

Form Name:	Annual Reports for Boards, Commissions and Similar Entities
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## 2024 Annual Report For Boards and Commissions

Name of Board/Commission	2024 Annual Report MBE and ESB Small Business Advisory Board	
<b>Current members (indicate chair, vice-chair, etc.)</b>	Lester Johnson, Chair	Third Term -- MBE
	Member-Mayor	
	Morris Cephas	Second Term -- MBE
	Member-Council	
	Shirley Crawford	First Term -- MBE
	Member-Council	
	Eddie Jackson	Second Term -- MBE
	Member-Council	
	LaTeshia LeSane	Partial Term -- MBE
	Member	
	Brittany Rawlinson	First Term -- MBE
	Member-Mayor	
	Gracetta "Grace" Washington	First Term -- Sector 3 Contractor
	Representative-Mayor	
Adrienne Whitaker	Second Term --	
Lender/Business Member-Council		
Vice Chair, Resigned (never replaced)		

**Is there any proposed legislation on which the board or commission recommends that the City Council or the General Assembly act?** Yes - Select Yes to upload documents

<https://www.formstack.com/admin/download/file/17375708543>

**Meeting Dates of meetings held in 2024** The dates of meetings held in the last twelve (12) months and dates for the year 2024 are as follows:

January 22, 2024  
 February 26, 2024  
 March 25, 2024  
 April 22, 2024  
 May 20, 2024  
 June 24, 2024  
 July 22, 2024  
 August 26, 2024  
 September 23, 2024  
 October 28, 2024  
 November 18, 2024  
 December 16, 2024

**Is there any information that may have been requested by the standing committee to which the board or commission is assigned to report?**

No

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**Is the 2024 meeting attendance record included?**

Yes - Select Yes to upload documents

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**Is a copy of the body's current by-laws or rules of procedures attached?**

Yes - Select Yes to upload documents

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<https://www.formstack.com/admin/download/file/17375708549>

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**New Projects**

1. MBL Partnership/Awards Banquet Detail. Partner with the Metropolitan Business League to present during their Annual Awards and Reception Event the "City of Richmond Minority Business of the Year Award".

2. Develop a vehicle and process for providing financial and educational resources to disenfranchised minority businesses.

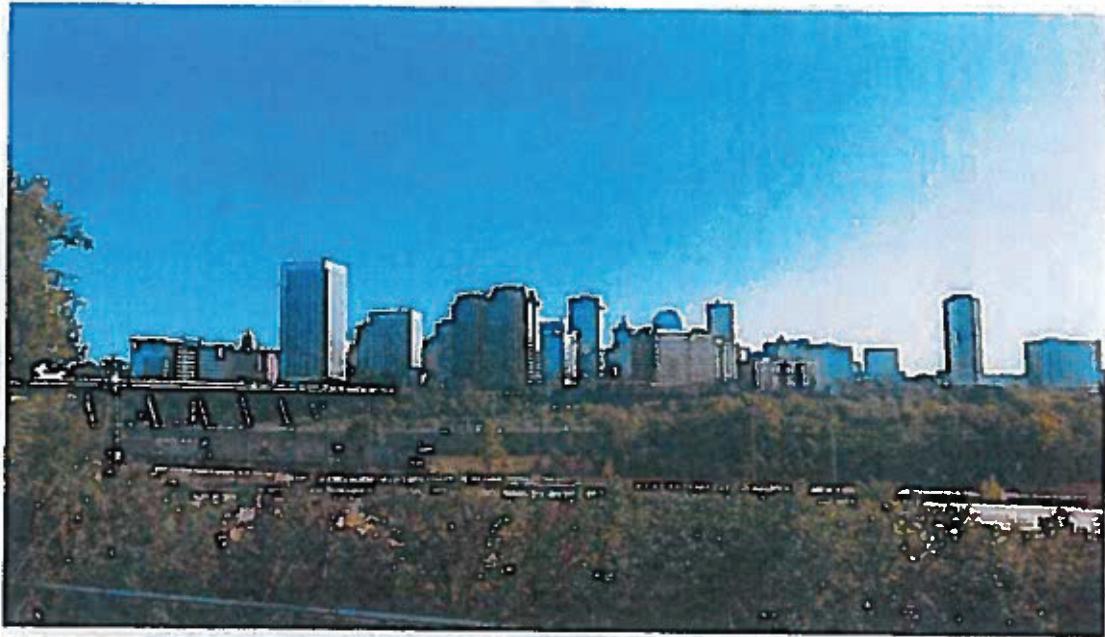
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# Minority Business Enterprise and Emerging Small Business Advisory Board Attendance Record 2024

X = Present  
C = Cancelled

		<i>January</i>	<i>February</i>	<i>March</i>	<i>April</i>	<i>May</i>	<i>June</i>	<i>July</i>	<i>August</i>	<i>September</i>	<i>October</i>	<i>November</i>	<i>December</i>	#	%
1	Chairman, Mr. Lester Johns	X	C	X	X	X	C	X	C	X	X	X	C	12	109.1%
2	Mr. Morris Cephas	X	C	X	X	X	C	X	C				C	9	81.8%
3	Ms. Shirley Crawford (New)	X	C	X	X	X	C		C	X	X	X	C	11	100.0%
4	Mr. Eddie Jackson (Resigned)	X	C				C		C				C	5	45.5%
5	Ms. Le'Teshia LeSane (New)	X	C	X			C	X	C	X	X		C	9	81.8%
6	Ms. Brittany Rawlinson		C	X			C	X	C		X	X	C	8	72.7%
7	Ms. Adrienne Whitaker	X	C	X	X		C	X	C	X	X	X	C	11	100.0%
8	Ms. Grace Washington (New)	X	C	X		X	C	X	C			X	C	9	81.8%
9														0	0.0%
10														0	0.0%
11														0	0.0%
12														0	0.0%
13														0	0.0%
14														0	0.0%
15														0	0.0%
16														0	0.0%
17														0	0.0%
18														0	0.0%
19														0	0.0%
20														0	0.0%
21														0	0.0%
22														0	0.0%
23														0	0.0%
24														0	0.0%
25														0	0.0%
# in Attendance:		7	8	7	4	4	8	6	8	4	5	5	8		

# City of Richmond



## MINORITY BUSINESS ENTERPRISE AND EMERGING SMALL BUSINESS

### ADVISORY BOARD

### HANDBOOK



Issued: Draft May 5, 2017

Revised: 3/10/2017

**Welcome to the Minority Business Enterprise and Emerging Small Business and  
Advisory Board**

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On behalf of our Mayor and City Council for the City of Richmond, Virginia, congratulations on your appointment to the Minority Business Enterprise and Emerging Small Business Advisory Board. We appreciate your willingness to serve. We are excited that you will share in the shaping of Richmond's response to the needs of small and minority-owned businesses. You are a valued and important voice in the conversation and decision making that ensures a strategic approach to Building a Better Richmond through business resurgence and sustainability.

Our organization fills an important need in our community, and we believe that you will find serving on the Minority Business Enterprise and Emerging Small Business Advisory Board a rich and rewarding experience. As an ambassador of the Board, you and your fellow Board Members are responsible for overseeing the Board's organization and operation, while maintaining a commitment to the City of Richmond's mission for Minority Business Development. This involves establishing our strategic direction and ensuring our compliance with all applicable legal requirements. This manual will help you understand your roles and responsibilities as a Board Member so that you can effectively carry out these duties. We encourage you to refer to it whenever you have questions about your Board service.

