CITY OF CLAYTON

Founded 1857 .. Incorporated 1964

AGENDA

SPECIAL MEETING

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CLAYTON CITY COUNCIL

* * *

MONDAY, March 21, 2022

4:00 P.M.

*** NEW LOCATION***

The City of Clayton will be moving back toward in-person meetings as COVID-19 statistics continue to improve in Contra Costa County.

For the Special Meeting on Monday March 21, 2022, the City Council Chamber (Hoyer Hall) will not be open to the public consistent with the recommendation of the Contra Costa County Health Officer and members of the public will be able to participate virtually pursuant to the provisions of AB 361. The public is invited to watch and participate via the methods listed below.

Mayor: Peter Cloven
Vice Mayor: Holly Tillman

Council Members
Jim Diaz
Jeff Wan
Carl Wolfe

- A complete packet of information containing staff reports and exhibits related to each public item is available for public review on the City's website at **www.claytonca.gov**

- Agendas are posted at: 1) City Hall, 6000 Heritage Trail; 2) Library, 6125 Clayton Road; 3) Ohm's Bulletin Board, 1028 Diablo Street, Clayton; and 4) City Website at **www.claytonca.gov**

- Any writings or documents provided to a majority of the City Council after distribution of the Agenda Packet and regarding any public item on this Agenda is available for review on the City's website at **www.claytonca.gov**

- If you have a physical impairment that requires special accommodations to participate, please call the City Clerk's office at least 72 hours in advance of the meeting at (925) 673-7300.

Instructions for Participating in the Special City Council Meeting of March 21, 2022

To follow or participate in the meeting:

1. **Videoconference:** to follow the meeting on-line,

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join. https://us02web.zoom.us/j/83008893660

Or One tap mobile:
   +16699009128,,83008893660# US (San Jose)

Or join by phone:
   Dial 877 853 5257 (Toll Free) or 888 475 4499 (Toll Free)
   Webinar ID: 830 0889 3660

E-mail Public Comments: If preferred, please e-mail public comments to the City Manager Reina Schwartz (reinas@claytonca.gov) by noon on the day of the City Council meeting. All E-mail Public Comments will be forwarded to the entire City Council.

For those who attend the meeting via videoconferencing or telephone shall have 3 minutes for public comments.

* CITY COUNCIL *
March 21, 2022

1.   **CALL TO ORDER AND ROLL CALL** – Mayor Cloven.

2.   **MEETING PROTOCOL VIDEO**– City Clerk

3.   **PLEDGE OF ALLEGIANCE –** led by Councilmember Diaz.

4.   **PUBLIC COMMENT ON NON - AGENDA ITEMS**
     Members of the public may address the City Council on items within the Council's jurisdiction, (which are not on the agenda) at this time. To assure an orderly meeting and an equal opportunity for everyone, each speaker is limited to 3 minutes, enforced at the Mayor's discretion. In accordance with State Law, no action may take place on any item not appearing on the posted agenda. The Council may respond to statements made or questions asked, or may at its discretion request Staff to report back at a future meeting concerning the matter.
     Public comment and input on Public Hearing, Action Items and other Agenda Items will be allowed when each item is considered by the City Council.

5.   **ACTION ITEMS**

     (a)   Review, Discuss and Define City Council Goals for FY2022/23   View Here
           a. Review of FY2021/22 City Council Goals and Status
           b. Identify and discuss potential goals for FY2022/23

           RECOMMENDATION: By majority consensus, set Goals for Fiscal Year 2022/23.

     (b)   Review Clayton City Council Guidelines and Procedures (May 2019) View Here
           RECOMMENDATION: By majority consensus, amend and update the Clayton City Council Guidelines and Procedures.

     (c)   Consideration of Format for April 5, 2022 City Council Meeting View Here
           RECOMMENDATION: Confirm format (all virtual or hybrid virtual) for the April 5, 2022 City Council meeting.

12.   ADJOURNMENT

# # # # #

Update on FY2021/22 City Council Priority Areas

City Council Special Meeting

March 21, 2022

Land Use and Housing

1. Complete a state required Housing Element Update (Mandated; $) - in process/on track for completion by the state deadline of January 2023.

2. ADU Ordinance (2020; $) – work has begun in 1st quarter 2022

3. General Plan Safety and Circulation Element Updates (New; $) – evaluating timing; will need to incorporate Local Hazard Mitigation Plan now that it is complete.

2

Public Safety

1. Update Local Hazard Mitigation Plan (2020; $) – Completed and approved by FEMA.

2. Update Emergency Operations Plan (New; $) – No progress has been made; need to determine if this is a high citywide priority.

3. Implement Nixle – for improved emergency communication with the community (New; $) – Implemented in December 2021.

4. Improve pedestrian/traffic safety (2020; $) – Advance Warning "Signal Ahead" signs approaching Diablo View Middle School have been installed (February 2022). Other improvements being evaluated on an ad hoc/ongoing basis.

