



CITY of CALABASAS  
CITY COUNCIL AGENDA  
SPECIAL MEETING  
WEDNESDAY, JANUARY 31, 2024 - 7:00 P.M.  
COUNCIL CHAMBERS  
100 CIVIC CENTER WAY  
CALABASAS, CA 91302  
[www.cityofcalabasas.com](http://www.cityofcalabasas.com)

The meeting will be broadcast on CTV Channel 3 and the live stream of the meeting may be viewed online at [www.cityofcalabasas.com/ctvlive](http://www.cityofcalabasas.com/ctvlive).

The City Council reserves the right to alter the order of the agenda to allow for an effective meeting. Attendance at the entire meeting may be necessary to ensure interested parties hear a particular item. The public may speak on a closed session item prior to Council's discussion. To do so, a speaker card must be submitted to the City Clerk at least five minutes prior to the start of closed session. The City values and invites written comments from residents on matters set for Council consideration. **In order to provide councilmembers ample time to review all correspondence, any written communication must be submitted to the City Clerk's office before 5:00 p.m. on the Monday prior to the meeting. Note: Any written materials submitted to the City Council are public record under the Public Records Act.**

Any legal action by an applicant, appellant, or other person, seeking to obtain judicial review of any City Council decisions may be subject to the 90-day filing period of, and governed by, Code of Civil Procedure sections 1094.5 and 1094.6.

**CLOSED SESSION - 6:00 PM**

1. Conference with Real Property Negotiator  
(Gov't Code §54956.8)  
Property Address: 23075 Mulholland Highway, Calabasas, CA 91302  
Agency Negotiator: Kindon Meik, City Manager  
Negotiating Party: TreePeople Land Trust  
Under Negotiation: Price and Terms of Payment
2. Conferenced with Legal Counsel - Anticipated Litigation  
Pursuant to Government Code Section 54956.9(d)(2) & (e)(1)  
A point has been reached where, in the opinion of the City Council, on the advice of its legal counsel, based on the below-described existing facts and circumstances, there is a significant exposure to litigation against the City. Facts and circumstances that might result in litigation but which the City believes are not yet known to potential plaintiff or plaintiffs. (Gov. Code § 54956.9(e)(1))  
Number of Potential Cases: [1]

3. Conference with Real Property Negotiator  
Government Code Section 54956.8  
Property Address: 27040 Malibu Hills Rd., Calabasas, CA 91301  
Agency Negotiator: Kindon Meik, City Manager  
Negotiating Party: City of Agoura Hills  
Under Negotiation: Price and Terms of Payment

## **OPENING MATTERS**

Call to Order/Roll Call of Councilmembers  
Pledge of Allegiance  
Approval of Agenda  
Report on Closed Session

## **ANNOUNCEMENTS/INTRODUCTIONS**

## **ORAL COMMUNICATION – PUBLIC COMMENT**

## **CONSENT ITEMS**

1. Authorization to approve the Professional Services Agreement with Cooksey’s Lifeguard and Swim Academy, LLC, through December 31, 2024, in the amount of \$95,000

## **CONTINUED BUSINESS**

2. Review, discuss and provide direction on recommended amendments to the City Council Protocols. Discuss and provide direction on the Weekly Mayor’s Letter.

## **TASK FORCE REPORTS**

## **CITY MANAGER’S REPORT**

## **ADJOURN**

The City Council will adjourn to a regular meeting on Wednesday, February 14, 2024, at 7:00 p.m.



**CITY of CALABASAS**  
**CITY COUNCIL AGENDA REPORT**

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**DATE: JANUARY 17, 2024**

**TO: HONORABLE MAYOR AND COUNCILMEMBERS**

**FROM: ERICA L. GREEN, COMMUNITY SERVICES DIRECTOR**

**SUBJECT: AUTHORIZATION TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT WITH COOKSEY'S LIFEGUARD AND SWIM ACADEMY LLC., THROUGH DECEMBER 31, 2024 IN THE AMOUNT OF \$95,000**

**MEETING DATE: JANUARY 31, 2024**

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**SUMMARY RECOMMENDATION:**

That the City Council authorizes to approve the professional services agreement with Cooksey's Lifeguard and Swim Academy, LLC. through December 31, 2024, in the amount of \$95,000. This agreement will allow the Calabasas Tennis and Swim Center to remain fully open for swim classes, lessons, swim team, family swim and lap swim as we continue to recruit new lifeguards to the City roster.

