



Your Role as a Local Elected Official

How Well-Informed Public Officials Promote the Public Interest*

Training, education and keeping abreast of developments essential for the public service are the oldest form of education in California. The first compulsory education of which there is a record was for the public service.

The seventh Governor of California, Diego de Borica, a man of wit and charm, took office in 1794. This was 50 years before the ability to read, write and update one's knowledge of changing events was considered necessary for the common man. Finding that only 14 of his 50 soldiers at the capital in Monterey had the ability to read and write, de Borica made available the three touchstones of keeping up to date (teachers, money and materials) and started California's first compulsory education program, confining it to those in public service.

Nearly another century passed before there was compulsory education in California for the general populace. Consequently, any discussion of the role of elected leaders in California in "keeping up" stems from venerable precedents.

Thirty years ago, the League of California Cities published *Municipal Post-entry Training Needs and Resources*, which fostered modern policies to make available time, money and materials for keeping abreast.

One could spend an entire career examining the endless diversities of mayors, council persons, other city officials and the ways in which leadership greatness occurs. No matter how long the list or how exhaustive the examples, one recurring characteristic of leaders is an unquenchable thirst to learn, to absorb, to put theory into practice, and to follow and understand the ebb and flow of events as they unfold.

Very often, one finds extremely able women and men in governmental leadership positions who are skilled analysts but who cannot move from analysis to action because they lack the best and most current information. Maybe this is what General Carl Spatz had in mind when he said of a fellow officer in World War II, "He thinks things through very carefully and then goes off half-cocked." What is often lacking to keep local government officials from going off "half-cocked" is an inability to relate the specific situation in their city to the general situation or emerging trends and experiences of other cities and other local government officials, whether elected or appointed.

There is nothing sadder or more depressing than to hear from a public official, "I don't have time to go to this training program, or that statewide meeting of a League department." Or, "Our budget is too tight to spend money on trying to learn something new." Or, "We are not interested in what is going on in Sacramento, or within the various professions that make up local government, or how other cities similar to ours met and solved that problem."

* by Randy H. Hamilton, Institute of Governmental Affairs, University of California, Berkeley. Reprinted with permission from *Western City* magazine.

City officials are always quick to point out, and rightly so, the differences between the public and private sectors. One of the differences they frequently overlook is that when things are tough in the private sector the *last* thing that gets the budget ax is research, training and development. What are the *first* things that get cut when things are tough in the public sector? They are budgeted funds for training, continuing education and attendance at professional meetings to acquire the newest knowledge and ways of doing things. This approach to allocation of resources is one of the main differences between the public and the private sectors.

Local government leaders need a far-reaching “education” in the broadest sense: exposure to different points of view and current trends. City officials need the ability to openly look at issues and to adapt their thinking to clearly reflect the matters at hand, to seek the widest possible spectrum of orientation and options for policy formulation and implementation. It is often from the clash of old and new ideas that learning begins to take shape.

The League, through its many conferences, institutes, regional division activities, and the annual conference, provides an ideal vehicle for city officials, without enrolling in formal degree or training programs, to fulfill individual goals and improve public activities. The League does this by making “education” -- broadly defined -- become part of the everyday business of governance.

If history teaches us anything, it is that neither Plato’s philosopher-kings nor Jackson’s untutored citizenry can, in today’s world, safely manage a free society. There may have been a time in the past when cities could be run on the theory that any person could conduct the affairs of a municipality just as any person might poke a fire or rock a baby, but that won’t suffice today or tomorrow. Our urban areas are becoming too complex and central to the society in which we live for that simplistic approach to policy-setting, management and public endeavor.

An “educated” newly elected or appointed official has just begun his or her education upon election or appointment. He or she reads, discusses, assimilates knowledge all through the tenure in public life. It has become increasingly difficult for the well-educated to remain well-educated, however brilliant the individual may be. If he or she is in a moderately specialized professional field -- as most are -- it is a difficult job to keep up with advances in one’s own field, but doing so must not hinder or interfere with doing so in fulfillment of public responsibilities.

I recall an incident concerning a friend, an elected council person who was “too busy” to attend a specialized League conference. Had he attended, he would have learned that the speech he delivered at a City Council meeting, which was widely quoted in the press, urged approval of a policy that was clearly illegal. All hands suffered indignity and embarrassment when the city attorney and city manager had to publicly refute the council member’s position because he was “too busy” to keep up with the kaleidoscope of affairs municipal.