Financial Stability

1. Develop long-term financial plan (2020) – Revenue options and timeline for ballot measure presented to City Council February 2022.

2. Adopt a Financial Reserve policy (2020) – draft completed; delayed for final draft to allow new Finance Director to come on board and complete audit.

3. Improve Capital Improvement Project (CIP) information and planning (2020) – plan to address with FY2022/23 CIP budget.

Quality of Life

1. Consider joint fireworks event in conjunction with Concord/in Concord (New; $) Concord held event.

2. Consider a Community Survey (New; $) – No progress made on a general citywide community satisfaction type survey; specific surveys have been completed related to the Housing Element Update and ARPA funding. Further polling to be completed related to potential tax measure.

3. Review Cannabis Ordinance (2021) – Council considered in May 2021 with direction to amend the City's Ordinance; Planning Commission recommended approval to allow outdoor cultivation in October; outdoor cultivation for personal use approved by the Council in December 2021.

Good Governance

1. Install technology to provide Closed Captioning of Council Meetings (2020; $) In process, funding needed.

2. Update Purchasing Policy (2020) – Completed January 2022.

3. Update Employee Handbook (New) in process through Lexipol (automated, updated, includes tracking of policy acknowledgement and annual refresher); First round of revised policies ready to be issued.

4. Update City IT infrastructure (including continued digitizing of records) (2020; $) – slow progress; still need to identify funding for improvements.

5. Create annual City Manager contingency for small unforeseen events/needs (New; $) No change.

6. Improve employee recruitment and retention (2020; $) – new MOU for Police effective July 1, 2021 addressed some compensation issues; Miscellaneous compensation to be reviewed prior to June 30, 2022 per Terms & Conditions of Employment for that group. Will need to be addressed in the context of the FY2022/23 operating budget.

FY2022/23 City Council Goals

Balancing Staff Capacity and Council Priorities
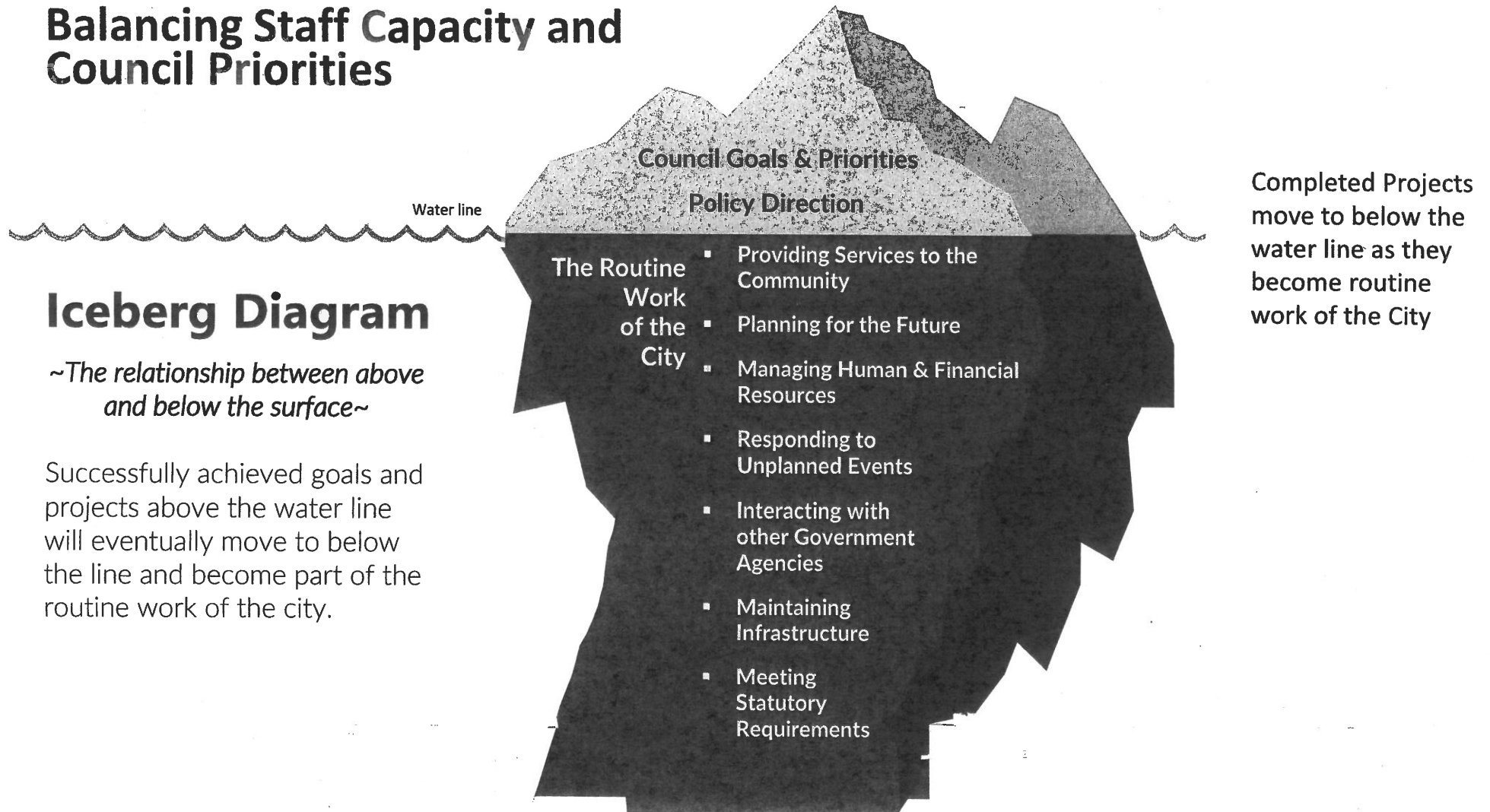
Iceberg Diagram