Over the past several years, many groups and organizations have placed a great emphasis on public sector governance. Watchdog groups and media regularly challenge the goals we have established and often seek validation of any information we provide. Therefore, we have established an open-access policy driven by our desire for trust and transparency with our citizens.

Before you begin reviewing this manual, you should remember that you are not alone. When exercising your responsibilities, you may draw from the expertise of your fellow Board Members and, in addition, you may rely on the expertise of individuals of the Office of the Chief Administrative Officer and Office of Minority Business Development to assist you in this capacity of service to the City of Richmond.

Again, welcome and we look forward to working with you.

Best Regards,

Patricia R. Foster  
Director,  
Office of Minority Business Development

**Minority Business Enterprise and Emerging Small Business and  
Advisory Board**

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**Composition of the Board -**

The Board shall be composed of nine (9) members appointed by the Council.

Of the nine members, five (5) shall be representatives of a minority business enterprise, two (2) shall be representatives of lenders or businesses other than a minority business enterprise, one (1) shall be a Section 3 Contractor representative and one (1) shall be either an at-large resident of the City or a member of the Council.

The Council and the Mayor shall submit to the City Clerk all of their initial nominees for the Board within 30 days after the adoption of this ordinance.

**The Council shall nominate:**

- (1) Three (3) members who are representatives of a minority business enterprise
- (2) One (1) member who shall be a representative of lenders or businesses other than a MBE
- (3) One (1) member who is an at-large resident of the City or a member of the Council

**The Mayor shall nominate:**

- (4) Two (2) members who are representatives of a minority business enterprise
- (5) One (1) member who shall be a representative of lenders or businesses other than a MBE
- (6) One (1) member who shall be a Section 3 contractor representative

The Board may elect from its membership a Chair and Vice Chair and other officers it deems necessary in accordance with its rules of procedure or bylaws.

#### **Reports and Information**

The Minority Business Enterprise and Emerging Small Business Advisory Board is assigned to City Council's Finance & Economic Development Standing Committee.

Meeting dates and times can be found on the city's Boards and Commissions web page located at:

<http://eservices.ci.richmond.va.us/applications/boardscommissions/BCCalendar.aspx>

## **Minority Business Enterprise and Emerging Small Business Advisory Board Roles and Responsibilities**

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### **Advisory Board Officers**

Minority Business Enterprise and Emerging Small Business Advisory Board should elect officers as established in its bylaws or standing rules. These bylaws or standing rules should also define terms of office and the duties of each officer as follows:

**(1) Chair:**

The chair is a representative from business and industry elected by majority vote of the Advisory Board members. The chair should be sensitive to the views of the members, be able to listen critically, be reasonable, exercise good judgment and fairness, and be able to work closely with the instructor(s). The Advisory Board should elect a chair at its first meeting to serve during the current fiscal year. The responsibilities of the chair include planning and setting the meeting agenda and presiding over all meetings.

**(2) Vice-Chair:**

The Vice-Chair is also a business and industry representative elected by majority vote of the Advisory Board members, works closely with the Chair on all tasks and presides in the absence of the Chair. The vice-chair serves as Chair-elect for one term prior to his/her automatic nomination for Chair for the next term.

**(3) Staff Secretarial Support:**

Staff Secretarial Support is responsible for taking the minutes of each formal meeting and submitting them to Advisory Board members and the Boards and Commissions Administrator. This person, selected by the Director of the Office of Minority Business Development. This person is not a voting member of the Advisory Board.

### **Bylaws and Meetings**

Advisory Board members are experienced business, industry, and labor representatives who are serving voluntarily, and they must feel their time is spent wisely. Bylaws are one way to ensure that each meeting is conducted in an effective and orderly manner. The bylaws will define how the Advisory Board organizes itself, selects its officers, establishes committees, selects place and time for meetings, formulates programs, and prepares meeting agendas.

Regularly scheduled meetings are important. The Minority Business Enterprise and Emerging Small Business Advisory Board will meet a minimum of four (4) times a year in formal, minute-recorded sessions. One meeting should be prior to November 1, and the second meeting should be



in March to allow for local plan approval and presentation to City Council. Other meetings may be scheduled at the discretion of the Board Members and Chair of the Advisory Board.

## Responsibilities of Minority Business Enterprise and Emerging Small Business Advisory Board

### **Reports and Presentations**

The Advisory Board shall provide advice and recommendations to the City Council and the Mayor on matters concerning the following:

- (1) **A minority business enterprise and emerging small business strategic plan that addresses the ways in which the City's procurement policies regarding contract goals may be reformed and expansion of business opportunities for minority business enterprises and emerging small businesses beyond the construction industry.**
- (2) **Lending and finance options for minority business enterprises and emerging small businesses to build investment capital and the feasibility of establishing an incentive fund to attract minority business enterprises and emerging small businesses to the City.**
- (3) **A business recruitment strategy for minority business enterprises and emerging small businesses that addresses networking and marketing initiatives that bring new job opportunities, tax revenues, business and workforce development resources and regionally competitive businesses to the City.**
- (4) **Performance evaluations and compliance monitoring for organizations receiving funds from the City and the imposition of requirements that such organizations present business plans, quarterly performance reports and express goals for minority business enterprise participation.**
- (5) **Improvements to the Office of Minority Business Development strategy designed to advance the annual minority business and emerging small business goals of the City, and a schedule pursuant to which the Office of Minority Business Development shall report to the Council and the Mayor concerning such office's progress.**

## General Guidelines and Responsibilities

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### Mayor/Council Presentations

The Advisory Board shall provide a report of the Board's advice and recommendations upon the request of either the City Council or the Mayor. The Office of the Chief Administrative Officer shall provide the necessary support for the Advisory Board. The Advisory Board shall meet no less than four times annually and shall keep minutes in accordance with the requirements of the Virginia Freedom of Information Act.

### Meetings and Bylaws

The Advisory Board may adopt rules of procedure or bylaws not inconsistent with this division or other applicable law to govern the conduct of its meetings and affairs. Notice of a meeting of the Minority Business Enterprise and Emerging Small Business Advisory Board must be provided at least two weeks in advance and published in a public place.

All meetings are open to the public unless specifically called to closed meeting in accordance with the Code of Virginia § 2.2-3711.

### Sample Meeting Notice

**Meeting of the Minority Business Enterprise and Emerging  
Small Business Advisory Board**

**When:** Tue., February 23, 2pm – 4pm

**Where:** Richmond Police Training Academy, Room 247, 1202 West Graham Road,  
Richmond, VA

**Description:** For more information, please contact Alexander B. Rawles, Boards and  
Commissions Administrator, at [alexander.rawles@richmondgov.com](mailto:alexander.rawles@richmondgov.com) or 804-646-7955.

