



CITY OF ALBANY  
**CITIZEN ADVISORY GROUPS  
MEMBER & STAFF MANUAL**

Updated February 2023



## **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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# **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 has several standing citizen advisory groups (CAGs). State law requires that the city maintain certain advisory groups, such as a planning commission, budget committee, library board, and parks and 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 with 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.

# Councilor Protocols

The following protocols were developed at an Albany City Council training session held on January 16, 2018. They are intended to set expectations for members of the Albany council and provide a model to guide the conduct and working relationships of council members. While some protocols relate specifically to council meetings, others are meant to apply broadly to the full scope of council members' official interactions. The list is not intended to be exhaustive and may be augmented or amended by future action of the council.

## **Brevity**

Council members will ensure their comments during meetings are succinct and relevant to the topic at hand.

## **Civility**

Council members agree to demonstrate civility in their professional interactions, both within and outside of the City organization. Comments during meetings will remain thoughtful and measured, avoiding exaggerated, provocative, or personal remarks.

## **Compromise**

Open-mindedness and active listening will be practiced by council members during deliberations in an effort to pursue compromise whenever possible.

## **Liaison role**

Council members serving as City liaisons to external boards, commissions, committees, and organizations will be responsible for sharing important news and pertinent developments with the council at regular meetings.

## **Mayor's role**

Council members recognize that the mayor's position requires balancing the important roles of facilitating meetings and contributing policy perspectives.

## **Public unity**

Out of respect for the institution and the process through which policy is made, council members will refrain from publicly denigrating council decisions once they are made.

## **Respect**

Council members agree to use respectful speech and positive body language when interacting with each other, staff, and the public, and will follow meeting procedures/ protocols as established by the council.

## **Staff communication**

Council members will keep the city manager informed of communications they may have with staff, including copying the city manager on any emails to staff.

## **Tolerance**

Council members will endeavor to respectfully 'agree to disagree' in the event compromise is not possible.

# Albany's Form of Government

The council-manager form of government is the most common form of local government in the United States.

The City of Albany adopted a council-manager form of government by charter on January 1, 1957. Under this form of government, the council is similar to the board of directors of a corporation, and the city manager fills the role of chief executive officer. The city manager serves at the pleasure of the council and is charged with administering the policies established by the council.

## City Council

Councilors are elected on a nonpartisan ballot for four-year terms, with two members elected from each of the City's three wards. The council sets goals, enacts legislation, adopts a budget, develops policies, and determines the services the City provides. The council doesn't involve itself in the day-to-day operations of the city.

## Mayor

The mayor, elected at large for a two-year term, chairs the council and presides over deliberations. The mayor enforces the rules of the council, determines the order of business under the rules, and reads proclamations. The mayor has no vote except in the case of a tie vote. The mayor is also the ceremonial head of the City and is frequently asked to preside at ceremonies and events.

## City Manager

The council appoints a city manager who manages the city's staff and departments. The city manager implements the council's policies and strategic plan and manages the day-to-day operations of the City. The city manager hires department directors to help provide City services and enforce city council policies, resolutions, and ordinances.

# Albany's Standing Citizen Advisory Groups

**Airport Advisory Commission:** Seven commissioners, each serving a three-year term of office. The Airport Advisory Commission shall make recommendations to the city council and staff concerning the long-term, facility and operational needs of the Albany Municipal Airport. They shall consider and make recommendations concerning the capital improvement projects applicable to the airport and the priorities which they believe will best serve airport needs. (AMC 2.26, 2015)

**Arts Commission:** Seven commissioners, each serving a three-year term of office. The Arts 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 City Hall art, overseeing rotating and temporary exhibits of art, developing a community strategy for public art, and selecting or rejecting art offered for donation. Established by city council policy. (Res 3740, 1997)

**Budget Committee:** Fourteen commissioners comprised of seven city councilors and seven citizens, serving a four-year term of office. The Budget Committee was 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 city uses a biennial budget, and the budget committee's level of activity and discussion of topics depend on the budget cycle and Oregon budget law. The Committee reviews each department's proposed budget and citywide budget policies. All citizen nominees must be formally appointed by the full city council, and Budget Committee members must be electors of the city of Albany. One person is nominated by each Councilor; and one representative is appointed by the Mayor at-large. (Res 3539)

**Building Board of Appeals:** Five members plus an alternate, each serving a three-year term of office. The Building Board of Appeals provides guidance to the Building Division in interpreting state and local building codes. The Board meets on an as-needed basis when there are conflicts over the applicability of the building code or to discuss the suitability of particular building materials. Created by AMC 18.14, members consist of citizens who are qualified by experience and training to pass on matters pertaining to building construction. Members are appointed by the city council at-large.