~The relationship between above and below the surface~

Successfully achieved goals and projects above the water line will eventually move to below the line and become part of the routine work of the city.

Water line

Council Goals & Priorities

Policy Direction

The Routine Work of the City

- Providing Services to the Community
- Planning for the Future
- Managing Human & Financial Resources
- Responding to Unplanned Events
- Interacting with other Government Agencies
- Maintaining Infrastructure
- Meeting Statutory Requirements

Completed Projects move to below the water line as they become routine work of the City

City Council Guidelines and Procedures

City Council Special Meeting

March 21, 2022

Council Guidelines & Procedures

- With the exception of a minor change in 2019 related to use of electronic communication during the meetings, the current Procedures have been in place since 2007.

- Consideration of discussion and update/confirmation of the Guidelines has been requested a few times in the last year.

- From a process standpoint, the City Manager recommends formalizing the process for how items requested by individual Council members are incorporated into future Council Agendas.

Future Agenda Items

- To place an item on a future agenda, a Council member (including the Mayor) should make a motion to that effect during the section of the Agenda entitled "Council Items"

- If the motion to place an item on a future agenda is seconded and approved by a majority vote of those Council members present, the proposed item will be placed on a future agenda. If the motion is silent with regard to timing, the proposed item will be placed on a future agenda at the earliest appropriate time, as determined by the City Manager and Mayor. If the motion provides specific direction regarding timing, the proposed item will be placed on a future agenda consistent with that direction.

- No discussion of the subject of the motion may occur except to explain the general nature of the item, including the issue of timing for Council's consideration of the item.

COUNCIL GUIDELINES AND PROCEDURES

* CITY OF CLAYTON *

In order to maximize the effectiveness of the Clayton City Council, the following guidelines have been adopted.

A.   GENERAL

1. The Council takes courageous action when necessary to keep Clayton on the cutting edge of well-run, well-managed, innovative cities.

2. The Council provides leadership and participates in regional, state and national programs and meetings.

3. The Council looks to its Commissions and Committees for independent advice and some legislative actions.

4. There is extensive citizen participation and work on City programs and documents.

5. There are numerous meetings other than regular Council meetings.

6. There is a commitment to training for staff, Council and Commission members.

7. Council Members will inform the City Clerk when they will be out of town as early as possible so absences can be calendared.

8. Council Members receive the same information as much as possible: Citizen complaints, letters, background, etc. [All Members receive copies of everything].

9. Technology is used to create efficiencies.

10. Unwanted reports and documents are returned to staff for distribution to the public or for recycling.

B.   COUNCIL VALUES

1. Each Councilperson is elected to and encouraged to represent his or her opinion and to work to carry out what he or she believes is in the best interests of Clayton and its citizens.

2. The Council and the City Manager are a participatory team.

3. The Council is high energy and achievement oriented.

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4. Council Members exhibit care and respect for each other as persons.

5. Council Members promote care and respect for each other's point of view. Each Member has a right to be heard.

6. Opinions are expressed honestly, openly, civilly and with integrity.

7. Humor is an important tool.

8. Traditions are respected but not always binding.

C. COUNCIL INTERACTION AND COMMUNICATION

1. The Mayor makes Council sub-committee appointments annually in December; the Mayor is encouraged to seek input from Council regarding appointment preferences.

2. Members will take seriously the responsibility of reporting to Council on sub-committees and other regional, state and national board/agency/group activities in which they are involved.

3. Each Council Member has the responsibility to initiate resolution of problems as soon as possible.

4. Members shall recall and abide by the Brown Act when giving information to each other outside of public meetings.

5. Cheap shots at each other are not allowed by Members during public meetings, in the media, or at any other time.

6. Relationships are informal, but Council Members need to be aware of impact on and perception of the public.

7. Council Members will be flexible in covering Council responsibilities for each other.

8. Council Sub-Committees.

   a. Sub-committee areas belong to the Council as a whole; they are not seen as territorial.

   b. Sub-committees shall keep the rest of the Council fully informed. The rest of the Council is responsible for letting a sub-committee know if they want more information or to give input.

   c. Before sub-committees start moving in new directions, they will obtain direction from the rest of the Council.

d. Sub-committee reports will be made under "Council Reports" at Council meetings, when appropriate.

e. Sub-committee memos will be sent on an interim basis to update other Council Members on:

1). Issues being discussed.