### Meeting Notifications

Notices of all meetings must be submitted to the following persons at least two (2) weeks in advance:

- All Members of the Advisory Board
- Council Boards and Commissions Administrator
- Director of Minority Business Development
- Deputy Director, Office of Minority Business Development
- Administrative Assistant, Office of Minority Business Development

## **SAMPLE MEETING AGENDA**

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### **Minority Business Enterprise and Emerging Small Business Advisory Board MEETING AGENDA (Date)**

1. **Call to Order**
2. **Welcome and opening remarks by Chair**
3. **Presentation and approval of minutes of last meeting; approved/corrected by vote**
4. **Introductions of Guests/Presenters**
5. **Special Reports Recognition of individual(s) presenting report(s)**
6. **Old Business Brief summary of old business items**
7. **New Business Review, discussion, and vote on each item**
8. **Plans for Next Meeting – Discussion on date and time for future meetings, subcommittees, etc.**
9. **Other Items Announcements, etc.**
10. **Adjournment**

## SAMPLE/TEMPLATE BYLAWS

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City of Richmond

Board or Commission Name

Bylaws

### Article I – Name and Authority

- Section 1 The name of this organization shall be the Board or Commission Name, hereinafter referred to as the "Board or Commission Short Name".
- Section 2 The Board or Commission Name shall have such authority as prescribed in governing legislation, adopted date legislation adopted, as amended by amended governing legislation, adopted date amended legislation adopted.

### Article II – Policies

- Section 1 The policies and the by-laws of the Board of Commission Name shall be in compliance with the Richmond City Code and the laws of the Commonwealth of Virginia.
- Section 2 The illegality or invalidity of any term or section of the by-laws shall not affect the validity of the remainder of the by-laws, and the by-laws shall remain in full force and effect as if such illegal or invalid term or section were not contained herein.

### Article II – Purpose

The purpose of the board or commission is to *(this section is based on the purpose and objectives of the board or commission as communicated in the governing ordinance or resolution)*.

### Article III – Responsibilities

The board or commission shall have the responsibility to *(this section based on the objectives and responsibilities of the board as communicated in the governing ordinance or resolution)*.

#### Article IV – Membership and Terms of Members

- Section 1      The board or commission shall be composed of *(this section based on the composition of the board as communicated in the governing ordinance or resolution)*.
- Section 2      Members shall serve for terms of *(this section based on the composition of the board as communicated in the governing ordinance or resolution)*.
- Section 3      Resignations shall be in writing to the Office of the City Clerk and the chair of the board or commission and shall be given with as much notice as possible.
- Section 4      All members of the board or commission shall abide by the Virginia Conflict of Interest Act. A member declaring a conflict on a particular matter being considered by the board or commission shall refrain from voting on such issue.
- Section 5      Should any member appointed by the Council miss four consecutive regularly scheduled meetings of the board or commission, the board or commission shall recommend to City Council that the person be removed from the board or commission.

#### Article V – Officers and Elections

- Section 1      The officers of the Board or Commission Name shall consist of a chairman, vice chairman and secretary. Other officers may be established by the board or commission.
- Section 2      All officers shall be elected by majority vote of board or commission members at the last meeting of each year and shall serve a one (1) year term – January first to December thirty first. Officers shall be limited to three consecutive terms.
- Section 2      Vacancies in office shall be filled as soon as possible by the board or commission.

#### Article VI – Duties of Officers

- Section 1      Chairman – It shall be the duty of the chairman to preside at all meetings of the board or commission at which he/she is present and to sign all documents of the board or

commission where required. The chairman shall be an ex-officio member of all subcommittees of the organization; shall appoint all subcommittees; shall see that all members of the committee perform their duties faithfully; shall have general supervision and direction of the affairs of the board or commission and shall perform all duties usually pertaining to the office.

Section 2 Vice Chairman – The vice chairman shall assume the duties of the chairman in the absence or inability of that officer to act, and shall assist the chairman when called upon.

Section 3 Secretary – It shall be the duty of the secretary to keep the minutes of all meetings of the Board or Commission Name and present a copy to the Office of the City Clerk. Furthermore, the secretary shall ensure that notices of both the regular and special meetings of the board are sent to the members and posted in accordance with the Virginia Freedom of Information Act.

#### Article VII – Subcommittees

Section 1 The board or commission chairman may establish standing committees or subcommittees within the board or commission to carry out specific tasks or activities. The board or commission chairman shall appoint all members of subcommittees and the chairman of each subcommittee.

Section 2 The chairman shall include one or more members of the board or commission on each subcommittee and may also appoint persons who are not members of the board or commission as members of the subcommittee. However, persons who are not members of the board or commission shall not have a vote on matters on which the board or commission votes.

#### Article VIII – Quorum and Voting

Section 1 The quorum for all Board or Commission Name meetings shall not be less than a majority of the current members of the board or commission or subcommittee. No action may be taken by the board or commission or subcommittee in the absence of a quorum. The board or commission and its subcommittees may meet in a closed executive session for the purposes authorized by the Virginia Freedom of Information Act, only after an affirmative vote on a motion which specified the purpose for closing the meeting.

Section 2 A majority of members present and voting at a board or commission meeting is necessary for the passage of any action not otherwise provided for in these bylaws. However, amendments and/or additions to the bylaws themselves require a two-thirds majority vote of the board or commission's membership. A majority is defined as any number greater than one-half of the members present and voting.

Section 3 Voting of the board or commission and its subcommittees shall normally be by voice. However, in every case where a vote other than a simple majority is required for passage, or as a discretion vote, the vote shall be by the show of hands.

#### Article IX – Meetings

Section 1 Regular meetings of the Board or Commission Name shall be held monthly and shall be open to the public. Notification of regular meetings shall be made by electronic mail or as specified by the individual member. Notification shall also regularly be posted in a prominent public location and in the Office of the City Clerk at least three days prior to each meeting in accordance with the Virginia Freedom of Information Act.

Section 2 Special meetings of the board or commission may be called by the chair or by written notice to all members from at least a majority of its current membership.

Section 3 The order of business for all meetings shall be specified in the agenda that shall be distributed at least five (5) days in advance of the meeting.

Section 4 Robert's Rules of Order Newly Revised, 11<sup>th</sup> Edition, shall control the proceedings of the board or commission and its subcommittees in all cases to which they are applicable, except as otherwise provided in these bylaws, the Code of Virginia and the Code of the city of Richmond.

#### Article XI – Amendments

These bylaws may be amended at the regular meetings of the Board or Commission Name by vote of not less than two-thirds of the members of the current total membership. A copy of the proposed amendments shall be submitted to each member in writing at least two (2) full weeks prior to the meeting and introduced and seconded as an order of new business.



## Terms of Service

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### **Advisory Board Staggered Terms**

Of the members initially appointed, three (3) shall serve for terms of three (3) years, three (3) for terms of two (2) years and three (3) for terms of one (1) year. Thereafter, all members shall be appointed for terms of three (3) years.

**Upon the expiration of a member's term of office, that member shall continue to hold office until the successor thereof is appointed and qualified. Any vacancy shall be filled for the unexpired term in the same manner as provided in this subsection.**

## Roberts Rules of Order

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### Basics

#### Four Types of Votes:

1. **In Favor:** You support the motion
2. **Against:** You do not support the motion
3. **Present:** You agree with the majority
4. **Abstain:** You have a stake in the outcome or you do not have enough information.

#### How to Present a Motion

##### 1. Obtain the Floor

- a. Wait until the speaker is finished, raise your hand, and wait to be recognized.
- b. Once recognized, rise and address the chair.
- c. The chair will recognize you.