**Central Albany Revitalization Area (CARA) Advisory Board:** Seven board members, each serving a three-year term of office. The city council, standing as the Albany Revitalization Agency (ARA), serves on the CARA Advisory Board along with counterpart members (lay members) appointed by each councilor and the mayor, for a total of fourteen members. 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.

**Community Development Commission:** Ten commissioners, each serving a three-year term of office. The Community Development Commission was established to review and recommend housing, neighborhood revitalization, and community development policies, actions, and programs to the city council that could be supported with funding primarily with Community Development Block Grant (CDBG) funding provided by HUD.

**Economic Development Advisory Commission:** Five commissioners, each serving a three-year term of office. The Economic Development Advisory Commission works with staff to implement the Economic Development Strategy and advise the City Council in matters pertaining to economic development. Such matters include, but not be limited to: recommending general policies, strategies, and programs regarding economic development; developing plans to implement the Council's economic development goals; collaborating with other governmental agencies, non-profits, and businesses in the advancement of economic development programs and projects; recommending funding strategies to support an ongoing Economic Development Program; recommending funding strategies to support economic development projects; and providing collaborative business retention and recruitment support.

The EDAC works with the City's economic development staff to promote positive economic growth and provide insight to the Council on the business climate and evolving priorities and opportunities for investment and programming. (Res 7156, 2022)

**Human Relations Commission:** Seven commissioners, each serving a three-year term of office. The Human Relations Commission was established by the city council in 2007, to foster a city that is stable, safe, and just. The Commission was established to strengthen and celebrate every resident of Albany by being committed to the philosophy of acceptance, inclusion, equal opportunity accessibility, dignity, and fair treatment for all. The HRC has the duty to make recommendations to the city council and the city manager as outlined in AMC 2.25. In formulating its recommendations, the HRC strives for actions that lead to positive and respectful relations committing to diversity, equity, and inclusion in the city. It was created to recommend and promote activities, programs, ordinances, expenditures, and other appropriate governmental activities that will serve to maintain respectful interactions within Albany. The HRC works to ensure that historically marginalized and underrepresented people and communities in Albany have equal access to city programs and services, and representation in City decision making. The HRC addresses concerns and complaints about discrimination through education and available community resources.

**Landmarks Commission:** Seven commissioners, each serving a three-year term of office. The Landmarks Commission was established by the city council in 1979, and is described in AMC 2.76. The commission was established to "safeguard the city's historic and cultural heritage; foster civic pride in the beauty and noble accomplishments of the past; protect and enhance the city's attractions; strengthen the economy of the city and property values; and promote the use of historic districts and landmarks for the education, pleasure and welfare of the people of the city."

**Library Board:** Seven board members, each serving a four-year term of office. The Library Board advises the city council on all matters pertaining to the operation, maintenance, activities, and facilities of both libraries. The Board also recommends policies on Library services to the city council. The Board is responsible for resolving questions dealing with intellectual freedom challenges and administers special trusts established for the Library. (AMC 2.50)

**Parks, Recreation, and Tree Advisory Commission:** Seven commissioners, each serving a three-year term of office. The Parks, Recreation and Tree Advisory Commission acts in an advisory capacity to the City Council and Parks and Recreation Department on matters related to park, trail, and facility improvements, prioritization, and updates to the park master plan. The Commission also advises on matters involving Albany's urban forest, recommend policies for planting, removal, and care of public trees, and support maintaining Albany's status as a Tree City USA since 1994. (AMC 2.21)

**Planning Commission:** Nine commissioners, each serving a four-year term of office. The Planning Commission oversees implementation of the City's Development Code and Comprehensive Plan. The commission reviews and approves or denies applications for various types of land uses. In addition, the commission is currently overseeing the update of the City's Comprehensive Plan as part of the state-mandated Periodic Review process. Each councilor has one counterpart and must make nomination from their own ward. The mayor has three nominations who are at-large. Members must live within the Albany city limits; no more than four members shall be from any single city ward. There are limits on the number of members engaged in the same form of employment. Required by ORS 227.020 and duties described by AMC 2.16.