2). Options being considered.

3). Progress.

f. Appropriate reports will also be included in the City Manager's "Weekly Report".

g. Council may contact Department Heads or the City Manager to be briefed on any sub-committee work.

h. Council shall review the performance of citizen committees no less frequently than every six months.

i. Sub-committees are task oriented with scheduled dates of completion.

D. COUNCIL INTERACTION AND COMMUNICATION WITH STAFF

1. City Manager.

a. Council Members should always feel free to communicate with the City Manager.

b. When a Council Member is unhappy about the performance of a Department, he/she should discuss this with the City Manager, not any other employee [the City Manager will inform the Mayor of any serious violations of this norm].

c. Concerns about the performance of Department Heads must be taken to the City Manager and/or Mayor first for resolution through proper channels.

d. In passing along critical information, the City Manager will inform all Council Members.

e. Council will provide ongoing feedback, information and perceptions to the City Manager, including some response to the "Weekly Report".

f. Council will page the City Manager if there is an emergency and he/she cannot be reached by phone.

2.   Staff in General.

   a. Council may make reasonable requests for information directly from Department Heads.

   b. An informal system of direct communication with staff is used but not abused by Council.

   c. Staff will inform Council immediately when an unusual event occurs that the public would be concerned about [e.g., major vehicular accidents; major police activities; areas cordoned off by police or fire, etc.].

   d. The Council and staff will not intentionally blind side each other in public; if there is an issue or a question a Council Member has regarding an agenda item, that Member will contact staff prior to the meeting.

E.   COUNCIL RESPONSIBILITIES FOR KEEPING INFORMED

1.   Read Commission minutes and staff reports to find out issues being addressed.

2.   Read documents on planning items.

3.   Read City Manager "goal updates" list for Council.

4.   Do homework diligently and thoroughly.

F.   MAYOR SELECTION

1. Election to Vice Mayor and Mayor requires supporting votes of three (3) Council Members, but in the interest of harmony unanimous consensus is to be sought and encouraged.

2. Any Council Member wanting or not wanting a role has a responsibility to tell all other Members.

3. As far as possible and until otherwise decided, Council Members will take turns as Mayor.

4. Mayorship will be a one-year term, commencing with the first meeting in December.

5. Selection of a Mayor is not a lock-step system. The Vice Mayor is generally expected to ascend to Mayor.

6. All Council Members are peers, and the Mayor and Vice Mayor serve at the pleasure of the Council.

G.   <u>MAYOR'S ROLE</u>

     1.   Each Mayor operates somewhat uniquely from past Mayors; the role is largely defined by the person based on style.

     2.   The elected Mayor is to chair the meetings with proper decorum and to treat all Council Members and the public with respect.

     3.   The Mayor will inform the Council of any correspondence received or sent in relation to City business. This will be done within reason so as not to create a paper-trail overload. (Use of voice mail is encouraged, whenever possible).

     4.   The Mayor will forward pertinent information to other Council Members.

H.   <u>CITIZEN COMPLAINTS</u>

     1.   City residents are considered "customers" and will be treated with courtesy and respect.

     2.   Council Members will receive copies of citizen written complaints, as received.

     3.   Council Members will be informed on telephone complaints, as appropriate.

     4.   Staff will inform Council of their response to complaints; copies of written responses should be included in Council packets.

     5.   Responses to citizens are personalized and professional.

     6.   Written responses will be selective. Reponses will be made to all complaints.

     7.   Staff will draft a copy of responses for Council to use; letters over Council signatures checked out with signatory.

     8.   Council should not go to a hands-on mode when complaints occur. Issues will be referred to appropriate staff who will be given adequate time to respond.

     9.   If a Council Member wants action based on a citizen complaint, he/she should go through the City Manager's office to insure proper handling.

I.	PUBLIC MEETINGS

1.	Agendas.

a.	Formation.

1).	The City Manager and the City Clerk will prepare a draft agenda and review it with the Mayor for finalization.

2).	Any member of the Council may request that an item be placed on the agenda by contacting the Mayor. It is the Mayor's discretion as to which regularly scheduled meeting the requested agenda item will appear, after consultation with the City Manager regarding availability of staff time to prepare necessary reports and the extent and number of items already scheduled for each upcoming Council meeting.

b.	Council may move to table any agenda item for future study.

c.	Council Members will feel free to ask for continuance if enough time has not been available for the Council to prepare.

d.	If a Member is ill or away for any big or "personal" agenda item, the item may be tabled at the Member's request.

e.	Council may refuse to act on items where critical materials were not available in the Friday agenda packet.

f.	Agenda packets are available by 5:00 PM on the Friday preceding the Tuesday meeting.

g.	No item on the agenda will be taken up after 11:00 PM without the unanimous consent of the Council Members present.