##### 2. Make Your Motion

- a. Speak clearly and concisely.
- b. State your motion affirmatively. Say, "I move to..."
- c. Avoid personalities and stay on the subject.

##### 3. Wait for a Second

- a. The chair will call for a second.
- b. Another member will call "I second the motion."
- c. If there is no second, your motion will not be considered.

##### 4. The Chair Restates Your Motion

- a. The chairperson must say, "It has been moved and seconded that we..."
- b. After this happens, debate or voting can occur.
- c. Your motion is now "assembly property," and you cannot change it without the consent of the representatives.

##### 5. Expand on Your Motion

- a. Mover is allowed to speak first.
- b. Be concise.
- c. You may speak again after all other speakers are finished.

## 6. Voting

- a. After debate, the chair will say, "We are now in a vote on..."
- b. The only thing that is allowed during a vote is point of order, division, privilege, roll call vote, or ballot vote.
- c. The chair will either ask for a show of hands or a voice vote.

Address all remarks to the person conducting the meeting.

Try to make all argumentation to the immediately pending motion.

Use the process of amending to improve flaws in a motion. Merely criticizing details of a proposal is counteractive and a waste of time.

Always say, "I move to..." and never, "I motion to..."

Watch out for "friendly" amendments. They should only be used for spelling and grammatical errors. If a friendly amendment is made to correct a spelling or grammatical error and it appears to be uncontroversial, the chair should ask if there is any objection. With no objection, the chair may declare the amendment adopted.

However, if there is an objection, the matter must be debated and voted.

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**CITY OF RICHMOND CHARTER**

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**DIVISION 3. – MINORITY BUSINESS ENTERPRISE AND EMERGING SMALL BUSINESS ADVISORY BOARD**

**Sec. 2-822. – Created.**

There is hereby created an advisory board of the City of Richmond with indefinite duration to be known as the Minority Business Enterprise and Emerging Small Business Advisory Board.

(Code 2004, § 2-871; Ord. No. 2011-130-142, § 1, 7-25-2011)

**Sec. 2-823. – Definitions.**

For purposes of this division, the terms “minority business enterprise” and “emerging small business” shall have the meaning ascribed to those terms in Section 21-4.

(Code 2004, § 2-872; Ord. No. 2011-130-142, § 1, 7-25-2011)

Cross reference— Definitions generally, § 1-2.

**Sec. 2-824. – Composition; terms of office**

The Board shall be composed of nine members appointed by the Council. Of the nine members, five members shall be representatives of a minority business enterprise, two members shall be representatives of lenders or businesses other than a minority business enterprise, one member shall be a Section 3 contractor representative and one member shall be either an at-large resident of the City or a member of the Council.

The Council shall nominate three members who shall be representatives of a minority business enterprise, one member who shall be a representative of lenders or businesses other than a minority business enterprise and one member who shall be either an at-large resident of the City or a member of the Council. The Mayor shall nominate two members who shall be representatives of a minority business enterprise, one member who shall be a representative of lenders or businesses other than a minority business enterprise and one member who shall be a Section 3 contractor representative.

In order to facilitate the staggering of terms of the members of the Board, of the members initially appointed, three members of the Board shall serve for terms of three years, three members of the Board shall serve for terms of two years and three members of the Board shall serve for terms of one year. Thereafter, all members shall be appointed for terms of three years.

It is the intent of this section that, at all times, a majority of the Board shall be composed of representatives of minority business enterprises. Upon the expiration of a member's term of office, that member shall continue to hold office until the successor thereof is appointed and qualified. Any vacancy shall be filled for the unexpired term in the same manner as provided in this subsection. All other aspects of the Board and its membership not addressed in this division shall be governed by Article V, Division I of this chapter.

(Code 2004, § 2-873; Ord. No. 2011-130-142, § 1, 7-25-2011)

**Sec. 2-825. – Duties and functions.**

- (a) The Board shall provide advice and recommendations to the City Council and the Mayor on matters concerning the development of strategies, policies and operational procedures to achieve the City's goals to expand and improve recruitment, retention and contracting in all businesses and industries for minority business enterprises and emerging small businesses in the City and provide a report of the Board's advice and recommendations upon the request of either the City Council or the Mayor. For purposes of Section 2-761, the Board is classified as "advisory." The Office of the Chief Administrative Officer shall provide the necessary support for the Board. The Board shall meet no less than four times annually and shall keep minutes in accordance with the requirements of the Virginia Freedom of Information Act (Code of Virginia, § 2.2-3700 et seq.). The Board may adopt rules of procedure or bylaws not inconsistent with this division or other applicable law to govern the conduct of its meetings and affairs. The Board may elect from its membership a Chairman and other officers it deems necessary in accordance with its rules of procedure or bylaws.
- (b) The Board shall make recommendations concerning the following:
- (1) A minority business enterprise and emerging small business strategic plan that addresses the ways in which the City's procurement policies regarding contract goals may be reformed and expansion of business opportunities for minority business enterprises and emerging small businesses beyond the construction industry.
  - (2) Lending and finance options for minority business enterprises and emerging small businesses to build investment capital and the feasibility of establishing an incentive fund to attract minority business enterprises and emerging small businesses to the City.
  - (3) A business recruitment strategy for minority business enterprises and emerging small businesses that addresses networking and marketing initiatives that bring new job opportunities, tax revenues, business and workforce development resources and regionally competitive businesses to the City.

(4) Performance evaluations and compliance monitoring for organizations receiving funds from the City and the imposition of requirements that such organizations present business plans, quarterly performance reports and express goals for minority business enterprise participation.

(5) Improvements to the Office of Minority Business Development strategy designed to advance the annual minority business and emerging small business goals of the City and a schedule pursuant to which the Office of Minority Business Development shall report to the Council and the Mayor concerning such office's progress.

(Code 2004, § 2-874; Ord. No. 2011-130-142, § 1, 7-25-2011)

## Minority Business Enterprise and Emerging Small Business Advisory Board

Member Name and Address	Criteria for Appointment	Term	Commence	Terminate
Brittany J. Rawlinson 2220 Rosewood Avenue Richmond, Va. 23220 804-901-4643 (h) 804-744-7412 (o) <a href="mailto:Brawlinson1987@gmail.com">Brawlinson1987@gmail.com</a> (Succeeding Loren M. Glasper)	MBE Member – Council	First Term	05/11/2015	11/28/2017
Oliver R. Singleton 5100 Monument Avenue, Unit 904 Richmond, VA 23230 218-8697 (h) 649-7474 (w) <a href="mailto:osingleton@thembl.com">osingleton@thembl.com</a>	MBE Member – Council	First Term	11/28/2011	11/28/2013
		Second Term	11/28/2013	11/28/2016
(Mr.) Stacy L. Burrs 10250 Epsilon Road Richmond, VA 23235 323-5152 (h) 317-0641 (w) <a href="mailto:stcybrs@comcast.net">stcybrs@comcast.net</a>	MBE Member – Council	First Term	01/23/2012	01/09/2014
		Second Term	01/09/2014	01/09/2017
Kenneth E. Ampy 14307 Clemons Drive Midlothian, VA 23114 304-3806 (h) 433-1100 (w) <a href="mailto:kampy@astyra.com">kampy@astyra.com</a>	MBE Member – Mayor	First Term	11/28/2011	11/28/2014
(Mr.) Tracey G. Jeter 11400 Rosebud Bend Lane Glen Allen, VA 23059 788-6488 (w) 788-6491 (f) <a href="mailto:tracey.jeter@vmsdc.org">tracey.jeter@vmsdc.org</a> <a href="mailto:tracey.jeter@sbsd.virginia.gov">tracey.jeter@sbsd.virginia.gov</a>	MBE Member – Mayor	First Term	01/23/2012	01/09/2013
		Second Term	01/28/2013	01/28/2016
Peter J. Paulk, IV 8207 Wilkes Ridge Road Richmond, Va. 23233 804-747-4819 (h) 202-271-1545 (o) <a href="mailto:Peter.paulk@yahoo.com">Peter.paulk@yahoo.com</a> <a href="mailto:peter@executivecaseladvisors.com">peter@executivecaseladvisors.com</a> (Succeeding Charles C. James, 04/08/2013-04/08/2016)	Lender/Business Member – Council	First Term	04/08/2016	04/08/2019
		Second Term		