**BACKGROUND:**

Due to the Community Services Department experiencing a staffing shortage, specifically with the Lifeguard position, on December 21, 2023 the City published a RFP for Lifeguard Services at the Calabasas Tennis and Swim Center for a one year term. While the Community Services Department has made great strides through a variety of creative efforts to attract and hire new staff, the Department still does not have enough City Lifeguards to handle a full schedule of aquatic programming at the Calabasas Tennis and Swim Center. This is largely due to State-wide increases of the minimum wage in certain industries of the State. To date, the Community Services Department has hired 12 new lifeguards and will continue to do so due to the recent increase in starting salary for these positions, however,

most of them have never been lifeguards before. Once the pool reopens from the pool renovation project, we will continue to recruit and train the new Lifeguards through a certified Red Cross Lifeguard Training Course, which prepares them to be entry level Lifeguards. However, the City has not been able to attract the experienced Lifeguards needed to serve in the Head Guard and Water Safety Instructor positions that are required to teach swim lessons to the public and oversee the Junior Guards.

**DISCUSSION/ANALYSIS:**

As we experienced last Summer, the nation-wide shortage of Lifeguards that is affecting cities, counties and public beaches across the country continues. Where many other agencies have dealt with this shortage by reducing or even eliminating pool services, or posting “No Lifeguard on Duty” signs and advising the public to swim at their own risk and closely monitor their children, The City of Calabasas is continuing to provide full programming, lessons and special events to our residents while taking every needed precaution to keep our patrons safe.

The results of the RFP that was published in December are as follows:

Cooksey Lifeguard Academy, LLC. - \$93,558.00

Pool Management Inc. - \$101,455.30

USA Management Professional Aquatic Management - \$269,580.00

After reviewing the proposals, Cooksey’s Lifeguard and Swim Academy, LLC. is the apparent low bidder and preferred company to provide Water Safety Instructors, Head Lifeguards and Lifeguards to supplement the City Lifeguards for swim lessons camps, events, swim team, Aqua Fit, family swim, masters swim, and open swim until December 31, 2024. The contracted Lifeguards will receive 3 – 4 weeks of training to assist with all pool operations, guarding, and emergency assistance. City staff will supervise the contracted Lifeguards and contract.

Staff will continue to recruit Lifeguards and will most likely phase out the need for an aquatic vendor the latter part of the year.

**FISCAL IMPACT/SOURCE OF FUNDING:**

An additional \$95,000 spent from the Contractual Services account, which will be offset with savings in the Hourly Salaries account.

**REQUESTED ACTION:**

Staff requests that City Council authorize and approve the professional services agreement with Cooksey's Lifeguard and Swim Academy, LLC. through December 31, 2024, in the amount of \$95,000.

**ATTACHMENTS:**

Professional Services Agreement



CITY of CALABASAS

## PROFESSIONAL SERVICES AGREEMENT

### CONTRACT SUMMARY

<b>Name of Contractor:</b>	Cooksey Lifeguard and Swim Academy, LLC.
<b>City Department in charge of Contract:</b>	Community Services
<b>Contact Person for City Department:</b>	Jeff Campbell
<b>Period of Performance for Contract:</b>	February 1, 2024 – December 31, 2024
<b>Not to Exceed Amount of Contract:</b>	\$95,000
<b>Scope of Work for Contract:</b>	Lifeguarding Services

#### Insurance Requirements for Contract:

yes  no - Is General Liability insurance required in this contract?

If yes, please provide coverage amounts:

yes  no - Is Auto insurance required in this contract?

If yes, please provide coverage amounts:

yes  no - Is Professional insurance required in this contract?

If yes, please provide coverage amounts:

**California requires Worker's Compensation insurance. If the vendor has no employees, a Worker's Compensation Affidavit is required.**

Other:

**Proper documentation is required and must be attached.**

Initials: (City) \_\_\_\_\_ (Contractor) \_\_\_\_\_

**PROFESSIONAL SERVICES AGREEMENT**  
Cooksey Lifeguard and Swim Academy, LLC

**1. IDENTIFICATION**

THIS PROFESSIONAL SERVICES AGREEMENT (“Agreement”) is entered into by and between the City of Calabasas, a California municipal corporation (“City”), and Cooksey Lifeguard and Swim Academy, LLC, a California Limited Liability Corporation (“Consultant”).

