



City of Albany Citizen Advisory Groups Member & Staff Manual

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OUR MISSION

"Providing quality public services for a better Albany community."

OUR VISION

"A vital and diverse community that promotes a high quality of life, great neighborhoods, balanced economic growth, and quality public services."

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For the purpose of this manual, all boards, commissions, and committees will be referred to as "committees."

Introduction to Albany's Citizen Advisory Groups

Albany's community members may choose to participate in City government through serving on one of Albany's standing or ad hoc advisory boards, commissions, or committees. Albany currently has 16 standing advisory groups. State law requires that the City maintain certain advisory groups, such as a Planning Commission, Budget Committee, Library Board, and Parks & Recreation Commission, while special ad hoc advisory committees or work groups may be created by the Council or Mayor for a particular purpose to study a certain area of interest or concern.

These advisory groups provide guidance and expertise on important policy issues that affect the City government and the community as a whole. Advisory group members provide an invaluable service to our community by interacting with people of all ages, interests, and backgrounds and providing elected officials and City staff greater understanding of community concerns, values, and perspectives.

This manual is intended to function as both a guideline and a governing framework for the City's standing and ad hoc advisory groups.

Albany's Form of Government

Council/Manager System: By charter, the City of Albany adopted a council-manager form of government on January 1, 1957. [Albany's City Charter](#) provides that the city manager is the administrative head of the City, serves at the pleasure of the council, and is charged with administering the policies as established by the council.

Mayor: The mayor, elected for a two-year term, is chair of the council and presides over deliberations. The mayor enforces the rules of the council and determines the order of business under the rules. The mayor has no vote except in the case of a tie vote of the council. The mayor appoints the members of the City's citizen advisory groups, unless other procedures are specified by law or council policy. The mayor is also the ceremonial head of the City and is frequently asked to preside at ceremonies and events.

City Council: The city council, Albany's legislative body, has six members. Councilors are elected on a nonpartisan ballot for four-year terms, with two members elected from each of three wards. The council sets City goals, enacts legislation, adopts a budget, develops policies, and determines the services the City provides.

City Manager: The council appoints a city manager who manages the City's staff and departments. The city manager is responsible for the day-to-day operations of the City and hires department directors to assist in providing City services and enforcing city council policies (resolutions and ordinances).

Albany's Standing Boards, Commissions, and Committees

Airport Advisory Commission: Seven commissioners, each serving a two-year term of office. This commission makes recommendations to Council concerning the efficient management, operation, and development of the Albany Municipal Airport and all of its related operations, facilities, and assets.

Arts Commission: Seven commissioners, each serving a three-year term of office. This commission implements the City Hall Arts Master Plan and advises the city council on issues related to public art. Their projects include raising funds for the purchase of art for City Hall, overseeing rotating and temporary exhibits of art, developing a community strategy for public art, and selecting or rejecting art offered for donation.

Bicycle & Pedestrian Advisory Commission: Seven commissioners, each serving a three-year term of office. This commission advises the city council on major issues related to bicycle and transportation safety. Their projects include assistance with the transportation master plan, bicycle and pedestrian safety education in the grade schools, and identifying appropriate bicycle routes and hazards within the city. They also encourage local businesses to install bicycle parking facilities, instigate the installation of appropriate bicycle-related signage along roadways, and coordinate the bicycle valet parking at the River Rhythms summer concerts.

Budget Committee: Seven committee members, each serving a four-year term of office. The city council serves on the Budget Committee, along with a counterpart member appointed by each councilor and the mayor. This committee is an advisory group created by Oregon law to take public comment and testimony on the proposed budget and to recommend approval with any changes of the proposed budget to the city council. The committee is active in April and May of each year and reviews each department's proposed budget and citywide budget policies.

Building Board of Appeals: Five members plus an alternate, each serving a three-year term of office. The board provides guidance to the Community Development Department in interpreting state and local building codes and meets when there are conflicts over the applicability of the building code or to discuss the suitability of particular building materials. This board has lay, building industry, and architecture/engineering representation.

Central Albany Revitalization Area (CARA) Advisory Board: Seven board members, each serving a three-year term of office. The city council serves on the CARA Advisory Board, along with counterpart members appointed by each councilor and the mayor. Board members generally live or own property or businesses in the Central Albany area. The goal of CARA is to revitalize the central Albany area by implementing the Town Center Plan developed through the Central Albany Land Use and Transportation Study using a citizen-driven process.

City Tree Commission: Seven commissioners, each serving a three-year term of office. This commission advises the city council about matters involving trees in the community, especially trees in public spaces and in public rights-of-way. The commission has completed the City Tree Master Plan and oversees the City's Heritage Tree program; recommends policies for planting, removal, and care of public trees; and oversees the community's Arbor Week celebration.

Community Development Commission: Ten commissioners, each serving a three-year term of office. This commission reviews and recommends housing, neighborhood revitalization, and community development policies, actions, and programs to the city council that could be supported primarily with Community Development Block Grant funding provided by the U.S. Department of Housing and Urban Development.