<b>Penny Johnson McPherson</b> 7300 Silver Mist Avenue North Chesterfield, VA 23237 240-1374 (h) 697-7218 (w) <a href="mailto:pennyj2va@hotmail.com">pennyj2va@hotmail.com</a> <a href="mailto:penny.mcperson@wellsfargo.com">penny.mcperson@wellsfargo.com</a>	<b>Lender/Business Member – Mayor</b>	<b>First Term</b>	<b>11/28/2011</b>	<b>11/28/2013</b>
<b>Tryfene Scott</b> 3701 Crestview Road Richmond, Va. 23223 804-412-5666 (h) <a href="mailto:foreverlivingach@gmail.com">foreverlivingach@gmail.com</a> <a href="mailto:tryfene@yahoo.com">tryfene@yahoo.com</a> (Succeeding Rashaad T. Bey, 02/27/2012-02/27/2015)	<b>At-Large Resident Member or Councilmember</b>	<b>First Term</b>	<b>10/12/2015</b>	<b>02/27/2018</b>
<b>Charles L. Crenshaw</b> 3622 Plainfield Road Richmond, VA 23234 334-4170 (h) 276-1963 (w) <a href="mailto:ccrenshaw@summitconstructions.com">ccrenshaw@summitconstructions.com</a>	<b>Sector 3 Contractor Representative - Mayor</b>	<b>First Term</b>	<b>11/28/2011</b>	<b>11/28/2012</b>
		<b>Second Term</b>	<b>01/28/2013</b>	<b>01/28/2016</b>
<b>Angelia Yancey</b> Office of Minority Business Enterprise 900 E. Broad Street, Suite 1603 Richmond, VA 23219 646-7976 (o) 646-0136 (f) <a href="mailto:Angelia.yancey@richmondgov.com">Angelia.yancey@richmondgov.com</a>	<b>Contact Person</b>			

Of the members initially appointed, three shall serve for terms of three years, three for terms of two years and three for terms of one year. Thereafter, all members shall be appointed for terms of three (3) years and may service two (2) terms.

**PLEASE RETAIN BOARD MEMBER PERSONAL ADDRESS AND  
TELEPHONE INFORMATION CAREFULLY**

§ 2.2-3707. Meetings to be public; notice of meetings; recordings; minutes.

Bills amending this Section

A. All meetings of public bodies shall be open, except as provided in §§ 2.2-3707.01 and 2.2-3711.

B. No meeting shall be conducted through telephonic, video, electronic or other communication means where the members are not physically assembled to discuss or transact public business, except as provided in § 2.2-3708, 2.2-3708.1 or as may be specifically provided in Title 54.1 for the summary suspension of professional licenses.

C. Every public body shall give notice of the date, time, and location of its meetings by placing the notice in a prominent public location at which notices are regularly posted and in the office of the clerk of the public body, or in the case of a public body that has no clerk, in the office of the chief administrator. All state public bodies subject to the provisions of this chapter shall also post notice of their meetings on their websites and on the electronic calendar maintained by the Virginia Information Technologies Agency commonly known as the Commonwealth Calendar. Publication of meeting notices by electronic means by other public bodies shall be encouraged. The notice shall be posted at least three working days prior to the meeting. Notices for meetings of state public bodies on which there is at least one member appointed by the Governor shall state whether or not public comment will be received at the meeting and, if so, the approximate point during the meeting when public comment will be received.

D. Notice, reasonable under the circumstance, of special or emergency meetings shall be given contemporaneously with the notice provided members of the public body conducting the meeting.

E. Any person may annually file a written request for notification with a public body. The request shall include the requester's name, address, zip code, daytime telephone number, electronic mail address, if available, and organization, if any. The public body receiving such request shall provide notice of all meetings directly to each such person. Without objection by the person, the public body may provide electronic notice of all meetings in response to such requests.

F. At least one copy of all agenda packets and, unless exempt, all materials furnished to members of a public body for a meeting shall be made available for public inspection at the same time such documents are furnished to the members of the public body.

G. The notice provisions of this chapter shall not apply to informal meetings or gatherings of the members of the General Assembly.

H. Any person may photograph, film, record or otherwise reproduce any portion of a meeting required to be open. The public body conducting the meeting may adopt rules governing the placement and use of equipment necessary for broadcasting, photographing, filming or recording a meeting to prevent interference with the proceedings, but shall not prohibit or otherwise prevent any person from photographing, filming, recording, or otherwise reproducing any portion of a meeting required to be open. No public body shall conduct a meeting required to be open in any building or facility where such recording devices are prohibited.

I. Minutes shall be recorded at all open meetings. However, minutes shall not be required to be taken at deliberations of (i) standing and other committees of the General Assembly; (ii) legislative interim study commissions and committees, including the Virginia Code Commission; (iii) study committees or commissions appointed by the Governor; or (iv) study commissions or study committees, or any other committees or subcommittees appointed by the governing bodies or school boards of counties, cities and towns, except where the membership of any such commission, committee or subcommittee includes a majority of the governing body of the county, city or town or school board.

Minutes, including draft minutes, and all other records of open meetings, including audio or audio/visual records shall be deemed public records and subject to the provisions of this chapter.

Minutes shall be in writing and shall include (i) the date, time, and location of the meeting; (ii) the members of the public body recorded as present and absent; and (iii) a summary of the discussion on matters proposed, deliberated or decided, and a record of any votes taken. In addition, for electronic communication meetings conducted in accordance with § 2.2-3708, minutes of state public bodies shall include (a) the identity of the members of the public body at each remote location identified in the notice who participated in the meeting through electronic communications means, (b) the identity of the members of the public body who were physically assembled at the primary or central meeting location, and (c) the identity of the members of the public body who were not present at the locations identified in clauses (a) and (b), but who monitored such meeting through electronic communications means.

1968, c. 479, § 2.1-343; 1973, c. 461; 1976, c. 467; 1977, c. 677; 1982, c. 333; 1989, c. 358; 1990, c. 538; 1993, c. 720; 1995, c. 562; 1999, cc. 696, 703, 726; 2000, c. 227; 2001, c. 844; 2004, cc. 730, 768; 2005, c. 352; 2007, c. 300; 2009, c. 628; 2010, c. 309; 2015, c. 131.