2.	Consent Calendar.

a.	Items placed on the Consent Calendar are those considered by the Mayor or the City Manager to be routine in nature; they are enacted in one motion. There is normally no separate discussion of these items, unless requested.

b.	The Consent Calendar is used judiciously for items such as minutes, routine City business, some appeals, items already approved in the Budget, etc.

c.	The Mayor will inquire of the public, "Is there anyone who wishes to speak to anything on the Consent Calendar?" [to be in bold type on the agenda]. If so, the item is pulled off the Calendar for separate discussion.

d.   If a Council Member has a question on a Consent Calendar item for their information only, they are encouraged to ask staff ahead of time, rather than having it pulled off for discussion during the meeting.

e.   If there is time before the meeting, Council Members will inform staff of items they wish to pull from the Consent Calendar.

f.   If additional information is requested by a Council Member, staff will provide back-up material to all Council Members.

3.   It is reasonable to expect that staff be prepared to give an oral report on every agenda item.

4.   The Mayor works with the City Manager to decide how much information needs to be disseminated at the meeting based on the item, and Council and audience needs.

5.   There will be no packing of the audience by individual Council Members for specific agenda items.

6.   Corrections to minutes should be passed to the City Clerk before the meeting, if possible.

7.   Public Comment.

a.   As required by law.

b.   To be directed to the Mayor and Council, not staff or the audience.

c.   Has a three (3) minute time limit enforced at the Mayor's discretion; is announced in advance and consistently applied.

d.   Is addressed early in the meeting.

e.   A Council Member may ask staff to put an item on a future agenda.

f.   Council may ask staff to respond, when appropriate.

g.   The following options may be considered by the Mayor during times of high controversy:

1).   The Mayor designates a block of time early in the meeting (20 minutes) and any comments beyond this limit will be held until the end of the meeting.

2). The Mayor polls the audience for an indication of the number of people wishing to speak, then calls on individuals to speak.

8. The Mayor should survey the audience, as appropriate, to move agenda items up or back to address audience items of concern.

9. Public participation is encouraged on all public agenda items.

10. Council and staff will treat participants and each other with courtesy. Derogatory or sarcastic comments are inappropriate.

11. The public will likewise be encouraged by the Mayor to maintain meeting decorum.

12. Council and staff will treat the public with respect; refer to citizens by surnames, as appropriate.

13. In Council meetings when citizens are agitated, the Mayor may call a short recess to calm the situation.

14. The portion of a regular Council meeting before 7:00 PM, in addition to the present items, should include Council and City Manager reports; action items are discussed first and reports second; Council will ask staff for a summary, if appropriate.

15. The Mayor allows other Members to speak first, then gives his/her views and afterward summarizes the discussion. Council Members should not be redundant if they concur with what has already been said.

16. Voting.

    a. Each Council Member is given an opportunity to speak before a motion.

    b. Attempts are always made to reach consensus on significant issues.

    c. On split votes, each Member shares his/her views about the issue and the reasons for his/her vote.

    d. Once a vote is final, Council Members will support the action taken. If a Council Member wants a vote to be reconsidered, he/she will follow The Standard Code of Parliamentary Procedure.

    e. Any Council Member may request a roll call vote on any given issue.

17. When any Council Member believes something would be helpful during a meeting, he/she is free to suggest change in the procedure.

18. Department Head attendance is encouraged at every Council meeting when there is a pertinent issue relative to that Department on the agenda; other staff attendance at Council meetings is at the City Manager's discretion.

19. Written documents, written statements, citizen petitions, references, newspaper articles or other materials submitted at or read by a council member or a member of the public at a City Council meeting become part of the Agenda Packet retained for that meeting, not an attachment to the official minutes prepared by the City Clerk of said meeting.

20. Council Members shall not use or receive digital or electronic communications (such as electronic text or visual communications and attachments distributed via email, instant messaging, twitter or comparable services) regarding an agenda item at any time during the meeting of the City Council at which he or she is in attendance.

J. EXECUTIVE SESSION IN GENERAL

1. Council will receive written reports for Closed Session items, as appropriate; these reports are to be returned to staff at the end of the meeting.

2. The City Manager will schedule pre-meeting Closed Sessions if it will save the City money [due to consultant or legal fees, etc.].

3. There is to be no violation of Executive Session confidentiality. Council Members will not talk to affected/opposing parties or anyone else (press, etc.) regarding Executive Session items without Council direction and concurrence.

4. The Mayor will make a public report after every Closed Session in the same meeting.

K. REDEVELOPMENT, GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD), AND CLAYTON FINANCING AUTHORITY MEETINGS

1. All general procedural rules apply as related to normal agenda, consent calendar, etc. These meetings generally follow the Council meeting.

L. SPECIAL MEETINGS

1. Any member may request the Mayor to call a Special Meeting and the Mayor will call it unless there are extenuating circumstances. Special Meetings will be called as specified in the California Government Code.

M.   CITY ELECTION YEAR

1.   Election year politics should be conducted in such a fashion that the business of Clayton can carry on as usual.

2.   Council Candidates will be introduced at Council meetings as candidates only after they have filed their nomination papers.

