

Meeting Procedures

BOARD, COMMISSION AND COMMITTEE MEETING PROCEDURES

Meetings are Open and Public

Meetings of Albany's boards, commissions and committees are open and public, and all persons have the right to attend these meetings. All meetings are conducted in compliance with the Ralph M. Brown Act, which is the State of California open meetings law (California Government Code Sections 54950 to 54962, inclusive). The intent language of the Brown Act captures the spirit and purpose of the open meeting requirements:

In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and other public agencies in this State exist to aid in the conduct of people's business. It is the intent of the law that their actions be taken openly and conducted openly.

The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants their right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

The Brown Act requires all meetings of legislative bodies, except specifically authorized executive sessions, to be conducted openly and in public. Albany's boards, commissions and committees are included in the Brown Act's definition of legislative body, as they have all been created either by charter, ordinance, resolution or formal City Council action to serve in a decision-making or advisory capacity. The Brown Act defines a meeting as: "Any congregation of a majority of members of a legislative body at the same time and place to hear, discuss or deliberate upon any item that is within the subject matter jurisdiction of the legislative body or the local agency to which it pertains."

Detailed information on the Ralph M. Brown Act, including the full text of the Act and a publication entitled Open & Public, which was prepared by a number of organizations (including the League of California Cities), is available from the City Administrator's Office or the City Clerk's Office.

Meeting Notices and Agendas

To ensure that meetings are truly open and public, the Brown Act includes requirements regarding effective public notice and meeting agendas. All meetings of Albany's boards, commissions and committees must be in compliance with these provisions.

For all regular meetings, an agenda containing a brief general description of each item of business to be considered must be posted at least 72 hours in advance of the meeting. The postings are at Albany City Hall, the Albany Library/Community Center and the Albany Fire Station. Full agenda packets, which include detailed information and communications regarding each item of business are prepared by staff and delivered to board, commission and committee members prior to the meeting for their review. In preparing for the meeting, members should carefully read the information included in the agenda packet and contact staff with any questions prior to the meeting. All agendas are posted on the City's website at www.albanyca.org. The City has a standardized agenda format and the agenda is prepared by the staff liaison in consultation with the Chair. Any Commission Member may place items of business on an agenda with advance notice and subject to availability of time.

Special meetings may be called by the board, commission or committee chairperson or by a majority of members. Notice of such meetings must be posted at least 24 hours in advance of the meeting and sent to all members, as well as to the local media. In these situations, the meeting notice constitutes the agenda, which must include the time and place of the meeting, as well as a listing of all business to be transacted.

The Brown Act prohibits legislative bodies from taking action on any item that is not included on the meeting agenda except in specific situations. These situations include the following: 1) When a majority of the members decides there is an emergency situation, as defined by the Brown Act. 2) When two-thirds of the members determine that there is a need for immediate action, which came to the attention of the local agency subsequent to the agenda being posted. 3) When an item appeared on the agenda of a meeting held not more than five days earlier and was continued from that meeting.

All regular meeting agendas provide the opportunity for members of the public to speak on any item of interest that falls within the scope of responsibility of the particular board, commission or committee. In addition, members of the public are always given the opportunity to comment on each item being considered at the meeting during consideration of the item.

Meeting Rules and Parliamentary Procedure

In order for a board, commission or committee to meet, conduct business and take action, a quorum must be present. A quorum is generally defined as a majority of appointed members to the particular advisory body. However, the Municipal Code includes specific quorum requirements for the Park & Recreation Commission (four members must be present for positive action) and the Planning & Zoning Commission (four members required for amendments to the Zoning Ordinance and selection of officers and three members required for all other matters).

Meetings of boards, commissions and committees are generally operated according to parliamentary procedure. Each advisory body may establish additional rules, limit debate and eject unruly persons if necessary.

Board, commission and committee action is taken by motion. Motions go through the following general steps:

1. The member making the motion asks to be recognized by the chair.
2. The member makes the motion (“I move...”).
3. Another member seconds the motion (if there is no second the motion dies).
4. The chairperson states the motion (the chair may require the maker to provide the motion language in writing to assure that members are clear as to what they are voting on).
5. The chairperson asks for discussion.
6. When the chairperson determines that there has been sufficient discussion, the debate is closed.
7. The chairperson puts the motion to a vote.

The vote on a motion may take the form of a “no objection” vote, in which the chair states that, if there is no objection, the motion passes unanimously. If members prefer, the vote may take the form of a voice or roll call vote. The Brown Act prohibits voting or taking action by secret ballot.

Roll of the Chairperson

During board, commission and committee meetings, the chairperson is responsible for overseeing the public debate in a manner that encourages input while facilitating the decision-making process. The chairperson should limit the discussion and debate to the particular scope of responsibility of the group and should ensure that all individuals have the opportunity to speak. The chairperson should expedite the business of the board, commission or committee by making sure that the discussion does not get off-track or bogged down on peripheral issues. A time limit may be imposed on speakers in order to allow multiple speakers to comment on an issue within the timeframe of the agenda.

Recess Policy

Pursuant to Resolution #03-56, the Albany City Council and members of City Commissions, Boards and Committees will recess during the month of August and between December 23rd and 31st; unless the City Council, City Administrator or Chair Persons determine that the importance of business requires convening a meeting.

E-Mail Policy

Due to Brown Act concerns, it is advised at this time that members of Commissions, Committees and Boards not e-mail one another except for scheduling meetings and similar administrative matters. Please contact your staff liaison for advice.