of the Flood Committee, with that individual's consent.

Section 6-2 Advisor Appointments

- A. All appointments of advisors, other than members of the Flood Committee, shall be made by the Chair.
- B. Advisors may participate in Flood Committee meetings and subcommittees but do not have standing for voting.

Section 6-3 Attendance

- A. Flood Committee and subcommittee members (either in person or through their designees or alternates) are expected to make good faith efforts to attend all scheduled meetings of the Flood Committee and subcommittees to which they have been appointed.