N.   MEMBERS OF COMMISSIONS AND COMMITTEES

1.   Commissions and Committees are appointed by the Council as advisory bodies.

2.   Commissions and Committees need to:

a.   Consider Council vision.

b.   Understand their roles, authority, limitations, etc.

c.   Know annual priorities.

d.   Work within established process and parameters [e.g., citizen involvement].

e.   Have a Council Member serve as liaison.

3.   Criteria to be considered in the selection and re-appointment of Commissions. *

a.   Lack of conflicts of interest.

b.   Attendance [may not miss two consecutive meetings without an excuse].

c.   Level of participation and preparation.

d.   Support of community vision and values.

e.   Respect for staff and public.

f.   Work for community versus personal purposes.

g.   Perform as a team player.

h.   Be a resident [unless there is exceptional need].

i. Be competent.

j. Representative of community as a group [e.g., differing points of view, area of residence, aspects of community, backgrounds, experts versus generalists, etc.].

k. Appointments are to be made by Council as a whole, not on promises by individual Council Members or Mayor.

*   [A Commissioner may be removed if he/she is in violation of criteria under this section].

4. Selection Process.

a. Commission candidate application information is to include: Council vision statement, expectations, Brown Act requirements, suggestion to attend a Commission meeting, problem-solving model, etc.

b. City Council reviews applications, giving input to the Ad-Hoc Committee regarding ranking; Council may request input from Department Heads and City Manager.

c. Ad-Hoc Committee conducts interviews and makes recommendations to Council [let Council Members know before the meeting who is being recommended in time for individual review].

d. Council appoints Commissioners [goal is 5-0 consensus vote].

e. Information packet (including Brown Act, Minutes, Ordinance forming Commission, Calendar of League of California Cities events) is provided to Commissioners by staff.

5. Commissions encouraged to be representative of and involve the entire community.

6. Planning Commissioners shall not use or receive digital or electronic communications (such as electronic text or visual communications and attachments distributed via email, instant messaging, twitter or comparable services) regarding an agenda item at any time during the meeting of the Planning Commission at which he or she is in attendance.

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Revised: 21 May 2019
Revised: 20 February 2007
Revised: 20 August 2002
Adopted: 05 May 1998

INSTITUTE FOR
LOCAL GOVERNMENT℠
Promoting Good Government at the Local Level

Attributes of Exceptional Councils

Leading public organizations and governing with colleagues on a council is a challenging art of community service. The Institute recognizes that many aspects of leadership and governance are not intuitive. This piece is intended to provide councilmembers and city managers insight into the attributes of exceptional councils as well as provide practical tips to help them become exceptional.

1. Exceptional councils develop a sense of team – a partnership with the city manager to govern and manage the city

The mayor, councilmembers and city manager see themselves and work as a team as they undertake a series of tasks to further their common purpose. The individual team members work in a coordinated and collaborative manner with a high degree of respect, trust and openness. The team values diversity in style and perspective. The team thinks and acts strategically as it examines issues/situations and decides on a course of action serving their city's mission and goals.

KEY CHARACTERISTICS

- Successfully transition from candidate to a member of the council.
- Become a champion of the city. Make decisions based on the needs and interests of the community at-large / the greater good.
- Develop, communicate and support policy goals and council decisions.
- Demonstrate a willingness to work collaboratively (as a team) and have a citywide perspective.

BEST PRACTICE TIPS

Build capacity to create a more effective team. The governance team (mayor, councilmembers and city manager) should get to know each other; how each person approaches issues, decision making style and so on. This can be accomplished at annual meetings or workshops through-out the year. In the event that councilmembers disagree, clear ground rules (norms of behavior and practice) can help quell acrimony before it becomes a problem. It's important to remember that trust is built around understanding and respect, not necessarily agreement.

2. Exceptional councils have clear roles and responsibilities that are understood and adhered.

Exceptional councils understand their role is to serve as policy maker - to represent the values, beliefs and priorities of their community while serving in the community's best interest. They carry out a variety of responsibilities including: developing and adopting a vision for the city; focusing and aligning plans, policies, agreements and budgets in furtherance of this vision; and holding themselves and the city manager accountable for results.

Exceptional councils understand that the city manager is responsible for the day-to-day operations of the city. The city manager is responsible for undertaking and accomplishing the policy objectives of the council. Exceptional councils recognize the subject matter expertise of staff and utilize their knowledge and experience to guide and inform decision making.

KEY CHARACTERISTICS

- Understand the role of local government and their responsibilities.
- Know their role- to set vision and policy, avoid micromanagement.
- Councilmembers should strive to be informed about the issues facing the city and be prepared to ask questions of staff and each other.

BEST PRACTICE TIPS

Create a shared understanding of the city manager's role and the council's expectations to optimize the working relationships. This shared understanding is informed by local charter and ordinance provisions that provide the overall framework for the relationship. The council should make time to have conversations during retreats and or study sessions to define and/or reveal and refine their role and responsibilities. Since role clarity between the city council and city management is critical to mutual success, having clear protocols helps avoid misunderstandings.