Standing Boards, Commissions, and Committees (continued)

Human Relations Commission: Seven commissioners, each serving a three-year term. This commission is established by the city council to strengthen connections within Albany's diverse community by being committed to the philosophy of inclusion, equal opportunity, and fair treatment for all residents of Albany and promoting harmonious relations among the citizens of Albany. It is created to recommend programs, activities, ordinances, expenditures, and other appropriate governmental activities that will serve the goal of maintaining respectful interactions within our community. The mayor and city councilors each appoint one member.

Landmarks Commission: Seven commissioners, each serving a three-year term. This commission reviews applications for new construction, exterior alterations, additions, or demolitions for the buildings in Albany's three National Register of Historic Districts (over 600 buildings) as well as roughly 80 additional buildings on the local historic inventory outside of the districts. The commission also assists the preservation planner in planning and putting on educational workshops and other preservation related activities such as historic preservation awards.

Library Board: Seven board members, each serving a four-year term. This board advises the city council on all matters pertaining to the operation, maintenance, activities, and facilities of both libraries. The board also recommends to the city council policies on library services, resolves questions dealing with intellectual freedom challenges, and administers special trusts established for the library.

Parks & Recreation Commission: Five commissioners, each serving a three-year term. This commission provides advice to the city council about major programs, activities, and policies related to parks and recreational activities in the community. In addition, this commission oversees the implementation of the Parks Master Plan and recommends development of facilities in the City's parks system.

Planning Commission: Nine commissioners, each serving a four-year term. This commission oversees implementation of the City's development code and the comprehensive plan. The commission reviews and approves or denies applications for various types of land use. In addition, the commission oversees updates to the City's comprehensive plan as part of the state-mandated periodic review process. There are limits on the number of commissioners engaged in the same form of employment. Each city councilor appoints one member from their respective ward; the mayor appoints three members at large.

Public Safety Commission: Eight commissioners, each serving a four-year term. This commission advises the city council on matters pertaining to funding, operation, maintenance, facilities and other aspects of the Albany Fire and Police departments. Its mission is to help those departments maintain high standards and deliver the highest quality emergency safety services to the residents of Albany. The mayor and each city councilor appoint one member; the eighth member is a representative from the rural fire districts.

Transient Lodging Tax Advisory Committee: Seven committee members, each serving a three-year term. This committee reviews actual transient lodging tax revenues and any implications to the allocation methodology described in the Transient Lodging Tax Policy and may recommend changes to the allocation methodology or this policy to the city council. The mayor and each city councilor appoint one member.

Traffic Safety Commission: Seven commissioners, each serving a three-year term. This commission provides guidance to the city council on all traffic safety issues. They consider items referred to them by the city council and issues from the public including excessive speeds, speed zones, new stop signs, traffic control devices, striping changes, and parking restrictions.

Ad Hoc Committees

Ad Hoc Committees: As authorized by the city council or mayor, ad hoc groups may be formed for a particular purpose to study a certain area of interest or concern. The duration of the committee and scope of work are limited to a specific assignment. After the completion of the assignment, the committee will be disbanded. This manual serves as a functioning guideline for ad hoc committees, but it is not always applicable to them.

Standing and ad hoc committees are not legislative bodies and cannot establish policies or enact law; they serve to make recommendations to the city council. The council can accept, reject, or modify any recommendations of the committee. The council relies on various committees to increase the variety of viewpoints on City issues. By concentrating on specific areas, committee members can expand the level of expertise in which to address an issue and can conduct detailed analyses that the council itself may not have the time to pursue.

Committee Membership

It is the policy and intent of the city council that for every committee position, every applicant will be considered on an equal basis for all positions without regard to race, ethnicity, color, national origin, religion, gender, age, marital or veteran status, sexual orientation, disabilities, or other protected status or activities in accordance with state and federal laws.

Recruitment and Appointment: Recruitment for most advisory groups occurs at the end of each calendar year, with new appointments to be confirmed by council in January. Public notice of all current or anticipated vacancies are generally made during the month of November to early December and posted on the City's website. Applicants must complete an application and submit it through the City's website by the posted deadline. The mayor and councilors select and make nominations for ratification by city council at a January council meeting, and subsequent regular council meetings, if needed. Vacancies are filled as they occur throughout the year.

Membership Rosters: The City Manager's Office shall maintain a membership roster for each committee. Rosters shall include all relevant contact information for each member and staff liaison(s), as well as term of office information for each committee position. A public version of the roster, with redacted private contact information, shall be made available upon request. **Members are responsible for notifying the City Manager's Office and their staff liaison(s) as soon as possible should any of their contact information change.**

Terms: Term lengths vary depending on each committee; term expirations are staggered to ensure adequate membership at any given time.

Number of Meetings: Most committees will meet once per month, with the exception of on-call or seasonal committees such as the Building Board of Appeals, Budget Committee, and TLT Advisory Committee. Committees may meet more frequently, as needed to conduct their business, but shall comply with public notice requirements.