The late Justice Felix Frankfurter put it succinctly:

“Without . . . highly trained, imaginative and courageously disinterested public officials the democratic aim of our society cannot be achieved. Such a body of public officials is indispensable, no matter what social and economic policies may express the popular will in the

executive and legislative branches of Government.”

Would that every public official in every city in California took as an essential task continuing education and training in the broad sense expressed here. Then, perhaps, they would achieve the wish best expressed in the words of John Masefield’s couplet:

There were three men, as
Down the road came he;
The man they saw, the man he was,
The man he wanted to be.

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Steering the Ship

“When I ran for office, I was the captain of my ship, steaming through a successful election. Now that I’m a city council member, I feel like a novice on a tiny sailboat, tacking from point to point, trying to make headway.”

-- former Minneapolis city council member

Cooperation, coordination, collaboration – not unfamiliar concepts for most municipalities. But how can communities really practice these concepts? And what, in particular, is the role of elected and professional leaders in promoting them?

One popular strategy for reinventing community is reinventing how cities provided services to citizens – making them easier to use and cheaper to implement by reducing overlap and duplication. This strategy has worked effectively in cities of many sizes, and is often necessary to access complicated state and federal resources. A collaborative stance, however, can be an uneasy position for elected officials. After all, elected officials are accustomed to shaping their destinies, and city staff are accustomed to charting careful progress with procedures that emphasize stability and uniformity.

So what is collaboration? How is it different from the work most groups are used to doing? And how can city leaders promote and sustain effective collaborations? In this discussion. We’ll use a broadly accepted definition of collaboration from the Collaboration Handbook: Creating, Sustaining and Enjoying the journey by Karen Ray and Michael Winer: “Collaboration is a mutually beneficial and well-defined relationship entered into by two or more organizations to achieve results they are more likely to achieve together than alone.”

A Metaphor for Collaborating

In the past, when we wanted to improve ourselves we created a task force or an office to make changes, to oversee planning, and to spend resources. We added programs, staff or facilities to ensure we met our needs. In essence, we built a bigger boat. It’s always been done that way. This way, we’re in control of the ship and we can clearly assign accountability to specific individuals. We can forecast the cost of building a bigger boat and predict any risk.

Unfortunately, we’ve learned that all that luxurious control carries a high price tag. Staff and programs cost money and our huge vessel grows difficult to navigate. It’s almost as if we’ve set up a wonderful target for all the rest of the flotilla to attack. For we are not in our boat alone. Many of our citizens and the organizations they belong to also care passionately about the services the city provides. Many people are shipping off to a destination called Reinventing Community in various crafts like canoes, dugouts, speedboats, tugs, barges, and anything else that can float.

Collaborating is like building a marina – making space for everyone’s vessel; collecting all that passionate interest and using it effectively. A marina handles many different ships or boats, and creates order so each can move the way it needs to. The role of leaders is to create an

environment that promotes collaboration. Leaders are like managers of marinas, or of environments that encourage redesign of systems and bail our duplication of cost or service.

The Process of Collaboration

Collaborations develop over time – just as marinas do – and are fueled with passion, power and politics. Partnerships usually start person-to-person. A city administrator has lunch with an agency director and they get excited about a new idea. During the first stage of collaboration, individuals imagine the results they want and excite others about that vision – often one person or small group at a time. This stage is characterized by many meetings and revisions of the initial vision statement to reflect everyone’s passions. Our marina makes space for all passionate sailors so the each can participate and contribute.

Passion: The Leader’s Role

Recognize that other people’s passions will not go away. You can rely on them to show up at public meetings, for instance, in order to be heard. How can you round up all of that energy and resources and guide it to good results? Do you have the right people, able to make decisions for their agencies or groups, in the room working together?

Now admit to yourself and to others what you will get out of this change. What is your personal self-interest? We use words like “hidden agenda” or “turf” to refer to other people’s self-interests, but self-interest is not inherently bad after all, it got you your job. Hiding self-interest or being evasive about it is what makes us targets of suspicion.

