

# 2022 CRMP TAC Charter

## Table of Contents

|  |          |
|--|----------|
| <b>SECTION 1 -- PURPOSE AND BASIC PRINCIPLES .....</b>             | <b>2</b> |
| SECTION 1-1 PURPOSE OF THE TAC CHARTER .....                       | 2        |
| SECTION 1-2 FIVE BASIC PRINCIPLES UNDERLYING THE TAC CHARTER ..... | 2        |
| SECTION 1-3 MEMBERSHIP .....                                       | 2        |
| SECTION 1-4 ROLE OF THE TAC .....                                  | 2        |
| <b>SECTION 2 -- MEETINGS .....</b>                                 | <b>3</b> |
| SECTION 2-1 QUARTERLY MEETINGS.....                                | 3        |
| SECTION 2-2 SPECIAL MEETINGS .....                                 | 3        |
| SECTION 2-3 QUORUM AND METHOD OF VOTING .....                      | 3        |
| SECTION 2-4 POLICY FOR REMOTE PARTICIPATION IN TAC MEETING.....    | 3        |
| SECTION 2-5 POLICY FOR ALL-VIRTUAL MEETINGS.....                   | 4        |
| SECTION 2-6 TAC TO SIT IN OPEN SESSION .....                       | 4        |
| <b>SECTION 3 -- OFFICERS .....</b>                                 | <b>5</b> |
| SECTION 3-1 CHAIR AND VICE-CHAIR .....                             | 5        |
| SECTION 3-2 PRESERVATION OF ORDER .....                            | 5        |
| <b>SECTION 4 -- CONDUCT OF BUSINESS.....</b>                       | <b>5</b> |
| SECTION 4-1 STATUTORY REQUIREMENTS .....                           | 5        |
| SECTION 4-2 ORDER OF BUSINESS .....                                | 5        |
| SECTION 4-3 PUBLIC COMMENT.....                                    | 5        |
| SECTION 4-4 MEETING AGENDA SUBMISSIONS .....                       | 5        |
| SECTION 4-5 CHAIR SUSPENDING RULES .....                           | 5        |
| SECTION 4-6 AMENDMENT OF RULES .....                               | 5        |
| SECTION 4-7 ROBERT'S RULES OF ORDER.....                           | 6        |
| <b>SECTION 5 -- AGENDA .....</b>                                   | <b>6</b> |
| SECTION 5-1 PREPARATION .....                                      | 6        |
| SECTION 5-2 DELIVERY OF AGENDA .....                               | 6        |
| <b>SECTION 6 -- TAC APPOINTMENTS .....</b>                         | <b>6</b> |
| SECTION 6-1 TAC STANDING OF AD-HOC SUBCOMMITTEES .....             | 6        |
| SECTION 6-2 ADVISOR APPOINTMENTS.....                              | 6        |
| SECTION 6-3 ATTENDANCE.....  | 6        |

## SECTION 1 -- PURPOSE AND BASIC PRINCIPLES

### Section 1-1 Purpose of the TAC Charter

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

### Section 1-2 Five Basic Principles Underlying the TAC Charter

- A. Only one subject may claim the attention of the TAC 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 TAC acts by majority decision, the rights of the minority must be preserved; and
- E. TAC members should seek to act in the best interests of the Commonwealth.

### Section 1-3 Membership

- A. The TAC is an advisory committee pursuant to Section 10.1-659 of the Code of Virginia.
- B. Members shall serve at the pleasure of the Governor, subject to statutory requirements. Appointed members shall serve in an advisory role without compensation.
- C. The TAC shall be comprised of representatives of state agencies, coastal planning district commissions, regional commissions, academic advisors, and any other representatives as needed.
- D. The Governor or the Chair acting on the Governor's behalf may invite any other representatives as needed to serve as a TAC member.
- E. All TAC members may designate someone within their organization to serve as their designee. TAC members may identify an Alternate to serve as a proxy for the TAC member. Both designees and alternates shall be consistent and documented.
- F. The Department, the Special Assistant to the Governor for Coastal Adaptation and Protection, and the Coastal Zone Management Program shall provide staff support to the TAC.

### Section 1-4 Role of the TAC

- A. Pursuant to Section 10.1-659 of the Code of Virginia, the TAC shall assist with developing, updating, and implementing the Virginia Coastal Resilience Master Plan.
- B. The TAC shall ensure that
  1. Risk evaluations and project prioritization protocols are regularly updated and are informed by the best applicable scientific and technical data;
  2. Statewide and regional needs are addressed using the best applicable science and long-term resilience approaches; and
  3. The Virginia Coastal Resilience Master Planning Framework is adhered to in the development and updating of the Virginia Coastal Resilience Master Plan.
- C. The TAC shall also review updates to the Virginia Coastal Resilience Master Plan and receive updates about the progress of the Virginia Flood Protection Master Plan at each meeting.
- D. Additionally, the TAC may be called upon to assist the Department with the development and updating of the Virginia Flood Protection Master Plan.