Committee Membership (continued)

Member Eligibility Requirements: It is typically required that committee members reside within the Albany city limits. Specific exceptions to the residency requirement or additional specifications may be designated by council policy or state law. By council policy, councilors will make appointments from their respective wards wherever possible. The mayor's appointments are at large.

Serving on Multiple Committees: The same member may not serve on the Budget Committee, Library Board, Parks & Recreation Commission, or Planning Commission simultaneously. Applicants should evaluate carefully whether they can meet the availability requirements and workload of all committees being considered before applying to multiple committees.

Reappointment: Members on standing committees may be reappointed unless there is a term limit restriction, but incumbents shall submit application materials in the same manner as any new applicant. The City Manager's Office notifies members whose terms are expiring in order to provide them an opportunity to apply for reappointment.

Eligibility of City Employees for Appointment: Current City of Albany employees **may not** serve on City committees. Employees are welcome and encouraged to attend meetings, observe, and become involved when appropriate as a member of the community.

City Staff Support for the Committee

When assigned to support a committee, City staff will perform administrative and housekeeping functions as necessary to ensure efficiency and effectiveness of the committee in accomplishing City goals. If staff regularly attends meetings or otherwise supports a standing or ad hoc committee, they remain under the direction of the department director and the city manager, not the committee or committee chair.

Staff's primary responsibilities are to assist the committee in its functions and to represent the City of Albany. Other responsibilities **may** include the following:

- Provide professional assistance and technical advice.
- Provide clerical assistance for the preparation, duplication, and distribution of committee letters, minutes, and reports.
- Assist in the preparation, publication, and distribution of the committee agenda in consultation with the chair.
- Notify committee members and the City Manager's Office of upcoming meetings and post the agenda to the City's website.
- Maintain a current copy of the advisory groups manual and bring it to the committee meetings.
- Secure meeting rooms for committee meetings.
- Take minutes
- Record and post meeting audio to the City's website

Requests for City staff support to perform specific work, projects, or reports need to be approved by the relevant department director or city manager to ensure that the resource allocation is in accordance with overall priorities and does not impose an undue hardship on the City's financial resources.

Members' Roles, Relationships, and Communication with Elected Officials

Advisory groups provide communication to the city council and mayor through status reports or other materials included in the committee's agenda packets; committee meeting minutes; written findings or recommendations submitted to council; and occasional presentations at city council meetings.

Committee Reports and Presentations at Council Meetings: Should a committee wish to submit a report to council, a memo outlining the status report, findings, or recommendation, along with any supporting documents, needs to be provided to the City Manager's Office in advance of the meeting so that it can be included in the meeting agenda packet. The committee chair, or other committee person as approved by the committee, may choose to give a presentation at the meeting, in which case a copy of the presentation should also be provided in advance with the other materials. The committee needs to contact the City Manager's Office at least two weeks in advance of the meeting to inquire about availability and deadlines for submitting materials.

Committee Work Plans: Any standing committee may choose to develop a scheduled work plan outlining specific goals, functions, or projects they aim to accomplish within a specified time period. Committees may submit their work plans to council to serve as a briefing of the committee's desired direction. Council may receive this information and provide feedback, but it is not a requirement of council to do so.

Joint Meetings: On rare occasions, it may be appropriate to consider a joint meeting between a committee and the city council. Requests for joint meetings shall be submitted to the City Manager's Office stating the reasons for and anticipated outcomes of such a meeting.

It is expected that committees will provide advice related to their specific spheres of interest. However, the council's role is to take into consideration the many varied and sometimes conflicting public needs and render its judgment as to what will best serve the public. The council must weigh the effect of any given recommendation, not only on the particular area of interest, but on all other City goals, programs, and finances.

Committee Member Responsibilities

Committee Chair: A chair is elected by the committee at the first committee meeting of the calendar year that follows council approval to fill the majority of vacancies, or at the first meeting of a newly established ad hoc committee (organizational meeting). The chair performs the following duties:

- Presides at all meetings of the committee.
- Approves the agenda prior to distribution.
- Signs correspondence on behalf of the committee.
- Represents the committee before the city council with the approval of the committee.
- Performs other duties necessary or customary to the office.

The most important duty of the chair presiding over a meeting is to ensure that the work of the committee is accomplished. To this end, the chair must exert sufficient control to minimize irrelevant, repetitious, or otherwise unproductive discussion. At the same time, the chair must ensure that all viewpoints are heard and are considered in a fair and impartial manner.

Committee Member Responsibilities (continued)

Vice Chair: This position is chosen by the committee at the organizational meeting. The vice chair performs all the functions of the chair in his/her absence.

Temporary Chair: In the event that the chair and vice chair are both absent, the remaining members shall elect one of the present members to act as temporary chair.

Individual Committee Members: Unless authorized by the committee, an individual committee member may not represent the committee before any other committee, outside agency, the media, the general public, or city council. When an individual committee member is appearing in a private capacity before other committees, outside agencies, the general public, or the city council, the committee member must clearly indicate that the appearance is as a private individual, not as an official representative.