Gradually, the focus in a collaboration shifts from individuals to the organizations they represent. It’s great to be passionate about a dream and the desired results, but it’s going to take the organizations’ resources to make those results happen. It’s at this stage that wise partnerships collect everybody’s power and apply it to achieve results. Trying to reduce someone else’s power, ignoring conflicts, and avoiding difficult discussions and decisions indicates that true collaboration is not happening.

Power: The Leader’s Role

At this point leadership may play its most vital role surfacing conflict and keeping the vision and desired results central to decision making. People naturally avoid the difficult discussions and dialogues that true change engenders. Someone may be perceived as a potential “loser” if systems are reformed. Your job as leader is to help the group face that prospect, and treat it professionally and bravely. Do you insist on resolving long-standing conflicts?

Specific action plans emerge as conflicts are resolved. Organizations make real headway when they start responding to the plans by changing individual policies and procedures. Once again, the marina metaphor illustrates the point: plenty of meetings with marina builders, officials and bureaucrats occur in the marina architect’s office. But all the meetings in the world lead to nothing unless ground is broken and construction begins.

Politics: The Leader's Role

Partnerships use politics to break ground and accomplish plans. As political will for change builds, a collaboration enters its maturity. Communities are reinvented as city leaders and community participants put new standard operating procedures in place. This takes time so leaders must keep the enthusiasm brewing. Do you openly ask organizations to change policies, and do you help groups assess whether or not the changes are working?

Real Change

Charles Bruner earns us in his book *Thinking Collaboratively: Ten Questions and Answers to Help Policy Makers Improve Children's Services*, that efforts to repair fragmented systems often result in “pro forma responses to mandates” rather than in real changes. This is because collaboration requires courage to resolve conflict, and leadership to support the long-term effort required by true partnerships. You can reinvent your community if you remember your role as a leader: to ask yourself these questions so that you create and sustain an environment where the principles of collaboration are applied at all stages of work.

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Council Conduct with City Staff, the Public, and Each Other

Council Conduct with One Another

“In life, courtesy and self-possession, and in the arts, style, are the sensible impressions of the free mind, for both arise out of a deliberate shaping of all things and from never being swept away, whatever the emotion, into confusion or dullness.”

--William Butler Yeats

Councils are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even as Council may “agree to disagree” on contentious issues. The City’s Code of Ethics & Values should be referred to for positive statements of ethical behavior.

IN PUBLIC MEETINGS

Use formal titles.

It is preferred that Council refer to one another formally during public meetings as Mayor, Vice Mayor or Council Member followed by the individual’s last name.

Practice civility and decorum in discussions and debate.

Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. However, making personal, slanderous, threatening, abusive, or disparaging comments is not appropriate. No shouting or physical actions that could be construed as threatening will be permitted.

Honor the role of the Chair in maintaining order.

It is the responsibility of the Chair to keep the comments of all participants on track during public meetings. Council Members should honor efforts by the Chair to focus discussion on current agenda items. If there is disagreement about the agenda or the Chair’s actions, those objections should be voiced politely and with reason, following procedures outlined in Robert’s Rules of Order.

Demonstrate effective problem solving approaches.

Council Members have a public stage to show how individuals with disparate points of view can find common ground and understanding, negotiating solutions that benefit the community as a whole.

IN PRIVATE ENCOUNTERS

Continue respectful behavior in private.

The same level of respect and consideration of differing points of view, that is deemed appropriate for public discussions, should be maintained in private conversation.

Be aware of the insecurity of written notes, voicemail messages, and e-mail.

Technology allows words written or said without much forethought to be distributed wide and far. Would you feel comfortable to have this note faxed to others? How would you feel if this voicemail message was played on a speakerphone in a full office? What would happen if this e-mail message was forwarded to others? Written notes, voicemail messages and e-mail should be treated as potentially “public” communication.

Even private conversations can have a public presence.

Elected officials are always on display – their actions, mannerisms, and language are monitored by people around them that they may or may not know. Lunch table conversations can be eavesdropped upon, parking lot debates may be watched, and casual comments between individuals before and after public meetings noted.

Council Conduct with City Staff

“Whenever there is a human being, there is an opportunity for kindness.”

--Seneca

Governance of a City relies on the cooperative efforts of elected officials, who set policy, and the City Manager and staff, who implement and administer the Council’s policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

Treat all staff as professionals.