**Public Safety Commission:** Eight commissioners, each serving a four-year term of office. The Public Safety 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. (Res 4960)

**Transportation Advisory Commission:** Seven commissioners, each serving a three-year term of office. The Commission acts in an advisory capacity to the City Council and staff on matters relating to transportation policy in Albany. Examples: recommendations on multi-modal transportation opportunities and concerns; evaluations of level-of-service alternatives, including funding options for transportation needs; evaluations of travel demand management alternatives; recommendations regarding the city code as it relates to transportation; assistance with coordination of transportation issues with other government agencies; analysis and recommendations to staff and the City Council on transportation projects for the Capital Improvement Program, grant funding opportunities, and master plan updates; master plan updates, including the Transportation System Plan; funding needs within the transportation system, and options for increasing annual funding; and updates on ODOT projects that affect the Albany transportation network. Councilors should seek to recruit members who represent knowledge or interest in the areas of bicycle and pedestrian issues, public transit, and traffic safety, although they are not required to do so. (AMC 2.32)

**Tourism Advisory Committee:** Seven committee members, each serving a three-year term. The Tourism Advisory Committee may meet as needed to discuss tourism-related activities, opportunities, and challenges; review and oversee tourism programs; advise on the expenditure of funds on tourism-related activities; and advise the City Council on tourism matters. The Committee will also award Collaborative Tourism Promotion (CTP) grants should those funds exist in the budget. The committee is described in Policy #F-12-12-001, Transient Lodging Tax Policy and was established by City Council policy (Res 7160, 2022). The mayor and each city councilor appoint one member.

## **Ad Hoc Committees**

As authorized by the city council or mayor, ad hoc groups may be formed for a particular purpose to temporarily 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 is disbanded. This manual serves as a functioning guideline for ad hoc committees, but it is not always applicable to them. The city clerk or city attorney can provide more information.

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. By concentrating on specific areas, committee members can expand the level of expertise from which to address an issue and can conduct detailed analyses that the council itself may not have the time to pursue.

# Advisory Group Membership

It is the policy and intent of the city council that for every position, every applicant will be considered on an equal basis for all positions without regard to race, ethnicity, color, national origin, religion, sex (including pregnancy-related conditions), gender, gender identity, 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 ratified by the council in January. Public advertising of all current or anticipated vacancies is generally made during November and early December and posted on the city's website. All applicants must complete an online application through the city's website by the posted deadline. The mayor and councilors select and make nominations for ratification by the city council at a January council meeting, and at later regular council meetings, if needed. Vacancies are also advertised on the website and social media and are filled as they occur throughout the year. The Library Board recruitment occurs during May and June.

**Membership Rosters:** The City Manager's Office maintains an official membership roster for each citizen advisory group. Rosters include all relevant contact information for each member and staff liaison, as well as term-of-office information for each position. A simpler public version of the roster is maintained on each group's webpage on the city website. Members are responsible for notifying the City Manager's Office and their CAG's staff liaison 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. The Library Board has a two-term limit.

**Number of Meetings:** Most committees meet on a regular basis, with the exception of on-call or seasonal groups such as the Building Board of Appeals, Budget Committee, and Tourism Advisory Committee. CAGs may meet more frequently, as needed to conduct their business, but must comply with public notice requirements.

**Member Eligibility Requirements:** For nearly all positions, CAG members must reside within the Albany city limits in accordance with [Resolution No. 6797](#). 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 whenever possible. The mayor's appointments are at-large.