Members are responsible for notifying the City Manager's Office and their staff liaison(s) immediately should they no longer meet applicable residency or other membership requirements or if any of their contact information (email address, phone number, or physical address) changes.

Each committee member also has the obligation to work cooperatively with other committee members. Committee members should exercise self-discipline and always strive to be objective, fair, and courteous with each other as well as with staff and the public. Respect for the time of other committee members, staff, and the public is of critical importance.

Committee members are expected to read and study agenda packet materials prior to each meeting in order to be prepared for discussion.

Use of the City logo or City stationery: A committee or committee member shall only use the City logo or City stationery with direct and prior consent of the city council.

Ethics and Accountability

State law defines a code of ethics, including conflicts of interest, and establishes reporting procedures for statements of economic interest ([ORS 244](#)).

Conflict of Interest: Committee members need to provide objective advice to the city council. All members of committees should be aware of the need to avoid any instance or appearance of conflict of interest. Conflict of interest standards are generally applicable to all committees. In general, committee members should not vote when they have any kind of direct or indirect financial benefit in the action or recommendation proposed. State law requires that public officials may not use their position for financial gain.

Respectful Environment: Members of all City committees are representatives of the City and are expected to adhere to City policies related to Ethics ([HR-ER-04](#)), Workplace Discriminatory Harassment ([HR-ER-05](#)), and Workplace Respect and Code of Conduct ([HR-ER-20](#)).

Ethics and Accountability (continued)

Absenteeism: It is the City’s expectation that all members take an active role in their committees, including regular attendance to meetings. It is the committee member’s responsibility to notify the City if they will be absent; this includes notice to the staff liaison, support staff person, and the committee chair. Absences will be recorded in minutes as either excused (notified prior to meeting of one’s absence and the reason) or unexcused. All members shall remain in compliance with City of Albany [Resolution No. 2310](#) regarding nonattendance by members. **Excessive absences are not acceptable and may be cause for a member’s removal from the board, commission, or committee.**

Resignation Procedure for Committee Members: A committee member wishing to resign or who no longer meets the residency or other requirements to serve shall submit a letter of resignation (email notification is satisfactory) to the City Manager’s Office and their staff liaison(s); verbal notifications are not sufficient.

Committee Meeting Requirements

Open Meetings: Meetings of standing and ad hoc committees of the governing body are open to the public in the State of Oregon. [ORS 192.620](#) establishes Oregon’s policy of open decision-making by governing bodies. In addition to the basic requirement that meetings be open to the public, meetings may not be held at a place where discrimination on the basis of race, ethnicity, color, national origin, gender, age, marital or veterans status, sexual orientation, religion, or disability is practiced. All meeting places must be handicapped accessible. In general, meetings may not be held outside the city limits without the city attorney’s approval.

Quorum: A quorum is established when more than half of the members of a committee are present, without regard to vacancies or absences (except for the Budget Committee, which has unique quorum requirements). A quorum of members must be present to proceed with a meeting. If a quorum is not obtained within 15 minutes of the scheduled start time, the meeting cannot take place, and the meeting room must be vacated. No minutes are produced. The minutes taker should mark the agenda with “No Quorum” at the bottom or in a water mark and forward it to the City Clerk’s Office. This is archived instead of minutes and officially documents for the record why the meeting did not take place.

General Public: The purpose of committee meetings is to permit open discussion on specific topics in a setting that is more informal than a council meeting, to hear public expression on issues, and to inform the public of what the committee is doing. Committee members have an obligation to consider the welfare of the entire city; to be fair, objective, and courteous; and to afford due process to all.

Notice of Meetings, Agendas, and Public Records

Notice of Meetings: State law requires that the City provide public notice of all meetings. The City Manager's Office and/or designated City staff shall be responsible for providing notice of the meeting and the agenda. City policy and public meetings law require that committees provide at least 24 hours' notice to the news media and interested persons before conducting a meeting. If 24 hours' notice cannot be provided, the meeting needs to be rescheduled.

In rare circumstances, committees may hold an emergency meeting without providing 24 hours' notice. This may only be done in a genuine emergency and with the knowledge and concurrence of the city manager and city attorney. Typically, committee business would not be urgent enough to justify an emergency meeting.

Agendas: Whenever possible, agendas will be made available three days in advance of the meeting and must include, at a minimum, the committee name; date, time, and location of the meeting; principal purpose of the meeting, and any items that will be discussed. Additionally, it is best practice to include supporting documents such as memos, staff reports, or presentations as part of the agenda packet.

Minutes/Public Records: Written minutes or audio recordings of all committee meetings are required by Oregon state law. Albany provides both and has designated the minutes as the official record. All minutes and audio recordings are public records and must be archived in accordance with City policy and Oregon state law. Written minutes are not a verbatim transcript. The record of a meeting must, at a minimum, contain the following information:

- Names of members present;
- All motions, proposals, orders, and measures proposed and their disposition;
- Results of all votes by name of each member;
- The substance of any discussion on any matter; and
- Any reference to any document discussed at the meeting.*

*Documents presented by staff, members of the committee, or the public during the public meeting, and that are not already part of the agenda packet, are public records. **Such documents must be clearly identified, and a copy of each item must be handed to the minutes-taker so that they can be referenced in the minutes and archived with the agenda packet.** The documents are available to the public through the public records request process, usually at no charge. For additional information, please see the Attorney General's Public Records and Meetings Manual at <http://www.doj.state.or.us>.

