

Subject: Agendas and Minutes for Council, Boards and Committees
Policy No.: 000.0004
Effective Date: Revised 12/14/2020

PURPOSE: To ensure that agendas and minutes for all board and committee meetings (including but not limited to the Mayor and Council, Planning Commission, Parks and Recreation Advisory Board) are being properly administered by City staff pursuant to the Georgia Open Records and Open Meetings Act and the City's Retention Policy as now or hereafter amended.

RESPONSIBLE STAFF:

The Mayor and Council and its subcommittee's agendas and minutes are to be prepared and administered by the Office of the City Clerk.

The Planning Commission agendas and minutes are to be prepared and administered by Community Development Department.

The Parks and Recreation Advisory Board agendas and minutes are to be prepared and administered by the Parks and Recreation Department.

Ad Hoc Committees and Temporary Committees, such as the Impact Fee Committee, TAD Committee, etc., agendas and minutes are to be prepared and administered by the Department to which the Mayor and Council has assigned the duty of being the liaison or as appointed by the City Manager.

ANNUAL TRAINING:

Responsible staff must attend one training session per fiscal year on the Open Records/Open Meetings Act. This training is to be coordinated by the Office of the City Clerk.

AGENDA PROTOCOL

A. Who may request items be placed on the Mayor and Council's Regular Meeting or Work Session Agendas?

- Citizen (Through a Dept. Director, City Manager, City Clerk or Mayor and Council);
- Department Directors (with City Manager approval);
- City Manager;
- Assistant City Manager(s)
- City Attorney;
- Mayor Pro-tem in Mayor's Absence;
- One Council Member; or
- Mayor

B. Who may request to remove/withdraw an item from the "finalized agenda"?

- Anyone who may request an item be added to the agenda may also request an item be removed/withdrawn from the "finalized agenda". The request will be made known to the

Council on the night of the meeting and the City Council may then vote to withdraw the item, table the item or deny the request for withdrawal at their discretion.

- Requests for withdrawal by an applicant for an annexation, rezoning or variance should be sent to the Community Development Office no later than 5 pm on the day of the meeting, or prior to the beginning of the meeting, by either fax, email, regular mail or hand delivery.

C. Georgia Open Meetings/Record Act Compliance.

1. Agenda's must be created, posted and/or distributed as required by the Georgia Open Meetings Act) (OCGA Sec. 50-14-1)
2. In addition to the requirements of the Open Meetings Act, agendas shall also contain the following:
 - a. A brief description of the item to be discussed;
 - b. Who requested the item be placed on the agenda;
 - c. Back up information to support the request (if available)
 - d. Budget/Financial Information when appropriate.
3. The Mayor and Council, City Manager, City Attorney, Board/Committee Members and appropriate City staff, are to receive notification that the agenda packet has been posted to the website or an actual copy of the agenda and agenda packet at least 5 days prior to the date of the meeting. Staff must ensure receipt of this packet either by posting to the website, hand delivery, email or other means as required. The only exception will be in the event of a "special" called meeting where 5 days notice is not possible.
4. Information protected under the Open Records Act may be redacted prior to releasing to the public/media or staff.

MINUTES (Refer to 50-14-1 (a) (2) (e) (2) of the Georgia Open Meetings Act)

All proceedings of the Mayor and Council, Planning Commission or other board/committee must be recorded electronically and kept for one year from the date of the meeting. A written summary of the actions taken at the meeting with those present are required to be available two days after the adjournment of the meeting. The official written minutes of the meeting shall be promptly recorded and such records shall be open to public inspection.

Minutes must be signed by the Chair or Presiding Officer as well as the recorder of the minutes once approved by the board/committee. The date of approval must be listed on the minutes above the signature line. Only minutes bearing both signatures with an approval date will be considered "official minutes" from the date of this policy forward.

A draft copy of the minutes may be emailed or distributed to the Mayor and Council and/or board members (if applicable) within 72 hours or 3 business days after the meeting.

