

**BYLAWS
OF
CITY OF CHARLOTTESVILLE TREE COMMISSION**

ARTICLE 1 – PURPOSE

1.1 The purpose of the City of Charlottesville Tree Commission (“Commission”) is to advise and assist City Council, the Planning Commission, and City staff in the planting, protection, preservation, and removal of trees located on public right-of-ways and public property. In monitoring these public trees, the Commission strives to protect and improve the urban forest to provide better quality of life and health outcomes for City residents and to secure meaningful environmental and aesthetic benefits. To achieve these objectives, the Commission works to enhance the diversity and health of the City’s tree canopy, educates the community about the critical importance of trees, and advocates for public and private resources and engagement. The Commission remains informed about local changes and intentions involving trees as well as plans for public lands and City infrastructure. When and where appropriate, the Commission advises on protection of trees and tree canopy on private property.

ARTICLE 2 – MEMBERSHIP

2.1 Members. The Commission shall consist of thirteen (13) persons:

- ten (10) citizen members, at least two (2) of whom reside in low-income neighborhoods
- one (1) representative of the Planning Commission
- one (1) representative of the Charlottesville Area Tree Stewards (CATS) or its successor organization
- the City Arborist, serving ex-officio

2.2 Appointment and Length of Term. Citizen members of the Commission shall be appointed by City Council. The term of service shall be three (3) years, with members eligible to serve a maximum of two (2) consecutive terms, except as set forth in article 2.3. The nominee for the CATS position shall be determined by the CATS Board (although the nominee shall formally submit their nomination through the City application portal).

2.3 Vacancies. A vacancy of a citizen member’s seat resulting from death, resignation, or otherwise, shall be advertised and a new member shall be appointed by City Council at the earliest possible opportunity. A person appointed to fill a vacant seat shall complete the unexpired portion of the term of that seat. Upon completing that term, they shall be eligible, if appointed by City Council, to serve up to two full three (3) year terms.

2.4 Attendance. A member who during any twelve (12) month period fails to attend at least 75% of the Commission's meetings, including its regularly scheduled meetings and those of its committees, shall be subject to removal by the affirmative vote of a majority of the number of members serving at that time.

2.5 Compensation. Members shall serve without compensation.

ARTICLE 3 – MEETINGS

3.1 Frequency. The Commission shall, at a minimum, meet quarterly, or as called by the Chair with notice of no less than ten (10) calendar days.

3.2 Quorum. At all meetings of the Commission, the presence of a majority of the number of members then serving will be sufficient to constitute a quorum for the purpose of conducting business. The act of the majority of members present at a meeting at which a quorum is present shall be the act of the Commission. Less than a quorum of members may adjourn any meeting.

3.3 Holidays. If there is a conflict with the normally prescribed meeting date (e.g., a holiday, Election Day), the Commission may choose to move the meeting to the next available day.

3.4 Electronic Participation in Meetings. Policy for Electronic Participation by Charlottesville Tree Commissioners in Tree Commissioner meetings.

1. Purpose and Applicability. It is the policy of the Tree Commission of the City of Charlottesville that individual members of the Commission may participate in Commission meetings by electronic means as permitted by Virginia Code Section 2.2-3708.3(B). The purpose of the policy is to comply with the requirements of Section 2.2-3708.2 of the Code of Virginia and the City of Charlottesville Standard Operating Procedure 100-02 ("Use of City Premises for Meetings; Procedures for All-Virtual Meetings and Other Remote Participation"), and to allow for and govern participation by one or more Commissioners in Tree Commission meetings by electronic communication means. All proceedings pursuant to this policy shall be performed in accordance with Virginia Code Section 2.2-3708.3(B), as that statute may hereafter be amended. This policy shall apply strictly and uniformly to the entire Tree Commission membership without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

2. Permissible Reasons for Electronic Participation. Participation by a Commissioner in a meeting by electronic communication means shall only be allowed for one of the reasons set forth within Virginia Code Section 2.2-3708.3(B)(1), (2), (3), or (4). Each Commissioner shall be limited each calendar year to participation by electronic means for personal reasons (Virginia Code Section 2.2-3708.3(B)(4)) to two meetings, or twenty-five percent (25%) of the meetings held by the Tree Commission per calendar year, rounded up to the next whole number,

whichever is greater.

3. Approval. No Commissioner may participate in a meeting by electronic communications means unless the Commissioner requests and the Chair approves the participation in accordance with this policy. Individual participation from a remote location shall be approved unless such participation would violate this policy or other provisions of the Virginia Freedom of Information Act. If the Chair does not approve the Commissioner's request, such disapproval shall be recorded in the Commission's minutes with specific reasons cited for the disapproval.