Minutes must be made available to the public within a "reasonable time" after each meeting. Prior to public posting, minutes should be reviewed and approved by motion of the committee at a regularly scheduled meeting and included in the agenda for reference. Members may vote to approve minutes for meetings that they did not attend. Committees may, by motion, make corrections to the proposed minutes in order to conform to fact. It shall be noted that "the minutes were approved as amended" and those changes shall be outlined in the minutes of the meeting at which the correction was proposed and approved.

Inadvertent Public Meetings

Inadvertent Public Meetings: Inadvertent public meetings must be avoided. If committee members willfully violate public meetings law, they can be held personally liable for attorney fees. Inadvertent public meetings may occur when a quorum of the committee meets outside of a public meeting, whether in person, via email, or using social media platforms.

Attending meetings of other public bodies: If a quorum of a committee were to attend the meeting of another public body (e.g., another City of Albany committee, a city council, or a county governing body), it could give the appearance that the committee is having a public meeting. Therefore, if a quorum of a committee plans to attend the meeting of another governing body, their attendance should be noticed.

Social gatherings: A quorum of a committee may participate in social gatherings. However, even when meeting socially, no official business can be discussed lest the social gathering turn into or give the appearance of a public meeting.

Training sessions and field trips: No deliberation can take place. There is a difference between information gathering and deliberating. For example, a firefighter points out to four committee members that there is a window leak in the fire station they are visiting. If the committee members just listen, it is information gathering; but if they discuss how to get the window fixed, it has crossed the line to deliberating.

Even though a training session or field trip would not be a public meeting, the City Attorney may advise that the City provide public notice anyway, because the Oregon Attorney General's Manual states: *"Even if a meeting is for the sole purpose of gathering information....an informed public must be aware not only of the decision of government, but also of the information upon which such decisions were made."* No staff would need to attend nor any minutes be taken. The body must not deliberate in any manner. Therefore, since it could be difficult to verify that there was no discussion taking place, regardless of whether staff attends, **staff needs to consult with the City Manager and City Attorney if a committee wants to have a field trip or training session.**

Serial Communication: Committee members and staff must take care not to participate in non-contemporaneous communications that could turn into a serial communication (such as using email, texting, or instant messages). When committee members "Reply All" to emails [*responding to all recipients of the original email at once*], the risk exists that the email chain could turn into a serial communication. Staff should be cautious of being an intermediary in a serial communication that, taken as a whole, turns into deliberation and, thus, an inadvertent public meeting.

Parliamentary Procedures

Call to Order: The committee chair calls the meeting to order. The minutes taker will do roll call and record the names of the members present in the minutes.

Recognition: Committee members will address the chair and await recognition to speak. No persons other than the chair and the person having the floor shall enter into any discussion without the permission of the chair.

Motions: Committee members must clearly and concisely state a motion and motions should be seconded before discussion. After discussion, the chair calls for a vote. Types of motions include:

- Main motions – Their purpose is to introduce items to the committee for their consideration.
- Subsidiary motions – Their purpose is to change or affect how a main motion is handled and is voted on before a main motion (e.g., to postpone to a certain time or indefinitely or to amend a motion).
- Miscellaneous motions – Their purpose is to bring up items that are urgent about special or important matters unrelated to pending business (e.g., to take a recess, to adjourn) or a means of questioning procedure concerning another motion and must be considered before the other motion (e.g., point of order, suspension of the rules).

Withdrawal of Motions: Any committee member may withdraw his or her motion prior to a second. Once a motion is seconded, the motion may not be withdrawn without consent of the committee member seconding it.

Vote: The chair may ask for a voice vote or a roll call vote for all final decisions. All committee members are expected to vote on each motion unless disqualified for a specific reason. Any committee member may request a roll call vote on any motion or request a vote be changed if the request is made prior to consideration of the next order of business. Any committee member who wants to explain the reasons for his or her vote may do so before or after the vote. The minutes taker will record the vote and any abstentions in the minutes.

Proxy Votes: Voting by proxy is not allowed for any of Albany's boards, commissions, or committees.

Adjournment: The chair will adjourn the meeting once all business has been considered or postponed.

How to Conduct a Successful Meeting

The committee chair reviews the following steps with the membership annually after new appointments are confirmed (usually February).

Five Steps to a Better Meeting:

1) **Plan**

- Set the agenda in advance and state the purpose of the meeting.
- The agenda must include the date, time, subject, and estimated length of the meeting.
- List the participants.
- State the goal for each agenda item: information, discussion, or direction.
- Distribute background material in advance.

2) **Inform**

- Send out the agenda with enough lead time to prepare members for the discussion.
- Make sure the message of each agenda item is clear and concise.