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

Direct staff issues and assignments to the City Manager.

Assignments for City staff and/or requests for additional background information should be directed only to the City Manager.

Requests for follow-up or directions to staff should only be made through the City Manager or the City Attorney when appropriate. Materials supplied to a Council Member in response to a request will be made available to all members of the Council so that all have equal access to information.

Never publicly criticize an individual employee.

Council should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee’s supervisor. Comments about staff performance should only be made to the City Manager through private correspondence or conversation. Comments about staff in the office of the City Attorney should be made directly to the City Attorney.

Allow staff to handle administrative functions.

Council Members must not attempt to influence City staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of City licenses and permits.

Check with the City Manager on correspondence before taking action.

Before sending correspondence, Council Members should check with the City Manager or Executive Assistant to the Mayor and City Council to see if an official City response has already been sent or is in progress.

Limit requests for staff support.

Routine secretarial support will be provided to all Council Members. All mail for Council Members is opened by the Executive Assistant to the Mayor and City Council, unless other arrangements are requested by a Council Member. Mail marked personal or confidential is not opened.

Requests for additional staff support – even in high priority or emergency situations – should be made to the City Manager who is responsible for allocating City resources in order to maintain a professional, well-run City government.

Do not solicit political support from staff.

Council Members should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from City staff. City staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace. City employees are prohibited from using City resources, City time or appearing in uniform in relation to political activities.

Council Conduct with the Public

“If a man be gracious and courteous to strangers, it shows he is a citizen of the world, and that his heart is no island cut off from other lands, but a continent that joins to them.”

--Francis Bacon

IN PUBLIC MEETINGS

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual Council Members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

Be welcoming to speakers and treat them with care and gentleness.

Most residents may be nervous speaking before the City Council since they do not do it very often. They may feel uncomfortable and emotional. Putting speakers at ease will allow them to express their viewpoints more effectively, make Council meetings run more efficiently, and help the democratic process be fulfilled.

Be fair and equitable in allocating public hearing time to individual speakers.

The Chair will determine and announce limits on speakers at the start of the public hearing process, per Council policy. Generally, each speaker will be allocated four minutes with applicants and appellants or their designated representatives allowed 10 minutes. If many speakers are anticipated, the Chair may ask for speaker cards to be filled out and may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers.

No speaker will be turned away unless he or she exhibits inappropriate behavior. Each speaker may only speak once during the public hearing unless the Council requests additional clarification later in the process. After the close of the public hearing, no more public testimony will be accepted unless the Chair reopens the public hearing for a limited and specific purpose.

Give the appearance of active listening.

It is disconcerting to speakers to have Council Members not look at them when they are speaking. It is fine to look down at the documents or to make notes, but reading for a long period of time, gazing around the room, or entering into prolonged dialogue with adjacent Council Members or staff gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as “smirking,” disbelief, anger or boredom.

Ask for clarification, but avoid debate and argument with the public.

Only the Chair – not individual Council Members – can interrupt a speaker during a presentation. However, a Council Member can ask the Chair for a point of order if the speaker is off the topic or exhibiting behavior or language the Council Member finds disturbing.

If speakers become flustered or defensive by Council questions, it is the responsibility of the Chair to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Council Members to members of the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Council Members’ personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing is closed.

Undertake no personal attacks of any kind, under any circumstance.

Council Members should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.

Follow parliamentary procedure in conducting public meetings.

The City Attorney serves as advisory parliamentarian for the City and is available to answer questions or interpret situations according to Roberts Rules or Order. Final rulings on parliamentary procedure are made by the Chair, subject to the appeal of the full Council.

IN UNOFFICIAL SETTINGS

Make no promises on behalf of the Council.

Council Members will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of City policy and to refer to City staff for further information or appropriate action. It is inappropriate to overtly or implicitly promise Council action, or to promise City staff will do something specific (fix a pothole, remove a library book, plant new flowers in the median, etc.)

Make no personal comments about other Council Members.

It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Council Members, their opinions and actions.

Remember that Council Members are always on display.

Council Members are constantly being observed by the community every day that they serve in office. Their behaviors and comments serve as models for proper deportment in their city. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by Council Members, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

Council Conduct with Other Public Agencies

Be clear about representing the City or personal interests.