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3. Exceptional councils honor the relationship with staff and each other

Exceptional councils understand that a good working relationship with staff is vital for the city to be run successfully. Exceptional councils treat each other and staff with dignity and respect. They act with civility and a high level of professional decorum. Councilmembers build trust by not playing the "gotcha game" and strive to have a no secrets, no surprises approach as an operating norm. Finally, they respect the diversity of styles and perspectives among their colleagues and staff and are open to new ideas.

KEY CHARACTERISTICS

- Councilmembers have the ability to respectfully disagree (to disagree without being disagreeable).
  They are able to leave it at the dais; debates are about policy, not personality.
- Exceptional councilmembers reflect positive decorum/model of leadership by providing respectful tone with colleagues.
- Establish a set of behaviors ahead of time, potentially documented in a code of conduct, to help promote civility and respect.

BEST PRACTICE TIPS

Set council priorities and strategic goals at an annual meeting; these goals and priorities are a tool to guide the city manager and staff on where to focus their efforts. This annual meeting provides time for the council to reflect on community priorities as well as offer an opportunity to discuss their decorum and their relationship among each other and the relationship between the city manager/staff and the council.

4. Exceptional councils routinely conduct effective meetings

Open and public meetings are central to democratic decision-making. Exceptional councils master the art of effective meetings. They develop and adhere to meeting protocols and processes. They spend time planning and organizing the agenda with the aim of having a more focused meeting. They allocate the council's time and energy appropriately (focused on the council's role and responsibilities) and meeting short- and long-term priorities. They honor the public's participation and engagement and they generally start on time and are held during reasonable hours.

Exceptional councils use public meetings not only for their intended purpose, information sharing and decision-making,

KEY CHARACTERISTICS

- Councilmembers are respectful of each other, the public and everyone's time.
- Councilmembers use engaging body language as a way to demonstrate respect.
- Issues are not personalized, thoughtful dialogue is the objective.
- Agenda packets are read, councilmembers come prepared and have an open mind
- Respect is demonstrated for varied opinions.
- Everyone strives to be civil and act with decorum.

but they also use the meeting to demonstrate respect and civility for each other, staff and the public. Exceptional councilmembers prepare in advance of the meeting, remain focused on the city goals and objectives and mindful of their role and responsibilities.

BEST PRACTICE TIPS

Develop and adopt (with regular reviews and updates), guidelines for conducting meetings and making decisions. These governance protocols typically address meeting procedures (agenda preparation, how to put issues on the agenda, debate and voting procedures (parliamentary rules) and standards of decorum (civility)). As part of a regular self-assessment, councils should evaluate their meetings and their effectiveness and adjust behavior and practices for better results.

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5. Exceptional councils hold themselves and the city accountable

Exceptional councils operate openly, ethically and work to engage the community in a myriad of decisions impacting the prosperity and well-being of their community. Toward that end, exceptional councils consistently provide short- and long-term strategic direction and goals, as well as provide budget, program and policy oversight.

Exceptional councils hold themselves accountable for the conduct, behavior and effectiveness of the council. They establish clear priorities and goals and hold the city manager accountable for results. And finally, they embrace accountability as a process and tool to calibrate ongoing efforts to address and meet policy and program objectives.

KEY CHARACTERISTICS

- Councilmembers operate ethically and with integrity.
- Councils conduct team building / goal setting exercise to track progress towards mutually agreed upon goals
- Councils taking responsibility for the results (good and bad).
- Councils celebrate success.
- Councilmembers hold themselves responsible for adhering to operating protocols and codes of conduct.

BEST PRACTICE TIPS

Annually evaluate council and city manager performance toward achieving the city's priorities and goals (consider having this be part of an annual goal setting meeting). Council should consider assessing its own behavior and effectiveness as part of its annual self-assessment.

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6. Exceptional councils have members who practice continuous personal learning and development

Governance is not intuitive. In addition, the policy and economic environment impacting cities are ever changing. Exceptional councils continually provide the opportunity to build their knowledge and skills, to enhance their understanding of key issues, increase their awareness of best practices and sharpen their leadership and governance skills.

KEY CHARACTERISTICS

- Stay informed on key issues
- Gain key insights and knowledge on all aspects of governing, from budgets to plans and everything in between.
- Learning to listen is sometimes more important than learning to give a speech.

BEST PRACTICE TIPS

Seek out national, state and local professional growth and educational opportunities. These opportunities can focus on the nuts and bolts of governing to helping you gain valuable information and/or insights on key policy issues facing your city. In addition, city run orientations for newly elected officials provide a good way to acclimate new members to the council's norms and protocols as well as the budget and key policy issues.