3) **Prepare**

- Structure the agenda so that the most important issues are covered first and there is adequate time for full discussion.
- Check the agenda at the start of the meeting for additions or deletions and to ensure a quorum is met.

4) **Structure and Control**

- Define the issues and stay focused on them.
- Avoid “spinning your wheels.”
- Keep the meeting within reasonable time parameters.

5) **Summarize and Record**

- Assign follow-through – who does what and by when.
- Commitments should be stated and recorded in minutes.

Tips for Chairing a Meeting:

- 1) Use Robert’s Rules of Order as a guide for conduct of your meetings.
- 2) Follow the agenda and state clearly which item is being considered.
- 3) State the purpose of each agenda item and the time allotted to it.
- 4) Recognize persons to speak in the order in which they have sought recognition.
- 5) Keep participation balanced – discourage domination by one or two committee members.
- 6) Keep participation respectful; stop abusive, belittling, or overly negative communications.
- 7) Solicit input from those who have not spoken on an issue.
- 8) Halt side discussions among one or two members while another person has the floor.
- 9) Summarize at the conclusion of each agenda item: What was agreed upon and who shall do what by what date. This is for the benefit of both the membership, to affirm their understanding, and the minutes taker.
- 10) Clearly restate what is being voted upon.
- 11) **Outside of the meeting**, confront cases of persistent late arrival, early departure, or absenteeism.
For additional tips on running successful meetings, visit www.robertsrules.com.

Miscellaneous

Food and Beverage: Because of budget constraints, departments generally are unable to provide food and beverages at committee meetings. Committee members may choose to provide food and beverages within their membership and at their own expense. Related to setup and cleanup of food and beverage items, committees are expected to adhere to the meeting room policy currently in effect for their meeting location.

Training and Travel: Except in the most unusual of circumstances, the City does not provide paid training or cover travel expenses for committee members. Committee members are encouraged to expand their knowledge base and expertise by attending various community events and public meetings and by engaging with City staff, members of other committees, and the general public.

Additional Resources

- Please consult the [Guide for Public Officials](#) and the [Guide for Public Officials 2015 Supplement](#) that are posted at <http://www.oregon.gov/ogec/Pages/index.aspx>.
- ORS 192 – Records; Public Reports and Meetings: https://www.oregonlegislature.gov/bills_laws/ors/ors192.html
- ORS 244 – Government Ethics: https://www.oregonlegislature.gov/bills_laws/ors/ors244.html
- ORS 260.432 – Restrictions on Political Campaigning for Public Employees: http://sos.oregon.gov/elections/Documents/260.432_quickref.pdf
- ORS 192.650 – Required Elements of Minutes: <http://www.oregonlaws.org/ors/192.650>
- Roberts Rules of Order: www.robertsrules.com
- [Boards, Committees, & Commissions Q & A on Public Meetings](#) (Appendix A; pages 17-24)
- City policies related to Ethics (HR-ER-04), Workplace Discriminatory Harassment (HR-ER-05), or Workplace Respect and Code of Conduct (HR-ER-20), are available on the Human Resources Department webpage at www.cityofalbany.net/departments/human-resources/policies.



APPENDIX A FAQs - Public Meetings Citizen Advisory Groups

Overview and ORSs

Oregon's open government laws promote democracy by ensuring that all state, regional, and local governments conduct their business with transparency. Oregon citizens have the right to know how their government is spending their tax dollars and exercising the powers granted by the people.

A board or commission is usually designated by ordinance or state law and governed by specific requirements. A committee is short-term or longer, set up for a specific purpose, and less formal than a commission or board.

ORS 174.109 "Public body" defined. Subject to ORS 174.108, as used in the statutes of this state "public body" means state government bodies, local government bodies, and special government bodies.

ORS 244.020 Definitions (15) "Public official" means ...any person who...is serving the State of Oregon or any of its political subdivisions or any other public body as defined in ORS 174.109 as an elected official, appointed official, employee, or agent, irrespective of whether the person is compensated for the services.

ORS 192.610 (5) "Meeting" means the convening of a governing body of a public body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter.

ORS 192.630 (1-2) Meetings of governing body to be open to public; location of meetings; accommodation for person with disability; interpreters. Requires all meetings to be open to the public and that a quorum cannot meet in private for the purpose of deciding or deliberating. A quorum for purposes of convening a meeting, unless otherwise defined, is a majority of all members regardless of absence or vacancies.

Public Meetings

Question: What constitutes a "public meeting"?

Answer: A public meeting is the convening of any governing body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter (ORS 192.630). Meetings cannot take place in such a way that the public cannot take part, such as by email or social media. An executive session is the exception; for more information, contact the city clerk or the city manager's office.

Question: Are boards, commissions, and committees considered "governing bodies"?

Answer: Citizen advisory groups (CAG) are under the authority of the city council. CAGs almost always serve in an advisory capacity, whereby they make recommendations to the council and the council decides if or how to proceed with the recommendations.

Question: What is an "inadvertent" public meeting?

