

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:

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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).