



Commission Policy and Procedure

SUBJECT: Public Meetings Policy and Procedure	EFFECTIVE DATE: <u>June 5, 2019</u> December 6, 2017
POLICY NUMBER: Commission Policy 1-3	REVIEWED: Adopted March 5, 1997 Reviewed November 7, 2017 Revised December 6, 2017 <u>Revised June 5, 2019</u> Approved by the Commission: 12/6/2017

1.0 PURPOSE

- 1.1 The purpose of this policy is to provide guidelines for public meetings according to ORS 192.610 to 192.690.

2.0 APPLICABILITY

- 2.1 This policy applies to the City Commission, all city boards, commissions, and committees that serve at the pleasure of the City Commission, and any other body that requires a quorum in order to make a decision.

3.0 IN GENERAL

- 3.1 The Oregon form of government requires an informed public aware of the deliberations and decisions of governing bodies and the information upon which such decisions were made. It is the intent of the City of Oregon City that decisions of its governing bodies be arrived at openly according to ORS 192.610 to 192.690.

4.0 DEFINITIONS

- 4.1 Decision. A decision means any determination, action, vote, or final disposition upon a motion, proposal, resolution, order, ordinance or measure on which a vote of a governing body is required, at any meeting at which a quorum is present.
- 4.2 Executive Session. An executive session is any meeting or part of a meeting of a governing body which is closed to certain persons for deliberation on certain matters.
- 4.3 Governing Body. A governing body means the members of any public body

which consists of two or more members, with the authority to make decisions for or recommendations to a public body on policy or administration.

4.4 Public Body. A public body is the state, any regional council, county, city or district, or any municipal or public corporation, or any board, department, commission, council, bureau, committee or subcommittee or advisory group or any other agency thereof.

4.5 Meeting. A meeting is 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. A meeting does not include any on-site inspection of any project or program. A meeting also does not include the attendance of members of a governing body at any national, regional or state association to which the public body or the members belong.

5.0 PUBLIC MEETING GUIDELINES

5.1 Open Meetings. All meetings of a governing body of a public body must be open to the public and all persons shall be permitted to attend any meeting except as otherwise provided by ORS 192.610 to 192.690.

No quorum of governing body shall meet in private for the purpose of deciding on or deliberating toward a decision on any matter except as otherwise provided by ORS 192.610 to 192.690.

All regular meetings will be adjourned no later than 10:00 p.m. unless extending the meeting until no later than 11:00 p.m. is ~~unanimously~~ agreed upon by the majority of the governing
~~body~~ present at the meeting.

All regular meetings of the City Commission, Planning Commission, and Historic Review Board should begin at 7:00 p.m.

5.2 Meeting Location. Meetings of a governing body of a public body shall be held within the geographic boundaries over which the public body has jurisdiction; or at the administrative headquarters of the public body; or at the nearest practical location.

A governing body shall not hold a meeting at any place where discrimination on the basis of race, creed, color, sex, age, national origin or disability is practiced. However, the fact that organizations with restricted membership hold meetings at the place shall not restrict its use by a public body if use of the place by a restricted membership organization is not the primary purpose of the place or its predominate use.

5.3 Public Notice. The governing body of a public body shall provide for and give public notice, reasonably calculated to give actual notice to interested persons including news media which have requested notice, of the time and place for holding regular meetings. The notice shall also include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.

5.3.1 If an *executive session only* (according to 192.660) will be held, the notice shall be given to the members of the governing body, to the general public and to news media which have requested notice, stating the specific provision of law authorizing the executive session.

5.3.2 No *special or emergency meeting* shall be held without at least twenty-four (24) hours notice to the members of the governing body, the news media which have requested notice and the general public. In the case of an actual emergency, a meeting may be held upon such notice as is appropriate to the circumstances but the minutes for such a meeting shall describe the emergency justifying less than twenty-four (24) hours notice.

5.4 Meeting Minutes. The governing body of a public body shall provide for the sound, video or digital recording or the taking of written minutes of all its meetings. Neither a full transcript nor a recording of the meeting is required, except as otherwise provided by law but the written minutes or recording must give a true reflection of the matters discussed at the meeting and the views of the participants. All minutes or recordings shall be available to the public within a reasonable time after the meeting.

A minimum of action minutes shall be provided and include at least the following information:

- All members of the governing body present;
- All motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
- The results of all votes and except for public bodies consisting of more than twenty-five (25) members unless requested by a member of that body, the vote of each member by name;
- The subject of any items discussed; and
- A reference to any document discussed at the meeting.

Minutes of *executive sessions* shall be kept in accordance with the above five (5) points. Instead of written minutes, a record of any executive session may be kept in the form of a sound video tape or digital recording which need not be transcribed unless otherwise provided by law. Material, the disclosure of which is inconsistent with the purpose for which a meeting under ORS 192.660 is authorized to be held, may be excluded from disclosure. However, excluded materials are authorized to be examined privately by court in any legal action and the court shall determine their admissibility. Any violation of these public meeting guidelines shall be subject to enforcement proceedings as specified in ORS 192.680 and 192.685.