4. Approval Process. A Commissioner may request to participate in a meeting by electronic communication means if the Commissioner notifies, by electronic mail, the Tree Commission Chair and the Secretary to the Tree Commission on or before the day of the meeting that the Commissioner is unable to attend due to the following:

i. Personal (Va. Code § 2.2-3708.3(B)(4)): an emergency or personal matter, provided that the Commissioner identifies with specificity the nature of the emergency or personal matter, or

ii. Temporary or Permanent Disability, or Medical Condition (Va. Code § 2.2-3708.3(B)(1) or (2)): a commissioner has a temporary or permanent disability or other medical condition that prevents the Commissioner's physical attendance, or a medical condition of a member of a Commissioner's family requires the Commissioner to provide care that prevents the Commissioner's physical attendance.

- The Commissioner must also notify the Tree Commission Chair and the Secretary to the Tree Commission of the remote location from which the Commissioner would participate by electronic communication means.

- At the meeting, the Secretary to the Tree Commission shall announce the information received from the absent Commissioner. If the Commission member's request is in all respects compliant with this policy, then the Chair shall approve the absent Commissioner's request. If participation by a member through electronic communication means is approved, the Secretary to the Tree Commission shall record in the minutes of the meeting the remote location from which the Commissioner participated; however, the remote location need not be open to the public and may be identified in the minutes by a general description. If participation is approved pursuant to subdivision 1 or 2 of Va. Code § 2.2-3708.3(B), the Secretary to the Tree Commission shall also include in the meeting minutes the fact that the member participated through electronic communication means due to a (i) temporary or permanent disability or other medical condition that prevented the member's physical attendance or (ii) family member's medical condition that required the member to provide care for such family member, thereby preventing the member's physical attendance, as applicable. If participation is approved pursuant to subdivision 4 of Va. Code § 2.2-3708.3(B), the Secretary to the Tree Commission shall also include in the meeting minutes the specific

nature of the personal matter cited by the member.

- Upon approval of the Commissioner's request to participate by electronic communication means, the Commissioner shall be allowed to fully participate in the meeting by electronic communication means.
- If a Commissioner's participation from a remote location pursuant to this subsection is disapproved because such participation would violate the policy set forth above, such disapproval shall be recorded in the minutes with specificity, inclusive of the following information:
 - i. the specific nature of the emergency or personal matter or temporary or permanent disability or other medical condition;
 - ii. the remote location from which the Commissioner would participate in the meeting; and
 - iii. the specific aspect of this policy that would be violated by the Commissioner's proposed participation by electronic communication means, as determined by the Chair of the Tree Commission.

5. Annual Adoption. This policy must be re-adopted by the Tree Commission at least once annually, by recorded vote at a public meeting.

ARTICLE 4 – OFFICERS

4.1 Nomination and Election. At its April meeting each year, the Commission shall elect—from among its citizen members and representatives—a Chair, Vice Chair, and Secretary upon an affirmative vote of a majority of the number of members then serving.

4.2 Term. The Chair, Vice Chair, and Secretary shall serve for a period of twelve (12) months and may serve consecutive terms.

ARTICLE 5 – COMMITTEES

5.1 The Commission may, by resolution duly adopted, establish such committees as it may deem advisable. The members, terms, and authority of a committee shall be set forth in the resolution establishing it.

ARTICLE 6 – STAFF SUPPORT

6.1 The Director of the Parks and Recreation Department shall assign staff to support the Commission. Other City departments may provide support as needed.

ARTICLE 7 – AMENDMENTS

7.1 These Bylaws may be amended at any duly called meeting of the Commission after written notice of such purpose has been given at least five (5) days prior to such meeting. Notice shall include a copy of the proposed amendment(s) or a summary of the changes to be effected thereby. The affirmative vote of a majority of the number of members then serving is required to amend the Bylaws.

Adopted	
24 January 2011	
Amended	Nature of Amendment
13 July 2021	<ul style="list-style-type: none"> • <i>Revise “Sections I & II” and reorder as “Article 2: Membership”</i> • <i>Revise “Section III: Purpose” and reorder as “Article 1: Purpose”</i> • <i>Remove “Section IV: Duties” and reserve for revision as separate document on “Duties and Responsibilities”</i> • <i>Revise “Section V: Attendance & Compensation” and include in “Article 2: Membership”</i> • <i>Revise “Section VI: Meetings” and reorder as “Article 3: Meetings”</i> • <i>Revise “Section VII: Selection of Officers” and reorder as “Article 4: Officers”</i> • <i>Revise “Section VIII: Staff Support” and reorder as “Article 6: Staff Support”</i> • <i>Revise “Section IX: Amendment of Bylaws” and reorder as “Article 7: Amendments”</i> • <i>Add “Article 5: Committees”</i>
4 February 2025	<ul style="list-style-type: none"> • <i>Added 3.3 <u>Holidays.</u></i> • <i>Added 3.4 <u>Electronic Participation in Meetings.</u></i> <p><i><u>Policy for Electronic Participation by Charlottesville Tree Commissioners in Tree Commissioner meetings.</u></i></p>
2 December 2025	<ul style="list-style-type: none"> • <i>Insert CATS abbreviation in Section 2.1</i> • <i>Insert CATS nomination sentence in Section 2.2</i> • <i>Change date of officer election, and add representatives to those eligible in Section 4.1</i> • <i>Add Secretary to officers in Sections 4.1 and 4.2</i>