CITY OF CLAYTON
Founded 1857 .. Incorporated 1964
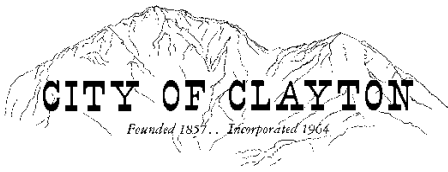
AGENDA REPORT

TO: **HONORABLE MAYOR AND COUNCIL MEMBERS**

FROM: **CITY MANAGER**

DATE: **March 21, 2022**

SUBJECT: **Discuss and Provide Direction on Format for April 5, 2022 City Council Meeting**

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RECOMMENDATION

By Minute Order, determine the format for the April 5, 2022 City Council meeting as it relates to in-person, hybrid or fully remote participation.

BACKGROUND

Over the last two years, the City has been holding all of its Council and Commission meetings in a fully virtual format consistent with state and local requirements and guidance related to the COVID-19 pandemic. Initially these fully virtual Council and Commission meetings were facilitated through several Governor's Executive Orders including N-25-20 and N-29-20 that suspended certain provisions of the Brown Act (Open Meetings Act) including the requirement to have teleconference locations listed by address and requiring public comment be accepted at any listed address.

DISCUSSION

The Executive Orders referenced above expired at the end of September 2021 as Assembly Bill (AB) 361 was enacted. AB 361 temporarily allows local agencies to continue to meet virtually and remotely without the requirement to disclose individual remote locations when the physical access and quorum requirements to meet in person are precluded by public health orders and/or recommendations.

Additionally, a bill has recently been introduced, but not yet passed, (AB 1944) that under specified conditions would allow the Council or Planning Commission members to teleconference into a meeting without having to reveal private addresses, even without the requirement of a declared emergency or health order.

The Contra Costa County Health Officer reiterated as of March 1, 2022 the recommendation that public meetings continue to be held virtually. If public meetings are held in person, the County Health Officer recommends physical distancing of six feet of separation between all attendees. For Clayton's City Council Chamber in Hoyer Hall, ensuring adequate separation would result in only about a dozen seats for members of the public to attend City Council meetings in person.

While AB 361 offers the City the flexibility to continue with fully virtual meetings and the County Health Officer continues to recommend fully virtual meetings, the Council has stated an interest in considering returning fully to in-person meetings, with a courtesy option for public participation through virtual means.

The purpose of this item is to solicit City Council direction on the preferred format for the next regular City Council meeting on April 5, 2022; fully virtual, hybrid with City Council and staff scheduled for in-person and public participation available remotely/virtually (as is the format for this Special Meeting on March 21, 2022), or "fully" in-person with remote participation available to the public as a courtesy.

FISCAL IMPACT
None.

ATTACHMENT
Contra Costa County Health Officer Recommendations for Safe Public Meetings

ANNA M. ROTH, RN, MS, MPH
HEALTH SERVICES DIRECTOR

ORI TZVIELI, MD
HEALTH OFFICER

CONTRA COSTA
HEALTH SERVICES

RECOMMENDATIONS FOR SAFELY HOLDING PUBLIC MEETINGS

Each local government agency is authorized to determine whether to hold public meetings in person, on-line (teleconferencing only), or via a combination of methods. The following are recommendations from the Contra Costa County Health Officer to minimize the risk of COVID 19 transmission during a public meeting.

1. Online meetings (i.e. teleconferencing meetings) are strongly recommended as these meetings present the lowest risk of transmission of SARS CoV-2, the virus that causes COVID 19. This is particularly important in light of the current community prevalence rate as of March 1, 2022. Our current trends as of March 1, 2022 in Covid-19 case rate, Covid-19 test positivity, and Covid-19 hospitalizations are decreasing, but cases rates remain high with the Omicron variant of Covid-19 being the predominant variant identified, the impact of which on the spread of Covid-19 has shown to dramatically increase COVID-19 transmission.
2. If a local agency determines to hold in-person meetings, offering the public the opportunity to attend via a call-in option or an internet-based service option is recommended, when possible, to give those at higher risk of and/or higher concern about COVID-19 an alternative to participating in person.
3. A written safety protocol should be developed and followed. It is recommended that the protocol require social distancing – i.e., six feet of separation between attendees – and face masking of all attendees.
4. Seating arrangements should allow for staff and members of the public to easily maintain at least six-foot distance from one another at all practicable times.
5. Consider holding public meetings outdoors. Increasing scientific consensus is that outdoor airflow reduces the risk of COVID-19 transmission compared to indoor spaces. Hosting events outdoors also may make it easier to space staff and members of the public at least 6 feet apart.
6. Current evidence is unclear as to the added benefit of temperature checks in addition to symptom checks. We encourage focus on symptom checks as they may screen out individuals with other Covid-19 symptoms besides fever and help reinforce the message to not go out in public if you are not feeling well.
7. Consider a voluntary attendance sheet with names and contact information to assist in contact tracing of any cases linked to a public meeting.

Revised 3-1-2022

Sefanit Mekuria

Sefanit Mekuria, MD, MPH
Deputy Health Officer, Contra Costa County

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