EXECUTIVE SESSIONS

Executive Sessions are allowed pursuant to the Georgia Open Meetings Act. The Chair or Presiding Officer is required to sign and have notarized an Affidavit pursuant to O.C.G.A. 50-14-4(b) certifying the closed portion of the meeting was devoted to matters within the exceptions provided by law as indicated on the form. Those requirements are as follows:

Staff meeting held for investigative purposes under duties or responsibilities imposed by law;

Meeting where the future acquisition of real estate was discussed. The authority understands that any such meeting remains subject to the requirements of the Georgia Open Meetings Act O.C.G.A.50-14-1 et.seq.) the “Act” for the giving of the notice of such a meeting to the public and preparing the minutes of such a meeting; provided however, the disclosure of such portions of the minutes as would identify real estate had been completed, terminated, or abandoned or court proceedings with respect thereto initiated;

Meeting where there is discussion of or deliberation upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee. The authority understands that the portion of the meeting which involves the authority receiving evidence or hearing argument on charges filed to determine disciplinary action or dismissal of a public officer or employee must be open to the public in accordance with the Act. The authority also understands that a vote on any matter covered by this paragraph shall be taken in public and minutes of the meeting as provided in the act shall be made available. The authority further understands that any meeting held to discuss or take action on the filling of a vacancy in the membership of the authority itself shall at all times be open to the public as provided in the act;

Meeting in order to consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the authority or any officer or employee or in which the authority or any officer or employee may be directly involved. The authority understands a meeting may not be closed for advice or consultation on whether to close a meeting.

Meeting on tax matters which are otherwise made confidential by state law.

This affidavit must be kept with the minutes.

ARCHIVAL OF MINUTES

Minutes of the Mayor and Council and all boards/committees are **permanent records** and must be archived accordingly. The Office of the City Clerk shall scan the signed minutes into the City’s Laserfiche once received by the appropriate department. The approved scanned minutes are hereby declared the “official” minutes of record.

It will be the responsibility of the department director and/or City Clerk as applicable to maintain the original copy of the minutes and any recordings pursuant to the Records Retention Schedule adopted by the Mayor and Council as now or hereafter amended.

Once the minutes of the Mayor and Council and/or Planning Commission meetings are approved/signed – a copy of these minutes shall be posted to the City’s website. The video archive of the Mayor and Council meetings shall be posted on the City’s website within 3 days of the meeting date. Unless otherwise requested, only the current and previous month’s video will be kept on the website, but an archive of these written/approved minutes will be kept on the City’s server.

MAYOR AND COUNCIL AGENDA PREPARATION

1. The City utilizes a paperless agenda software program for the preparation, approval and submittal of all agenda requests for the Mayor and Council and the Woodstock Planning Commission. This program is part of the City’s Sustainable Woodstock program to reduce cost and negative impact on the environment.

2. Agenda requests are due for submittal electronically, six days prior to the date of the meeting at Noon. Requests that are received after the deadline, incomplete or submitted after the agenda has been finalized will be moved to the next meeting date and will not be included in the agenda packet, unless otherwise requested by the Mayor, City Manager or Assistant City Manager.

Emergency Item Exceptions:

- In the rare instance that an item is deemed to be an emergency item and is approved for inclusion by the Mayor (or Mayor Pro-tem in his absence), and/or City Manager the item will be given to Council as an emergency item.
 - The staff member requesting the emergency item will be responsible for ensuring that the Mayor, Council, City Manager, Assistant City Manager's, City Clerk's Office and Media are notified of the request via email, hand delivery or phone call in advance of the meeting and that they receive the agenda request form with all necessary backup documentation.
 - The Council will have to vote on whether or not to add this emergency item to the agenda on the night of the meeting.
3. The Mayor and/or Mayor Pro-tem, City Manager, City Clerk, Department Directors and Key Staff, will meet on the Monday (one week) prior to the date of the meeting at 8:30 am at Woodstock City Hall to go over the requested agenda items, (date/time subject to change.)
 4. The City Clerk, or designee will review all agenda requests submitted electronically and ensure that they have been reviewed/approved by the appropriate staff.
 5. The City Clerk, or designee will coordinate the placement of each request on the agenda, generate the agenda and publish/post the agenda online and outside of the building as required by the open meetings act.