**2. RECITALS**

- 2.1 City has determined that it requires the following professional services from a consultant: Lifeguarding Services.
- 2.2 Consultant represents that it is fully qualified to perform such professional services by virtue of its experience and the training, education and expertise of its principals and employees. Consultant further represents that it is willing to accept responsibility for performing such services in accordance with the terms and conditions set forth in this Agreement.

**NOW, THEREFORE**, for and in consideration of the mutual covenants and conditions herein contained, City and Consultant agree as follows:

**3. DEFINITIONS**

- 3.1 “Scope of Services”: Such professional services as are set forth in Consultant’s **January 4, 2024** proposal to City attached hereto as Exhibit A and incorporated herein by this reference.
- 3.2 “Approved Fee Schedule”: Such compensation rates as are set forth in Consultant’s **January 4, 2024** fee schedule to City attached hereto as Exhibit B and incorporated herein by this reference.
- 3.3 “Commencement Date”: February 1, 2024.
- 3.4 “Expiration Date”: December 31, 2024.

**4. TERM**

The term of this Agreement shall commence at 12:00 a.m. on the Commencement Date and shall expire at 11:59 p.m. on the Expiration Date unless extended by written agreement of the parties or terminated earlier in accordance with Section 17 (“Termination”) below.

**5. CONSULTANT’S SERVICES**

- 5.1 Consultant shall perform the services identified in the Scope of Services. City shall have the right to request, in writing, changes in the Scope of Services. Any such changes mutually agreed upon by the parties, and any corresponding increase or decrease in compensation, shall be incorporated by written amendment to this Agreement. In no event shall the total compensation and costs payable to Consultant under this Agreement exceed the sum of **Ninety Five Thousand Dollars (\$95,000.00)** unless specifically approved in advance and in writing by City.
- 5.2 Consultant shall perform all work to the highest professional standards of Consultant's profession and in a manner reasonably satisfactory to City. Consultant shall comply with all applicable federal, state and local laws and regulations, including the conflict of interest provisions of Government Code Section 1090 and the Political Reform Act (Government Code Section 81000 *et seq.*).
- 5.3 During the term of this Agreement, Consultant shall not perform any work for another person or entity for whom Consultant was not working at the Commencement Date if both (i) such work would require Consultant to abstain from a decision under this Agreement pursuant to a conflict of interest statute and (ii) City has not consented in writing to Consultant's performance of such work.
- 5.4 Consultant represents that it has, or will secure at its own expense, all personnel required to perform the services identified in the Scope of Services. All such services shall be performed by Consultant or under its supervision, and all personnel engaged in the work shall be qualified to perform such services. **Samuel Cooksey and Hayley Church** shall be Consultant's project administrators and shall have direct responsibility for management of Consultant's performance under this Agreement. No change shall be made in Consultant's project administrator without City's prior written consent.

## 6. **COMPENSATION**

- 6.1 City agrees to compensate Consultant for the services provided under this Agreement, and Consultant agrees to accept in full satisfaction for such services, payment in accordance with the Approved Fee Schedule.
- 6.2 Consultant shall submit to City an invoice, on a monthly basis or less frequently, for the services performed pursuant to this Agreement. Each invoice shall itemize the services rendered during the billing period and the amount due. Within ten business days of receipt of each invoice, City shall notify Consultant in writing of any disputed amounts included on the invoice. Within thirty calendar days of receipt of each invoice, City shall pay all undisputed amounts included on the invoice. City shall not withhold applicable taxes or other authorized deductions



from payments made to Consultant.

- 6.3 Payments for any services requested by City and not included in the Scope of Services shall be made to Consultant by City on a time-and-materials basis using Consultant's standard fee schedule. Consultant shall be entitled to increase the fees in this fee schedule at such time as it increases its fees for its clients generally; provided, however, in no event shall Consultant be entitled to increase fees for services rendered before the thirtieth day after Consultant notifies City in writing of an increase in that fee schedule. Fees for such additional services shall be paid within sixty days of the date Consultant issues an invoice to City for such services.

## **7. OWNERSHIP OF WRITTEN PRODUCTS**

All reports, documents or other written material ("written products" herein) developed by Consultant in the performance of this Agreement shall be and remain the property of City without restriction or limitation upon its use or dissemination by City. Consultant may take and retain copies of such written products as desired, but no such written products shall be the subject of a copyright application by Consultant.