**Serving on Multiple Committees:** One person may not serve simultaneously on the Budget Committee; Library Board; Parks, Recreation and Tree Advisory Commission; or Planning Commission. Applicants should carefully evaluate whether they can meet the availability requirements and workload of all groups being considered before applying to multiple citizen advisory groups.

**Reappointment:** Members on standing groups may be reappointed unless there is a term limit restriction, but incumbents must 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. Reappointment is not guaranteed.

**Eligibility of City Employees for Appointment:** [Resolution No. 5222](#) prohibits current City of Albany employees from serving on city groups. Employees are welcome and encouraged to attend meetings, observe, and become involved when appropriate as a member of the community.

## City Staff Support for Committees

Each citizen advisory group has a city staff support person who will perform administrative and housekeeping functions as necessary to ensure efficiency and effectiveness of the CAG 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 CAG or chairperson.

Staff's primary responsibilities are to make sure the meeting complies with all public meeting laws and assist the CAG in its functions and to represent the City of Albany. Other responsibilities may include:

- Provide professional assistance and technical advice.
- Provide clerical assistance for the preparation, duplication, and distribution of CAG letters, minutes, and reports.
- Assist in the preparation, publication, and distribution of the CAG's agenda in consultation with the chair.
- Notify group members and the City Manager's Office of upcoming meetings and post the agenda to the city's website.
- Maintain a current copy of this manual and have it available for meetings.
- Secure conference rooms for CAG meetings.
- Take minutes.
- Record and post meeting video (or audio in case of equipment malfunction) 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 the 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 group's agenda packets, meeting minutes, written findings or recommendations submitted to council, and occasionally, presentations at city council meetings.

**CAG Reports and Presentations at Council Meetings:** Should a CAG wish to submit a report to the 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 chair, or other member as approved by the group, 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 CAG needs to contact the City Manager's Office at least three weeks in advance of the meeting to inquire about availability and deadlines for submitting materials. The contact in the City Manager's Office is [mary.dibble@cityoflabany.net](mailto:mary.dibble@cityoflabany.net).

**CAG Work Plans:** Any standing advisory group may choose to develop a scheduled work plan outlining specific goals, functions, or projects they aim to accomplish within a specified period of time. CAGs may submit their work plans to the council to serve as a briefing of the group's desired direction. The council may receive this information and provide feedback, but they are not required to do so.

**Joint Meetings:** On rare occasions, it may be appropriate to consider a joint meeting between a CAG and the city council. Requests for joint meetings are 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 areas of interest. However, the council's role is to take into consideration the various and sometimes conflicting public needs and use their judgment as to what will best serve the public. The council must weigh the full effect of any given recommendation, not only on the particular area of interest, but on all other city goals, programs, and finances.

## Member Responsibilities

**Chair:** A chair is elected by the group at the first annual meeting 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 group and ensure a smooth meeting.
- Signs correspondence on behalf of the CAG.
- Represents the group before the city council with the approval of the CAG.
- 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 group is accomplished. To this end, the chair must maintain 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.

**Vice Chair:** This position is chosen by the group at the first annual meeting after the majority of all appointments for that CAG have been ratified, and performs all the functions of the chair in their absence.

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

**Individual Members:** Unless authorized by the group, an individual CAG member may not represent the group before any other CAG, outside agency, the media, the general public, or the city council. When an individual group member is appearing in a private capacity before other CAGs, outside agencies, the general public, or the city council, the 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 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 member also has the obligation to work cooperatively with other members. 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 members, staff, and the public is of critical importance. **All members are expected to read and study agenda packet materials before to each meeting to be prepared for discussion.**

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

# Ethics and Conflicts of Interest

State law defines a code of ethics for public officials, including conflicts of interest, in ORS 244 and ORS 260.432. A link to Ethics Manual – Restrictions on Political Campaigning for Public Employees is provided on the last page of this manual.

**Statement of Economic Interest (SEI) Forms:** ORS 244 requires certain public officials to file SEI forms with the Oregon Government Ethics Commission (OGEC) by April 15 of each year. This applies to members of the Planning Commission and Landmarks Commission. Members will receive reminders from OGEC.