Answer: Inadvertent public meetings may occur when a quorum of the governing body meets outside of a public meeting. The court recently considered inadvertent public meetings as they related to the interpretations of the terms "convening," "quorum," and "decision." Even if a particular serial communication (separate communications, no quorum, in person, and via emails) does not violate the letter of the law, it may violate the spirit of the law.

Question: Do we have to allow the public to speak since it is a public meeting?

Answer: There is no requirement that the public be allowed to speak, only that they be allowed to attend. However, if the public is allowed to speak, it is advised, although not required, to get each person's name and address for the minutes; if it is a land-use issue where future notifications may be required, speakers should sign up on the sheets provided at the meeting.

Noticing Meetings

Question: What are notification requirements?

Answer: The law says notice must be provided that is "reasonably calculated" to inform the public and all interested parties about the time, place, and agenda of public meetings. Generally, reasonable notice is considered to be 24 hours minimum. There are exceptions for meetings that meet the legal definition of an emergency.

Question: What is the difference between a public meeting and public hearing? Which governing bodies do public hearings apply to? How is a public hearing noticed?

Answer: A public hearing is a type of public meeting. A public hearing is held when certain items are being considered by the governing body. The ORS requires that the public be allowed to speak at a public hearing. For example, it applies to the city council, planning commission, and the Albany Revitalization Agency when they are discussing specific items (i.e., certain land use decisions, budget, local improvement, fee increases, and franchise fees).

Question: Do I have to hold the meeting in the city limits?

Answer: Yes. ORS 192.630(4) says that meetings of governing bodies must be held in the local jurisdiction unless they are solely for training. Also see AMC 2.04.020.

Question: Does the building have to be ADA compliant? Do we provide an interpreter?

Answer: Yes. City Hall, the senior center, the police station, Fire Station 11, and the library are ADA compliant. Other requirements include that the meeting place be no-smoking and nondiscriminatory. A good-faith effort has to be made to provide an interpreter if requested. All the city's agendas should have information at the bottom about who to contact at the city for an interpreter.

Question: Does the meeting have to be in a public building?

Answer: It should be. For example, a joint meeting in a public space such as the Boys & Girls Club would be legally allowed, whereas a private home, office, or business, even if ADA compliant, is not advised.

Question: Is there a statutory requirement to create agendas?

Answer: Robert's Rules say there should be an agenda for every type of meeting, and this is the City's policy.

For more information, visit the city's [Citywide Administrative Support Staff \(CASS\) page](#):

1. [Process - Notice for Public Meetings](#)
2. [Process - Notice for Public Hearings ORS and OARs](#)
3. [Agenda Packet Uploads](#)
4. [Media Advisory](#)
5. [Meetings Process – Joint Meetings](#)

Conduct of Meetings (Quorums, Voting, and Minutes)

Question: How do I know the quorum requirements for meetings and voting and any other rules that apply to specific CAGs?

Answer: Identify voting requirements for specific CAGs in this order:

1. Does the AMC specifically address them?
2. Is there a resolution or ordinance that applies? (Check the CAG roster.)
3. If not, Robert's Rules is the default, per AMC 2.04.050.

Question: If the meeting is about to begin, but there is less than a quorum, are they allowed to continue with the meeting?

Answer: If there isn't a quorum, the best course is to simply reschedule and adjourn. The only action the body can lawfully take is to reschedule the meeting, adjourn, recess, or find a quorum.

Question: If less than a quorum decide to stay and have discussion anyway (but not deliberate), then does staff need to produce formal minutes or take notes?

Answer: The best course of action is to adjourn, and the senior staff facilitating the meeting should encourage adjournment.

If the body continues talking, it is the same as if a group of members (less than a quorum) met at a coffee shop and decided to talk. It is not a meeting of the body, and staff does not need to take minutes.

If members of the body allow input from anyone not a member of the body and it is regarding a land use matter, they are having an ex parte communication, which needs to be noted at future meetings.

Note that because such a gathering creates the appearance of impropriety and runs contrary to the spirit of the public meetings law, which supports keeping the public informed of the deliberations of governing bodies, it is not advised that the body stays; the meeting should be adjourned and members should leave.

Question: If there was a quorum in order to start the meeting but people have to leave before the meeting is over, which would leave less than a quorum remaining, do they have to stop the meeting?

Answer: They should stop the meeting because without a quorum no business can be transacted. Any business done after that point would be null and void. It is suggested, though not required, to adjourn the meeting. Make sure your minutes note what time members left.

Question: Do vacancies or absences change the number of a quorum?

Answer: No; a quorum for purposes of convening the meeting is based on a majority of the whole board, including vacancies or absences. For example, a 9-member body would always need five convene the meeting, even if there were vacant positions on the board. Voting, unless otherwise defined, is based on a majority of those present. The budget committee has unique quorum requirements; contact the city clerk or the finance director for more information.

Question: If the body is voting on the approval of minutes, may members who did not attend the meeting still vote?