If a Council Member appears before another governmental agency or organization to give a statement on an issue, the Council Member must clearly state if his or her statement reflects personal opinion or is the official stance of the City.

If the Council Member is representing the City, the Council Member must support and advocate the official City position on an issue, not a personal viewpoint.

If the council Member is representing another organization whose position is different from the City, the Council Member should withdraw from voting on the issue if it significantly impacts or is detrimental to the City's interest. Council Members should be clear about which organizations they represent and inform the Mayor and Council of their involvement.

Correspondence should also be equally clear about representation.

City letterhead may be used when the Council Member is representing the City and the City's official position. A copy of official correspondence should be given to the Executive Assistant to the Mayor and City Council to be filed in the Council Office as part of the permanent public record.

Correspondence of Council Members representing a personal point of view on a City issue, or a dissenting point of view from an official Council position, should make it clear that the views expressed represent only the individual Council Member.

Council Conduct with Boards, Commissions and Committees

“We rarely find that people have good sense unless they agree with us.”

--Francois, Duc de La Rochefoucauld

The City has established several Boards, Commissions and Committees (collectively referred to as City Commissions) as a means of gathering more community input. Citizens who serve on City Commissions become more involved in government and serve as advisors to the City Council. They are a valuable resource to the City’s leadership and should be treated with appreciation and respect.

If attending a City Commission meeting, express personal opinions only.

Council Members may attend any City Commission meeting, which are always open to any member of the public. However, they should be sensitive to the way their participation – especially if it is advocating a certain position – could be viewed as unfairly affecting the process. Any public comments by a Council Member at a City Commission meeting should be clearly made as individual opinion and not a representation of the feelings of the entire City Council, unless the Council has taken a position on the topic. Council Members should not appear before a commission on behalf of an individual, business or developer.

Remember that City Commissions serve the community, not individual Council Members.

The City Council appoints individuals to serve on City Commissions, and it is the responsibility of City Commissions to follow policy established by the Council. But City Commission members do not report to individual Council Members, nor should Council Members feel they have the power or right to threaten City Commission members with removal if they disagree about an issue. Appointment and re-appointment to a City Commission should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A City Commission appointment should not be used as political “reward.” Concerns about an individual City Commission member should be discussed with the Mayor.

• Be respectful of diverse opinions.

A primary role of City Commissions is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Council Members may have a closer working relationship with some individuals serving on the City Commissions, but must be fair and respectful of all citizens serving on City Commissions.

Keep political support away from public forums.

City Commission members may offer political support to a Council Members, but not in a public forum while conducting official duties. Conversely, Council Members may support board and commission members who are running for office, but not in an official forum in their capacity as a Council Member.

Preparing for Successful Public Meetings: Checklist for Before, During, and After

These are general suggestions. Formal board, commission or council meetings will have additional and more technical preparation requirements.

Before the Meeting

The Issue

- Develop a clear statement about the topic and how it might affect the public.
- Set clear expectations about the purpose of the meeting and intended outcomes.
- Create an agenda with estimated times, and whether an item is information, review or a decision.

Outreach

- Identify which types of community members you hope will attend.
- In addition to advisory boards and task forces, speak to leaders from a wide range of groups (such as school, business, faith-based, health and neighborhood groups).
- Send out an e-blast; issue a press release; post to blogs.
- Use social media to announce the meeting and invite people. Include directions, transit routes and suggestions about parking.
- Reach out to the community; talk to people one on one and to groups at *their* meetings.
- Translate outreach materials as needed and share with appropriate community groups.

Logistics

- If you have flexibility, choose a time of day that is convenient for those you are trying to include.
- Make sure the facility and equipment are suited to your intended purpose and audience.

- Determine if special accommodations are warranted (for example, food, childcare, translation services or devices).

Information

- Educate oneself and staff about the topic ahead of time.
- Line up subject matter experts as needed; explain the need to translate technical information into plain language that everyone can understand.
- Make information available to the public before the meeting, in a variety of formats including online and via community outreach.
- Invite questions ahead of time.
- Determine application of open meeting laws and assure compliance.