**Conflict of Interest:** Citizen advisory group members need to provide objective advice to the city council. All members of CAGs 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 groups. In general, 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 citizen advisory groups 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](#)).

**Absenteeism:** It is the city's expectation that all members take an active role in their groups, including regular attendance at meetings. It is the member's responsibility to notify the city if they will be absent; this includes notice to the staff liaison, support staff person, and the chair. Absences will be recorded in minutes as either excused (notified before a meeting of one's absence and the reason) or unexcused. All members shall remain in compliance with City of Albany [Resolution No. 6948](#) regarding nonattendance by members.

**Excessive absences (excused and unexcused) are not acceptable and may be cause for a member's removal from the citizen advisory group.**

**Resignation Procedure for Citizen Advisory Group Members:** A member wishing to resign or who no longer meets the residency or other requirements to serve must submit a letter of resignation (email notification is satisfactory) to the contact in the City Manager's Office and to their CAG Contact; verbal notifications are not sufficient. The contact in the City Manager's Office is [kinzi.mcintosh@cityofalbany.net](mailto:kinzi.mcintosh@cityofalbany.net).

# Advisory Group 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 must not be held at a place where discrimination on the basis of race, ethnicity, color, national origin, gender, age, marital or veteran status, sexual orientation, religion, or disability is practiced. All meeting places must be accessible to the public according to [ORS 192.630](#). 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 CAG 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 (virtual or in-person) must be vacated. No minutes are produced. The minutes-taker should mark a blank minutes template with a "No Quorum" watermark and forward it to the City Clerk. This is archived instead of minutes and officially documents for the record why the meeting did not take place.

**General Public:** The purpose of citizen advisory group 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 group is doing. Members have an obligation to consider the welfare of the entire city; and to be fair, objective, and courteous.

# Public Notice, Agendas, and Minutes

**Public Notice of Meetings:** State law requires that the city provide public notice of all meetings. Each group's staff support person and/or designated city staff are responsible for providing notice of the meeting and the agenda. Public meetings law requires that citizen advisory groups 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, CAGs 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, CAG business would not be urgent enough to justify an emergency meeting.

**Agendas:** Whenever possible, agendas will be made available at least three days in advance of the meeting and must include, at a minimum, the CAG's 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:** Written minutes or audio recordings of all CAG meetings are required by Oregon state law. Albany provides both and has designated the minutes as the record copy. All minutes and recordings are public records and must be archived in accordance with city policy and Oregon state law.

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 CAG, 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 provided 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. Such documents are so designated in the minutes with an asterisk.

Minutes must be made available to the public within a "reasonable time" after each meeting. Members may vote to approve minutes for meetings that they did not attend. Citizen advisory groups may, by motion, make corrections to the proposed minutes in order to reflect fact. It should be noted that "the minutes were approved as amended" and those changes should be outlined in the minutes of the meeting at which the correction was proposed and approved.

# Inadvertent Public Meetings and Public Records

**Inadvertent Public Meetings:** If citizen advisory group members willfully violate public meetings law, they can be held personally liable for attorney fees. An inadvertent public meeting may occur when a quorum of a group meets outside of a public meeting, whether in person, via email, inappropriate use of chat features during virtual meetings, or using social media platforms.

Public meetings laws provide guidance for other times a quorum of members may meet, such as while attending the meetings of other public bodies; social gatherings; training sessions; and field trips. For this reason, any time a CAG would like to meet outside of a properly noticed public meeting, the CAG contact should consult with the city manager or city attorney. After their approval of the gathering, the CAG contact can use the Media Advisory tool, provided by the City Manager's Office, as a guide to determine the appropriate legal notice.

**Serial Communication:** Citizen advisory group members and staff must try not to participate in communications that could turn into a serial meeting (such as using email, texting, or instant messages). If a series of communication among what turns into a quorum is used to reach a decision, it could be a violation of the public meetings laws. Staff should be cautious of being an intermediary in a serial communication that, taken as a whole, turns into deliberation creating an inadvertent public meeting.

Here are some tips on how to steer clear of an inadvertent serial meeting:

- **Avoid** using "reply all" in emails.
- **Avoid** conversations, regardless of format, where views of fellow members are shared.
- **Avoid** sharing opinions or views about items that the CAG will be voting on, in email, on social sites, or in other venues where other members may participate.