**Code of Virginia**

**Table of Contents » Title 2.2. Administration of Government » Chapter 37. Virginia Freedom of Information Act » § 2.2-3711. Closed meetings authorized for certain limited purposes**

**Section**

**Print PDF email**

**§ 2.2-3711. Closed meetings authorized for certain limited purposes.**

**Bills amending this Section**

**A. Public bodies may hold closed meetings only for the following purposes:**

1. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter that involves the teacher and some student and the student involved in the matter is present, provided the teacher makes a written request to be present to the presiding officer of the appropriate board.

2. Discussion or consideration of admission or disciplinary matters or any other matters that would involve the disclosure of information contained in a scholastic record concerning any student of any Virginia public institution of higher education or any state school system. However, any such student, legal counsel and, if the student is a minor, the student's parents or legal guardians shall be permitted to be present during the taking of testimony or presentation of evidence at a closed meeting, if such student, parents, or guardians so request in writing and such request is submitted to the presiding officer of the appropriate board.

3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

4. The protection of the privacy of individuals in personal matters not related to public business.

5. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

6. Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected.

7. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

8. In the case of boards of visitors of public institutions of higher education, discussion or consideration of matters relating to gifts, bequests and fund-raising activities, and grants and contracts for services or work to be performed by such institution. However, the terms and conditions of any such gifts, bequests, grants, and contracts made by a foreign government, a foreign legal entity, or a foreign person and accepted by a public institution of higher education in Virginia shall be subject to public disclosure upon written request to the appropriate board of visitors. For the purpose of this subdivision, (i) "foreign government" means any government other than the United States government or the government of a state or a political subdivision thereof; (ii) "foreign legal entity" means any legal entity created under the laws of the United States or of any state thereof if a majority of the ownership of the stock of such legal entity is owned by foreign governments or foreign persons or if a majority of the membership of any such entity is composed of foreign persons or foreign legal entities, or any legal entity created under the laws of a foreign government; and (iii) "foreign person" means any individual who is not a citizen or national of the United States or a trust territory or protectorate thereof.

9. In the case of the boards of trustees of the Virginia Museum of Fine Arts, the Virginia Museum of Natural History, the Jamestown-Yorktown Foundation, and The Science Museum of Virginia, discussion or consideration of matters relating to specific gifts, bequests, and grants.

10. Discussion or consideration of honorary degrees or special awards.

11. Discussion or consideration of tests, examinations, or other records excluded from this chapter pursuant to subdivision 4 of § 2.2-3705.1.

12. Discussion, consideration, or review by the appropriate House or Senate committees of possible disciplinary action against a member arising out of the possible inadequacy of the disclosure statement filed by the member, provided the member may request in writing that the committee meeting not be conducted in a closed meeting.

13. Discussion of strategy with respect to the negotiation of a hazardous waste siting agreement or to consider the terms, conditions, and provisions of a hazardous waste siting agreement if the governing body in open meeting finds that an open meeting will have an adverse effect upon the negotiating position of the governing body or the establishment of the terms, conditions and provisions of the siting agreement, or both. All discussions with the applicant or its representatives may be conducted in a closed meeting.

14. Discussion by the Governor and any economic advisory board reviewing forecasts of economic activity and estimating general and nongeneral fund revenues.

15. Discussion or consideration of medical and mental health records excluded from this chapter pursuant to subdivision 1 of § 2.2-3705.5.

16. Deliberations of the Virginia Lottery Board in a licensing appeal action conducted pursuant to subsection D of § 58.1-4007 regarding the denial or revocation of a license of a lottery sales agent; and discussion, consideration or review of Virginia Lottery matters related to proprietary lottery game information and studies or investigations exempted from disclosure under subdivision 6 of § 2.2-3705.3 and subdivision 11 of § 2.2-3705.7.

17. Those portions of meetings by local government crime commissions where the identity of, or information tending to identify, individuals providing information about crimes or criminal activities under a promise of anonymity is discussed or disclosed.

18. Those portions of meetings in which the Board of Corrections discusses or discloses the identity of, or information tending to identify, any prisoner who (i) provides information about crimes or criminal activities, (ii) renders assistance in preventing the escape of another prisoner or in the apprehension of an escaped prisoner, or (iii) voluntarily or at the instance of a prison official renders other extraordinary services, the disclosure of which is likely to jeopardize the prisoner's life or safety.

19. Discussion of plans to protect public safety as it relates to terrorist activity or specific cybersecurity threats or vulnerabilities and briefings by staff members, legal counsel, or law-enforcement or emergency service officials concerning actions taken to respond to such matters or a related threat to

public safety; discussion of records excluded from this chapter pursuant to subdivision 3 or 4 of § 2.2-3705.2, where discussion in an open meeting would jeopardize the safety of any person or the security of any facility, building, structure, information technology system, or software program; or discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure.

20. Discussion by the Board of the Virginia Retirement System, acting pursuant to § 51.1-124.30, or of any local retirement system, acting pursuant to § 51.1-803, or of the Rector and Visitors of the University of Virginia, acting pursuant to § 23-76.1, or by the Board of the Virginia College Savings Plan, acting pursuant to § 23-38.80, regarding the acquisition, holding or disposition of a security or other ownership interest in an entity, where such security or ownership interest is not traded on a governmentally regulated securities exchange, to the extent that such discussion (i) concerns confidential analyses prepared for the Rector and Visitors of the University of Virginia, prepared by the retirement system or by the Virginia College Savings Plan or provided to the retirement system or the Virginia College Savings Plan under a promise of confidentiality, of the future value of such ownership interest or the future financial performance of the entity, and (ii) would have an adverse effect on the value of the investment to be acquired, held or disposed of by the retirement system, the Rector and Visitors of the University of Virginia, or the Virginia College Savings Plan. Nothing in this subdivision shall be construed to prevent the disclosure of information relating to the identity of any investment held, the amount invested or the present value of such investment.

21. Those portions of meetings in which individual child death cases are discussed by the State Child Fatality Review team established pursuant to § 32.1-283.1, those portions of meetings in which individual child death cases are discussed by a regional or local child fatality review team established pursuant to § 32.1-283.2, those portions of meetings in which individual death cases are discussed by family violence fatality review teams established pursuant to § 32.1-283.3, those portions of meetings in which individual adult death cases are discussed by the state Adult Fatality Review Team established pursuant to § 32.1-283.5, and those portions of meetings in which individual adult death cases are discussed by a local or regional adult fatality review team established pursuant to § 32.1-283.6.

22. Those portions of meetings of the University of Virginia Board of Visitors or the Eastern Virginia Medical School Board of Visitors, as the case may be, and those portions of meetings of any persons to whom management responsibilities for the University of Virginia Medical Center or Eastern Virginia Medical School, as the case may be, have been delegated, in which there is discussed proprietary, business-related information pertaining to the operations of the University of Virginia Medical Center or Eastern Virginia Medical School, as the case may be, including business development or marketing strategies and activities with existing or future joint venturers, partners, or other parties with whom the University of Virginia Medical Center or Eastern Virginia Medical School, as the case may be, has formed, or forms, any arrangement for the delivery of health care, if disclosure of such information would adversely affect the competitive position of the Medical Center or Eastern Virginia Medical School, as the case may be.