During the Meeting

Explaining the Process

- Be clear who is running the meeting.
- Define the goal of the meeting, key topics and what decisions will or will not be made.
- Introduce all public officials.
- Explain the meeting process, when it is the public's turn and time restrictions (and the reasons for the time restrictions).
- Clarify how comments will get recorded and used.

Information Sharing

- Have high quality visual aids and adequate handouts.
- Keep explanations as simple as possible and avoid acronyms and technical terms.

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Managing the Discussion

- Set a friendly tone.
- Be attentive and use active listening skills.
- Explain what plan/process the agency is using to determine what is on topic and off topic.
- Capture off topic comments to be addressed at a different time.
- Be honest about what the agency can and cannot do; define parameters.
- Solicit comments from those not heard, using direct invitation, such as a “last call” or cards requesting written comments.

Creating a Welcoming Environment

- Provide food (ideally multi-ethnic to match your community’s preferences).
- Offer name tags and sign-in sheets; collect emails for follow-up (keeping in mind that it is optional for attendees to provide their names and contact information).
- Express appreciation to all attendees.
- Provide an anonymous feedback form to all attendees to learn what worked well and what can be improved for next time.

After the Meeting

- Prepare and post a meeting summary.
- Send out an “e-blast” about decisions, action items, next steps and any follow-up meetings; provide a specific contact person.
- Reach out to attendees who did not speak up during the meeting (they may care just as much but may be introverts).
- Follow up with those who might be disappointed with the decision; encourage them to stay involved.
- Keep asking for feedback and continue to provide information about the issue.
- Apply the evaluation to the next public process.

“Before the meeting, educate the public. During the meeting, educate the public. After the meeting, keep educating the public.”

- Advice shared by a County Supervisor at a
CSAC Institute Training

Resources Available through the Institute

The Institute’s Meeting Resource Center aims to help local officials and agency staff make the most of meeting time. www.ca-ilg.org/meeting-resource-center

About the Institute for Local Government

This checklist is a service of the Institute for Local Government (ILG) whose mission is to promote good government at the local level with practical, impartial and easy-to-use resources for California communities.

ILG is the nonprofit 501(c)(3) research and education affiliate of the League of California Cities and the California State Association of Counties. For more information and to access the Institute’s resources on local government 101 and public engagement, visit www.ca-ilg.org/local-government-101 and www.ca-ilg.org/engagement. To access this resource directly, go to [www.ca-ilg.org/ PublicMeetingPrepChecklist](http://www.ca-ilg.org/PublicMeetingPrepChecklist).

The Institute welcomes feedback and suggestions for improving this resource:

- *Email:* publicengagement@ca-ilg.org Subject: *Preparing for Successful Public Meetings: Checklist for Before, During and After*
- *Mail:* 400 K Street, Suite 205 ▪ Sacramento, CA ▪ 95814

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Making Your Open Public Meetings More Effective



California law provides general rules which local agencies must follow when conducting official business. In addition to state law, many local agencies have their own rules of conduct and procedure. However, merely following the laws and rules will not always result in an effective meeting. Outlined below are the basics of California's open meeting laws as well as tips for both local officials and the public to help ensure a successful meeting.

Basics of California's Open Meeting Laws

- Elected and most appointed local-agency bodies must conduct their business in open and public meetings.¹
- The law allows for private discussion during closed sessions under very limited circumstances.²
- A "meeting" is any situation involving a majority of a public body in which agency business is transacted or discussed. In other words, a majority of the body cannot communicate privately about a matter of agency business no matter how the communication occurs, whether by telephone or e-mail, or at a local coffee shop.³
- The public must be informed of the time and place of each meeting and the issues to be addressed.⁴
- The agenda must be posted at least 72 hours in advance of a regular meeting and written in a way that informs people of what business will be discussed.⁵ Special meetings require 24-hour notice to the members of the governing body and media outlets and must include a brief description of the business that will be discussed.⁶
- In general, public officials may only discuss and act on items included on the posted agenda for a meeting.
- The public has a right to address the governing body at any meeting.⁷
- Local agencies may adopt reasonable rules to ensure everyone has an opportunity to be heard in an orderly manner.⁸ For example, some agencies impose a uniform time limit on each person providing public comments on an issue.
- Sign-in at meetings is voluntary. Members of the public cannot be required to register their name or satisfy any other condition for attendance. If an attendance list is used, it must clearly state that signing the list is voluntary.⁹