## SECTION 2 -- MEETINGS

### Section 2-1 Quarterly Meetings

- A. The time and place of quarterly meetings of the TAC shall be established by the Chair in coordination with TAC members in accordance with Section 10.1-659 of the Code of Virginia. TAC support staff will send meeting invitations to all TAC 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 TAC 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 TAC 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 TAC physically present shall constitute a quorum.
- B. All questions submitted to the TAC 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 TAC 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 TAC 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 TAC may make recommendations consistent with the mission and purpose of the TAC. 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 TAC Meeting

- A. It is the policy of the TAC that individual TAC members may participate in meetings of the TAC and TAC Subcommittees by electronic communication means from a remote location that is not open to the public only as permitted by Virginia Code §2.2-3708.1, 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 may participate from a remote location only if a quorum of the TAC is physically assembled at the meeting location, and the TAC has made arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.
- C. Individual members of the TAC may use remote participation instead of attending a public meeting in person if, in advance of the public meeting the member notifies the Chair that:
  - 1. The member has a temporary or permanent disability or other medical condition that prevents the member's physical attendance;
  - 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;
  - 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.
- D. As required by law, in the event of any such participation by a member from a remote location, the TAC shall record in its minutes the specific nature of the, personal matter, temporary or permanent disability or other medical condition, and the location from which the TAC member participated remotely.
- E. As required by law, remote participation that is due to a personal matter shall be limited in each calendar year for each individual member to two (2) meetings or 25 percent of the meetings of the TAC, whichever is fewer. This limitation shall apply separately with respect to the meetings of each of the TAC's Subcommittees. There is no limit to the number of times that a member may participate remotely for the other authorized purposes listed in C. 1.— 3. above.
- F. 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 TAC unless the request is in violation of Section 2.2- 3708.1 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 TAC and TAC 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 TAC'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 TAC 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 TAC if the audio or video transmission of the meeting fails. The TAC staff will monitor such designated means of communication during the meeting, and the TAC 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 TAC are together in any one remote location unless that remote location is open to the public to physically access it.

#### Section 2-6 TAC to Sit In Open Session

- A. The TAC 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 Chief Resilience Officer as defined by Section 2.2-222.4 of the Code of Virginia shall serve as Chair of the Committee.
- B. The Chair shall preside over all meetings of the TAC. The Chair shall appoint TAC members to serve on standing committees and ad hoc committees established by the TAC. The Chair shall annually appoint a Chair for each standing subcommittee.
- C. The Vice-Chair shall be the Special Assistant to the Governor for Coastal Adaptation and Protection as defined by Section 2.2-435.11 of the Code of Virginia. The Chair may appoint additional Vice-Chairs and officers, as he deems necessary.

### Section 3-2 Preservation of Order

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

## SECTION 4 -- CONDUCT OF BUSINESS

### Section 4-1 Statutory Requirements

- A. The TAC 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 TAC 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 TAC shall set aside no less than twenty (20) minutes for Public Comment on each Quarterly TAC Meeting Agenda. Public Comment shall be held after the conclusion of the regular agenda. During this period the TAC 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 TAC, 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 TAC 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 TAC.

### Section 4-4 Meeting Agenda Submissions

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

### Section 4-5 Chair Suspending Rules

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

### Section 4-6 Amendment of Rules

- A. This TAC 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 TAC 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 TAC, except as otherwise provided in this TAC 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 Quarterly TAC Meetings conforming to the order of business specified in Section 4-2 titled "Order of Business".
- B. Matters may be placed on a TAC 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 Quarterly TAC meetings shall be available to each member of the TAC and the public at least seven working days prior to the meeting.

### SECTION 6 -- TAC APPOINTMENTS

#### Section 6-1 TAC Standing of Ad-Hoc Subcommittees

- A. The Chair may establish standing or ad-hoc subcommittees of the TAC. Each subcommittee, once established by the TAC, shall consist of at least two members of the TAC 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 TAC, with that individual's consent.

#### Section 6-2 Advisor Appointments

- A. All appointments of advisors, other than members of the TAC, shall be made by the Governor or by the Chair on the Governor's behalf.
- B. Advisors may participate in TAC meetings and subcommittees but do not have standing for voting.

#### Section 6-3 Attendance

- A. TAC 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 TAC and subcommittees to which they have been appointed.