23. In the case of the Virginia Commonwealth University Health System Authority, discussion or consideration of any of the following: the acquisition or disposition of real or personal property where disclosure would adversely affect the bargaining position or negotiating strategy of the Authority; operational plans that could affect the value of such property, real or personal, owned or desirable for ownership by the Authority; matters relating to gifts, bequests and fund-raising activities; grants and contracts for services or work to be performed by the Authority; marketing or operational strategies where disclosure of such strategies would adversely affect the competitive position of the Authority; members of its medical and teaching staffs and qualifications for appointments thereto; and qualifications or evaluations of other employees. This exemption shall also apply when the foregoing discussions occur at a meeting of the Virginia Commonwealth University Board of Visitors.

24. Those portions of the meetings of the Health Practitioners' Monitoring Program Committee within the Department of Health Professions to the extent such discussions identify any practitioner who may be, or who actually is, impaired pursuant to Chapter 25.1 (§ 54.1-2515 et seq.) of Title 54.1.

25. Meetings or portions of meetings of the Board of the Virginia College Savings Plan wherein personal information, as defined in § 2.2-3801, which has been provided to the Board or its employees by or on behalf of individuals who have requested information about, applied for, or entered into prepaid tuition contracts or savings trust account agreements pursuant to Chapter 4.9 (§ 23-38.75 et seq.) of Title 23 is discussed.

26. Discussion or consideration, by the Wireless Carrier E-911 Cost Recovery Subcommittee created pursuant to § 56-484.15, of trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), submitted by CMRS providers as defined in § 56-484.12, related to the provision of wireless E-911 service.

27. Those portions of disciplinary proceedings by any regulatory board within the Department of Professional and Occupational Regulation, Department of Health Professions, or the Board of Accountancy conducted pursuant to § 2.2-4019 or 2.2-4020 during which the board deliberates to reach a decision or meetings of health regulatory boards or conference committees of such boards to consider settlement proposals in pending disciplinary actions or modifications to previously issued board orders as requested by either of the parties.

28. Discussion or consideration of records excluded from this chapter pursuant to subdivision 11 of § 2.2-3705.6 by a responsible public entity or an affected locality or public entity, as those terms are defined in § 33.2-1800, or any independent review panel appointed to review information and advise the responsible public entity concerning such records.



29. Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

30. Discussion or consideration of grant or loan application records excluded from this chapter pursuant to subdivision 17 of § 2.2-3705.6 by (i) the Commonwealth Health Research Board or (ii) the Innovation and Entrepreneurship Investment Authority or the Research and Technology Investment Advisory Committee appointed to advise the Innovation and Entrepreneurship Investment Authority.

31. Discussion or consideration by the Commitment Review Committee of records excluded from this chapter pursuant to subdivision 9 of § 2.2-3705.2 relating to individuals subject to commitment as sexually violent predators under Chapter 9 (§ 37.2-900 et seq.) of Title 37.2.

32. [Expired.]

33. Discussion or consideration of confidential proprietary records and trade secrets excluded from this chapter pursuant to subdivision 18 of § 2.2-3705.6.

34. Discussion or consideration by a local authority created in accordance with the Virginia Wireless Service Authorities Act (§ 15.2-5431.1 et seq.) of confidential proprietary records and trade secrets excluded from this chapter pursuant to subdivision 19 of § 2.2-3705.6.

35. Discussion or consideration by the State Board of Elections or local electoral boards of voting security matters made confidential pursuant to § 24.2-625.1.

36. Discussion or consideration by the Forensic Science Board or the Scientific Advisory Committee created pursuant to Article 2 (§ 9.1-1109 et seq.) of Chapter 11 of Title 9.1 of records excluded from this chapter pursuant to subdivision A 2 a of § 2.2-3706.

37. Discussion or consideration by the Brown v. Board of Education Scholarship Program Awards Committee of records or confidential matters excluded from this chapter pursuant to subdivision 3 of § 2.2-3705.4, and meetings of the Committee to deliberate concerning the annual maximum scholarship

award, review and consider scholarship applications and requests for scholarship award renewal, and cancel, rescind, or recover scholarship awards.

38. Discussion or consideration by the Virginia Port Authority of records excluded from this chapter pursuant to subdivision 1 of § 2.2-3705.6.

39. Discussion or consideration by the Board of Trustees of the Virginia Retirement System acting pursuant to § 51.1-124.30, by the Investment Advisory Committee appointed pursuant to § 51.1-124.26, by any local retirement system, acting pursuant to § 51.1-803, by the Board of the Virginia College Savings Plan acting pursuant to § 23-38.80, or by the Virginia College Savings Plan's Investment Advisory Committee appointed pursuant to § 23-38.79:1 of records excluded from this chapter pursuant to subdivision 25 of § 2.2-3705.7.

40. Discussion or consideration of records excluded from this chapter pursuant to subdivision 3 of § 2.2-3705.6.

41. Discussion or consideration by the Board of Education of records relating to the denial, suspension, or revocation of teacher licenses excluded from this chapter pursuant to subdivision 12 of § 2.2-3705.3.

42. Those portions of meetings of the Virginia Military Advisory Council or any commission created by executive order for the purpose of studying and making recommendations regarding preventing closure or realignment of federal military and national security installations and facilities located in Virginia and relocation of such facilities to Virginia, or a local or regional military affairs organization appointed by a local governing body, during which there is discussion of records excluded from this chapter pursuant to subdivision 12 of § 2.2-3705.2.

43. Discussion or consideration by the Board of Trustees of the Veterans Services Foundation of records excluded from this chapter pursuant to subdivision 29 of § 2.2-3705.7.

44. Discussion or consideration by the Virginia Tobacco Region Revitalization Commission of records excluded from this chapter pursuant to subdivision 23 of § 2.2-3705.6.

45. Discussion or consideration by the board of directors of the Commercial Space Flight Authority of records excluded from this chapter pursuant to subdivision 24 of § 2.2-3705.6.

46. Discussion or consideration of personal and proprietary information that are excluded from the provisions of this chapter pursuant to (i) subdivision 25 of § 2.2-3705.6 or (ii) subsection E of § 10.1-104.7. This exemption shall not apply to the discussion or consideration of records that contain information that has been certified for release by the person who is the subject of the information or transformed into a statistical or aggregate form that does not allow identification of the person who supplied, or is the subject of, the information.

47. (Effective July 1, 2018) Discussion or consideration by the Board of Directors of the Virginia Alcoholic Beverage Control Authority of records excluded from this chapter pursuant to subdivision 1 of § 2.2-3705.3 or subdivision 34 of § 2.2-3705.7.

B. No resolution, ordinance, rule, contract, regulation or motion adopted, passed or agreed to in a closed meeting shall become effective unless the public body, following the meeting, reconvenes in open meeting and takes a vote of the membership on such resolution, ordinance, rule, contract, regulation, or motion that shall have its substance reasonably identified in the open meeting.

C. Public officers improperly selected due to the failure of the public body to comply with the other provisions of this section shall be de facto officers and, as such, their official actions are valid until they obtain notice of the legal defect in their election.

D. Nothing in this section shall be construed to prevent the holding of conferences between two or more public bodies, or their representatives, but these conferences shall be subject to the same procedures for holding closed meetings as are applicable to any other public body.