- Anonymous speech must be permitted.¹⁰
- When comments fall within the purview of the governing body, a chairperson cannot stop a speaker from expressing opinions and/or criticisms of the governing body.¹¹
- If an individual or group willfully interrupts a meeting and order cannot be restored, the room may be cleared.¹² Members of the media must be allowed to remain and only matters on the agenda can be discussed.¹³
- Anyone attending a meeting may photograph or record it with an audio or video recorder unless the governing body makes a finding that the noise, illumination or obstruction of view will disrupt the meeting.¹⁴

Effective Public Meetings: Best Practices

Tips for Elected and Appointed Officials

- **Be Clear About the Process**
 - Be clear about who is running the meeting and explain the role of the presiding officer (chair of the meeting).
 - The chair can help ensure a more successful meeting by:
 - Explaining the meeting process and outlining local rules and procedures at the beginning of the meeting, including any limitations on public participation.
 - Assuring people that they will be allowed to share their views.
 - Reminding all participants (governing body and public) to be compassionate about the fear of public speaking; do not allow heckling or applause.
- **Be Prepared**
 - Educate yourself about agenda items before the meeting.
 - Make information available to the public before the meeting.
 - Reach out to the community; talk to community members one-on-one and to groups at their meetings.
 - Invite questions ahead of the meeting.

A Note on Civility

- First and foremost, everyone should treat others how they would like to be treated.
- Set a friendly tone.
- Demonstrate civility toward members of the governing body as well as the public.
- Embrace diverse points of view.
- Consider using titles – using titles and last name is a sign of respect.
- Separate the person from the problem – avoid personal attacks, name calling or questioning people’s motives. These actions undermine your effectiveness and your message.
- Avoid engaging in debates and interruptions.
- Be attentive and use active listening skills.
- Limit statements in discussions to those that move the conversation forward.
- Keep remarks brief, to the point and non-repetitive of comments others have made.

Tips for Public Participants

- **Be Clear About the Process**
 - Understand open meeting laws, local rules and meeting procedures.
 - Understand the role of the presiding officer (chair of the meeting).
- **Be Prepared**
 - Educate yourself about agenda items before the meeting.
 - Review any informational material made available before the meeting.
 - Familiarize yourself with the members of the decision-making body so that you can address them at the meeting.

- Reach out to your local decision-makers and agency staff before the meeting and share your thoughts in advance.
- Submit letters of support or opposition, or any questions you may have to the decision-making body before the meeting.
- If planning on making comments during the public comment period, prepare your remarks in advance.

About the Institute for Local Government

ILG is the nonprofit 501(c)(3) research and education affiliate of the League of California Cities, the California State Association of Counties and the California Special Districts Association. For more information and to access the Institute's resources on local government basics visit www.ca-ilg.org/local-government-basics.

The Institute welcomes feedback on this resource:

- *Email:* info@ca-ilg.org Subject: *Making Your Public Meetings More Effective*
- *Mail:* 1400 K Street, Suite 205 ▪ Sacramento, CA ▪ 95814

ENDNOTES

¹ See Cal. Gov't Code § 54952.2(a); Cal. Gov't Code § 54954.2(a).

² See Cal. Educ. Code § 72122.

³ See Cal. Gov't Code § 54952.2(b); Cal. Educ. Code § 72121.

⁴ See Cal. Gov't Code §§ 54954.2, 54956, 54956.5.

⁵ See Cal. Gov't Code § 54954.2.

⁶ See Cal. Gov't Code § 54956.

⁷ See Cal. Gov't Code § 54954.3.

⁸ See Cal. Gov't Code § 54954.3(b); *White v. City of Norwalk*, 900 F.2d 1421, 1425 (9th Cir. 1990).

⁹ See Cal. Gov't Code § 54953.3.

¹⁰ See Cal. Gov't Code § 54953.3.

¹¹ See Cal. Gov't Code §§ 54954.3(c), 54957.9; *Perry Educational Association v. Perry Local Educators' Association*, 460 U.S. 37, 46 (1983).

¹² See Cal. Gov't Code § 54957.9.

¹³ See Cal. Gov't Code § 54957.9.

¹⁴ See Cal. Gov't Code § 54953.5(a).