Remember, the point of Oregon's public meetings laws is to ensure that the deliberations of the governing body take place in a properly noticed public meeting.

**Public Records:** Oregon law addressing public records is divided into two parts: retention and access. Retention is assigned based on a record's content, regardless of its format. Access, or disclosure, applies to most records unless specifically exempt by law. As appointed officials of a public body, it is the duty of members to maintain the public records they create.

Emails/text messages and agenda notes are two ways CAG members might create public records. If emails or texts relate to the conduct of the City's business, they may be public record. If City staff is included in the email, then the email is automatically archived in the City's system. If City staff is not included, and the

communication meets the definition of a public record, members should forward them to this address: [CAGarchive@cityofalbany.net](mailto:CAGarchive@cityofalbany.net). In the event of a public records request, IT staff will review the repository.

If a CAG member makes notes on a meeting agenda under Oregon law that agenda becomes part of a record series that has a retention of five years. CAG members have been assigned custody of this record series; so, if a member does take notes on an agenda, regardless of format, they should be prepared to retain it for five years in case there is a public records request. When the member's term ends, forward those records to the CAG contact, and the city will assume custody for the duration of the retention period.

It is also important to note that whenever city business is done using personal email accounts or personal equipment, there is no expectation of privacy.

**League of Oregon Cities (LOC) Training Videos:** The LOC has training videos on public meetings and public records. Contact staff for more information.

# Parliamentary Procedures

Albany's CAGs are guided by Robert's Rules of Order.

**Motion:** "I move that . . ." or "I move to . . ." not "so moved."  
Once made, a motion belongs to the whole council.

**Vote:** "aye" means **yes**  
Silence means **yes**

**Abstain:** member announces the reason, stays in the meeting, and does not vote.

**Recuse:** member announces conflict, leaves the meeting, and does not vote.

**Amend a motion:** needs a second  
can be debated  
can be amended  
must be voted on before the main motion can be addressed.

**Table a motion:** To put something aside temporarily (usually to a certain date)  
until the council has dealt with another item  
needs a second  
cannot be debated or amended

**Postpone a motion indefinitely:**  
needs a second  
can be debated  
cannot be amended

**Withdraw a motion:** if no objections, a motion can be withdrawn.  
if any member objects, withdrawal requires a vote.

**Call the question:** A request to stop debate and vote immediately on the pending motion.  
needs a second  
cannot be debated or amended  
requires 2/3 vote to pass

**Point of order:** A claim that something procedural is being done wrong.  
does not need a second  
no debate  
no amendment  
**no vote.** The presider rules on points of order.

# How to Conduct a Successful Meeting

The chair reviews the following steps with the membership annually after new appointments (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.
  - State the goal for each agenda item: information, discussion, or direction.
- 2) Inform**
  - Send out the agenda with enough lead time to prepare members for the discussion, and include appropriate background material with the agenda.
  - Make sure the agenda items accurately convey the subject and action.
- 3) Prepare**
  - Order the agenda so that the most important issues are covered first, with adequate time for discussion.
- 4) Structure and Control**
  - Define the issues and stay focused on them; avoid "spinning your wheels."
  - Keep the meeting within reasonable time parameters.
- 5) Plan the next steps**
  - Assign follow-through – who does what and by when.

## 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.
- 4) Recognize members to speak in the order in which they have sought recognition.
- 5) Keep participation balanced – discourage domination by one or two group members.
- 6) Keep participation respectful; stop abusive and belittling communications.
- 7) Ask input from those who have not spoken on an issue.
- 8) Stop side discussions among members while another person has the floor.
- 9) Clearly restate the motion before the vote.
- 10) Outside of the meeting, confront cases of persistent late arrival, early departure, or absenteeism.