E. This section shall not be construed to (i) require the disclosure of any contract between the Department of Health Professions and an impaired practitioner entered into pursuant to Chapter 25.1 (§ 54.1-2515 et seq.) of Title 54.1 or (ii) require the board of directors of any authority created pursuant to the Industrial Development and Revenue Bond Act (§ 15.2-4900 et seq.), or any public body empowered to issue industrial revenue bonds by general or special law, to identify a business or industry to which subdivision A 5 applies. However, such business or industry shall be identified as a matter of public record at least 30 days prior to the actual date of the board's authorization of the sale or issuance of such bonds.

1968, c. 479, § 2.1-344; 1970, c. 456; 1973, c. 461; 1974, c. 332; 1976, cc. 467, 709; 1979, cc. 369, 684; 1980, cc. 221, 475, 476, 754; 1981, cc. 35, 471; 1982, cc. 497, 516; 1984, cc. 473, 513; 1985, c. 277; 1988, c. 891; 1989, cc. 56, 358, 478; 1990, cc. 435, 538; 1991, c. 708; 1992, c. 444; 1993, cc. 270, 499; 1995, c. 499; 1996, cc. 855, 862, 902, 905, 1046; 1997, cc. 439, 641, 785, 861; 1999, cc. 485, 518, 703, 726, 849, 867, 868; 2000, cc. 382, 400, 720, 1064; 2001, cc. 231, 844; 2002, cc. 87, 393, 455, 478, 499, 655, 715,

830; 2003, cc. 274, 291, 332, 618, 703; 2004, cc. 398, 690, 770; 2005, cc. 258, 411, 568; 2006, cc. 430, 499, 518, 560; 2007, cc. 133, 374, 566, 739; 2008, cc. 626, 633, 668, 721, 743; 2009, cc. 223, 325, 472, 765, 810, 827, 845; 2010, cc. 310, 630, 808; 2011, cc. 89, 111, 147, 536, 541, 816, 874; 2012, cc. 476, 507, 803, 835; 2013, cc. 571, 580, 695; 2014, c. 225; 2015, cc. 27, 38, 108, 169, 182, 549, 730.

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**Section**

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**§ 2.2-3712. Closed meetings procedures; certification of proceedings.**

**Bills amending this Section**

**A. No closed meeting shall be held unless the public body proposing to convene such meeting has taken an affirmative recorded vote in an open meeting approving a motion that (i) identifies the subject matter, (ii) states the purpose of the meeting and (iii) makes specific reference to the applicable exemption from open meeting requirements provided in § 2.2-3707 or subsection A of § 2.2-3711. The matters contained in such motion shall be set forth in detail in the minutes of the open meeting. A general reference to the provisions of this chapter, the authorized exemptions from open meeting requirements, or the subject matter of the closed meeting shall not be sufficient to satisfy the requirements for holding a closed meeting.**

**B. The notice provisions of this chapter shall not apply to closed meetings of any public body held solely for the purpose of interviewing candidates for the position of chief administrative officer. Prior to any such closed meeting for the purpose of interviewing candidates, the public body shall announce in an open meeting that such closed meeting shall be held at a disclosed or undisclosed location within 15 days thereafter.**

**C. The public body holding a closed meeting shall restrict its discussion during the closed meeting only to those matters specifically exempted from the provisions of this chapter and identified in the motion required by subsection A.**

**D. At the conclusion of any closed meeting, the public body holding such meeting shall immediately reconvene in an open meeting and shall take a roll call or other recorded vote to be included in the minutes of that body, certifying that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body. Any member of the public body who believes that there was a departure from the requirements of clauses (i) and (ii), shall so state prior to the vote, indicating the substance of the departure that, in his judgment, has taken place. The statement shall be recorded in the minutes of the public body.**

**E. Failure of the certification required by subsection D to receive the affirmative vote of a majority of the members of the public body present during a meeting shall not affect the validity or confidentiality of such meeting with respect to matters considered therein in compliance with the provisions of this chapter. The recorded vote and any statement made in connection therewith, shall upon proper authentication, constitute evidence in any proceeding brought to enforce the provisions of this chapter.**

**F. A public body may permit nonmembers to attend a closed meeting if such persons are deemed necessary or if their presence will reasonably aid the public body in its consideration of a topic that is a subject of the meeting.**

**G. A member of a public body shall be permitted to attend a closed meeting held by any committee or subcommittee of that public body, or a closed meeting of any entity, however designated, created to perform the delegated functions of or to advise that public body. Such member shall in all cases be permitted to observe the closed meeting of the committee, subcommittee or entity. In addition to the requirements of § 2.2-3707, the minutes of the committee or other entity shall include the identity of the member of the parent public body who attended the closed meeting.**

**H. Except as specifically authorized by law, in no event may any public body take action on matters discussed in any closed meeting, except at an open meeting for which notice was given as required by § 2.2-3707.**

**I. Minutes may be taken during closed meetings of a public body, but shall not be required. Such minutes shall not be subject to mandatory public disclosure.**

**1989, c. 358, § 2.1-344.1; 1999, cc. 703, 726; 2001, c. 844; 2012, c. 428.**

## **MBE ESB Advisory Board's Legislation and Policy Recommendations**

1. Re-evaluate the way the city awards contracts with minority participation requirements and the penalties and sanctions that can be imposed, if the agreed upon participation is not met. In the '80s, the City of Richmond's MBE Goal Setting Program was struck down due the City of Richmond v. J. A. Croson Company case and has since become a guideline for municipalities that have imposed these kinds of requirements regarding contracts and procurement services. Even though the City of Richmond works to ensure that there is minority participation included in contract awards, this currently is more of a guideline rather than a rule. We would recommend that this is looked at to make sure a standard guideline is established for the city going forward so that all stakeholders involved are comfortable with this process.
2. In relation to lending and finance options, we would like to see increased communication about the type of programs available to city emerging small and minority businesses. There are numerous local, state, and federal programs that provide loans and grants to emerging small businesses. Sometimes the only thing more difficult than applying and securing these funds, are finding out that they exist. In addition to efforts made by the city to communicate the existence of these programs to the public, we feel the Small Business Resource Guide (included in our Project List) will also help to increase awareness.
3. In addition to business recruitment efforts to secure large or national businesses, the city needs to allocate some of those resources towards smaller regional or mid-size businesses. Focusing on emerging business will allow the city to develop partnerships earlier in a business' life cycle, allowing the city not only an opportunity to grow with that business, including potential tax revenue. But it also requires less investment and resources from the city and its residents. In relation to those emerging businesses with minority ownership, the City of Richmond can show that it is diverse and progressive, and open for business regardless of your ethnicity. This will send a message to other emerging businesses that Richmond is a supportive community not only for their business goals, but for their employees as well.
4. See recommendation #1. We think it is important that the city add more structure and accountability to the way minority participation is handled in relation to awarding and allocating funds.
5. Our focus in relation to the Office of Minority Business Development is centered on public communication. One of our major projects is evaluating the OMBD website and making sure it is a valuable resource to the public. Another one of our projects is looking at additional engagement opportunities for the OMBD staff like public forums. Increased engagement would require additional funding, so looking at each of the programs that are currently being used and evaluating them for effectiveness is important. Reallocating those funds to more effective OMBD projects/resources and any additional funds provided by Council would help to move the needle in relation to public engagement and communication tremendously. OMBD is the most effective resource for this issue, but it needs to have the tools they need to succeed.