Answer: Yes; a member's absence from the meeting for which minutes are being approved does not prevent the member from participating in their (correction or) approval.

Question: What do my minutes have to include?

Answer: Per ORS 192.650, minutes must include at least:

1. All members of the governing body present;
2. All motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
3. The results of votes;
4. The substance of discussion on any matter; and
5. A reference to any document discussed at the meeting.*

*Items introduced at the meeting that were not part of the original agenda should be referenced in your minutes as “see agenda file” or “see archived file.” Attach those items to the back of the agenda that you send to the city clerk to be archived.

Question: The body has dissolved; how do I get the minutes approved if they are no longer meeting?

Answer: Contact the city clerk for instructions.

For more information, visit the [CASS page](#):

1. [Meetings Process – Basic Elements of a Public Meeting](#)
2. [Meetings Process – Summary of Robert’s Rules Parliamentary Procedure](#)

Retention Duties

Retention Schedule: The Oregon Secretary of State retention schedule [Secretary of State Retention Schedule](#) lists the record series that public agencies must retain and for how long. These records may be subject to disclosure under public records laws. Judges typically err on the side of disclosure unless records are specifically exempt by ORS.

Records created during public meetings are under 166-200-0235 (5):

- (5) Meeting Records, Boards, Commissions, Committee, and Governing Bodies — Minimum retention:
 - (a) Minutes (except executive session minutes), agendas, resolutions, indexes, and exhibits (not retained permanently elsewhere in city records) permanently;
 - (b) Executive session minutes, retain 10 years;
 - (c) Audio or visual recordings 1 year after minutes prepared and approved;
 - (d) Other records and exhibits not pertinent to minutes, retain 5 years.

Custodians of these records have been assigned below:

166-0200-0235 (5) (a) and (b): City clerk. Any items that were introduced during the meeting and not already part of the agenda packet are archived with the agenda packet. Staff liaisons forward these records to the city clerk for archiving.

166-0200-0235 (c): Staff liaisons. Legally, an audio is not required; but if it was taken, it must be retained for a minimum of one year. Staff liaisons are responsible to post audios to the website following the meeting. Staff liaisons must forward any “see agenda items” to the city clerk for archiving.

166-0200-0235 (d): CAG members. If members take notes on their agendas, those documents fall under this OAR and must be retained by the member for five years. In the event of a public records request, the records must be disclosed. The records would be disclosed unless exemptions apply.

For more information, visit the [CASS page](#):

1. [Process – Archiving Agendas and Minutes](#)

Public Meetings Checklist

The Public Meetings Law applies to all meetings of a quorum of a governing body of a public body for which a quorum is required to make a decision or to deliberate toward a decision on any matter. This checklist is intended to assist governing bodies in complying with the provisions of this law; however, you should consult the appropriate section(s) of this manual for a complete description of the law's requirements.

OPEN TO THE PUBLIC. Unless an executive session is authorized by statute, the meeting must be open to the public.

NOTICE. The governing body must notify the public of the time and place of the meeting, as well as the principal subject to be discussed. Notice should be sent to:

- News media;
- Mailing lists; and
- Other interested persons.

The notice for a regular meeting must be reasonably calculated to give "actual" notice of the meeting's time and place. Special meetings require at least 24-hours' notice. Emergency meetings may be called on less than 24-hours' notice, but the minutes must describe the emergency justifying less than 24-hours' notice.

SPACE AND LOCATION

Space. The governing body should consider the probable public attendance and should meet where there is sufficient room for that expected attendance.

Geographic location. Meetings must be held within the geographic boundaries over which the public body has jurisdiction, at its administrative headquarters or at "the other nearest practical location."

Nondiscriminatory site. The governing body may not meet at a place where discrimination on the basis of race, color, creed, sex, sexual orientation, national origin, age or disability is practiced.

Smoking is prohibited.

ACCESSIBILITY TO PERSONS WITH DISABILITIES

Accessibility. Meetings must be held in places accessible to individuals with mobility and other impairments.

Interpreters. The governing body must make a good faith effort to provide an interpreter for hearing-impaired persons.

Americans with Disabilities Act (ADA). The governing body should familiarize itself with the ADA, which may impose requirements beyond state law.

VOTING. All official actions by governing bodies must be taken by public vote. Secret ballots are prohibited.

MINUTES and RECORDKEEPING. Written minutes or a sound, video or digital recording must be taken at all meetings, including executive sessions. Minutes or another recording must include at least the following:

- Members present;
- Motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition;
- Results of all votes and, except for bodies with more than 25 members unless requested by a member, the vote of each member by name;
- The substance of any discussion on any matter; and
- A reference to any document discussed at the meeting. (Reference to a document exempt from disclosure under the Public Records Law does not affect its exempt status.)

The minutes or alternative recording must be available to the public within a “reasonable time after the meeting.”

For executive sessions, see separate checklist on p. K-6.

Guide to Bodies Subject to Public Meetings Law

This is a simplified guide to understanding when the meetings of a particular body are subject to the Public Meetings Law. For a discussion of the various elements, refer to the text of this manual.