### **Tips for Virtual Attendance in Hybrid Meetings:**

- 1) Identify yourself. Please put your name and position on the tag line associated with your picture.
- 2) Use your camera. These are public meetings, and in that spirit the public expect to see who is participating.
- 3) Use your mute button. When unmuting, allow a few seconds before you start talking.
- 4) Seek the chair's recognition. Use the "raise hand" feature or wave.
- 5) Be sure roll call votes are clear. Give the minutes-taker time to verify the results, if necessary.
- 6) Do not use the chat features; the public has a right to see deliberations take place. Using chat features may also create a public record and could create requirements for retention and/or disclosure.

## Definitions

**Abstain:** to decline to vote on an issue.

**Ad hoc:** created for a particular purpose

**Albany Comprehensive Plan:** a state-required plan that maps future land uses for the city.

**Albany Development Code (ADC):** the City's regulations for development and land use.

**Albany Municipal Code (AMC):** a codification of Albany's laws by ordinance.

**CAG Contact:** Staff Liaison or administrative support staff

**Capital Improvement Program:** a master plan for funding capital projects in the next five years.

**Charter:** Albany's founding document outlining the principles, functions, and organization of the city.

**Conflict of interest, actual:** a decision to be made would result in financial gain or loss to a councilor voting on the decision.

**Conflict of interest, potential:** a decision to be made *might* result in financial gain or loss to a councilor voting on the decision.

**Consent agenda:** includes items that are not expected to need discussion and can be passed with a single motion and vote.

**Council-manager:** the city manager directs the operation of the City according to the policies established by the elected council.

**Ex parte:** improper contact with one party in a quasi-judicial matter.

**Executive session:** a private meeting of the city council under authority of Oregon law to discuss a specific subject.

**Public Hearing, legislative:** a public hearing where the council acts like legislators, establishing or amending law.

**Public Hearing, quasi-judicial:** a public hearing conducted like a court proceeding, with the council as the judge. Quasi-judicial hearings must follow strict standards of fairness.

**Public notice:** Legally required notice of public meetings “reasonably calculated to give actual notice” to interested parties. The City gives notice by publishing the place and time of the meeting and the agenda of items that will be discussed.

**Public record:** a public record is information relating to the conduct of the City’s business, regardless of format (PDF, recording, hand-written notes, etc.).

**Quorum:** the number of members required to be present in order to conduct business.

**Recuse:** to decline to participate in discussion and decision-making due to a conflict of interest.

**Retention:** keeping a record for a required period of time according to a legal schedule.

**Robert’s Rules of Order:** the authoritative reference for conducting meetings effectively and efficiently.

**Serial meeting/Serial Communication:** A series of communication (such as using email, texting, or instant messages) among what turns into a quorum and is used to reach a decision.

**Statement of Economic Interest (SEI):** the state-required public disclosure of personal assets and income that could be materially affected by a councilor’s official acts.

## **Additional Resources**

Guide for Public Officials, Oregon Government Ethics Commission:

<https://www.oregon.gov/ogec/Pages/Guide-for-Public-Officials.aspx>

Information about ORS 192 – Records; Public Records and Meetings:

<https://www.doj.state.or.us/oregon-department-of-justice/public-records/public-records-and-meetings-law/>

Oregon Revised Statutes 192, 2021 edition:

[https://www.oregonlegislature.gov/bills\\_laws/ors/ors192.html](https://www.oregonlegislature.gov/bills_laws/ors/ors192.html)

ORS 244 – Government Ethics:

[https://www.oregonlegislature.gov/bills\\_laws/ors/ors244.html](https://www.oregonlegislature.gov/bills_laws/ors/ors244.html)

Restrictions on Political Campaigning for Public Employees, ORS 260.432:

<https://sos.oregon.gov/elections/Documents/restrictions.pdf>

Robert’s Rules of Order:

<https://www.robertsrules.com>

League of Oregon Cities Training Videos:

<https://www.orcities.org/education/training/elected-essentials>

### **City policies:**

Ethics ([HR-ER-04](#))

Workplace discriminatory harassment ([HR-ER-05](#))

Workplace respect and code of conduct ([HR-ER-20](#))

Council Policies for Citizen Advisory Groups:

<https://www.cityofalbany.net/council/policies?m=category&cat=Citizen+Advisory+Groups>



**[council.cityofalbany.net/groups](http://council.cityofalbany.net/groups)**