## **8. RELATIONSHIP OF PARTIES**

Consultant is, and shall at all times remain as to City, a wholly independent contractor. Consultant shall have no power to incur any debt, obligation, or liability on behalf of City or otherwise to act on behalf of City as an agent. Neither City nor any of its agents shall have control over the conduct of Consultant or any of Consultant's employees, except as set forth in this Agreement. Consultant shall not represent that it is, or that any of its agents or employees are, in any manner employees of City.

## **9. CONFIDENTIALITY**

All data, documents, discussion, or other information developed or received by Consultant or provided for performance of this Agreement are deemed confidential and shall not be disclosed by Consultant without prior written consent by City. City shall grant such consent if disclosure is legally required. Upon request, all City data shall be returned to City upon the termination or expiration of this Agreement.

**10. INDEMNIFICATION**

- 10.1 The parties agree that City, its officers, agents, employees and volunteers should, to the fullest extent permitted by law, be protected from any and all loss, injury, damage, claim, lawsuit, cost, expense, attorneys' fees, litigation costs, or any other cost arising out of or in any way related to the performance of this Agreement. Accordingly, the provisions of this indemnity provision are intended by the parties to be interpreted and construed to provide the City with the fullest protection possible under the law. Consultant acknowledges that City would not enter into this Agreement in the absence of Consultant's commitment to indemnify and protect City as set forth herein.
- 10.2 To the fullest extent permitted by law, Consultant shall indemnify, hold harmless and defend City, its officers, agents, employees and volunteers from and against any and all claims and losses, costs or expenses for any damage due to death or injury to any person and injury to any property resulting from any alleged intentional, reckless, negligent, or otherwise wrongful acts, errors or omissions of Consultant or any of its officers, employees, servants, agents, or subcontractors in the performance of this Agreement. Such costs and expenses shall include reasonable attorneys' fees incurred by counsel of City's choice.
- 10.3 City shall have the right to offset against the amount of any compensation due Consultant under this Agreement any amount due City from Consultant as a result of Consultant's failure to pay City promptly any indemnification arising under this Section 10 and related to Consultant's failure to either (i) pay taxes on amounts received pursuant to this Agreement or (ii) comply with applicable workers' compensation laws.
- 10.4 The obligations of Consultant under this Section 10 will not be limited by the provisions of any workers' compensation act or similar act. Consultant expressly waives its statutory immunity under such statutes or laws as to City, its officers, agents, employees and volunteers.
- 10.5 Consultant agrees to obtain executed indemnity agreements with provisions identical to those set forth here in this Section 10 from each and every subcontractor or any other person or entity involved by, for, with or on behalf of Consultant in the performance of this Agreement. In the event Consultant fails to obtain such indemnity obligations from others as required herein, Consultant agrees to be fully responsible and indemnify, hold harmless and defend City, its officers, agents, employees and volunteers from and against any and all claims and losses, costs or expenses for any damage due to death or injury to any person and injury to any property resulting from any alleged intentional, reckless, negligent, or otherwise wrongful acts, errors or omissions of Consultant's subcontractors or any other person or entity involved by, for, with or on behalf of

Consultant in the performance of this Agreement. Such costs and expenses shall include reasonable attorneys' fees incurred by counsel of City's choice.

- 10.6 City does not, and shall not waive any rights that it may possess against Consultant because of the acceptance by City, or the deposit with City, of any insurance policy or certificate required pursuant to this Agreement. This hold harmless and indemnification provision shall apply regardless of whether or not any insurance policies are determined to be applicable to the claim, demand, damage, liability, loss, cost or expense.

## **11. INSURANCE**

- 11.1 During the term of this Agreement, Consultant shall carry, maintain, and keep in full force and effect insurance against claims for death or injuries to persons or damages to property that may arise from or in connection with Consultant's performance of this Agreement. Such insurance shall be of the types and in the amounts as set forth below:
- 11.1.1 Comprehensive General Liability Insurance with coverage limits of not less than One Million Dollars (\$1,000,000) including products and operations hazard, contractual insurance, broad form property damage, independent consultants, personal injury, underground hazard, and explosion and collapse hazard where applicable.
- 11.1.2 Worker's Compensation insurance as required by the laws of the State of California.
- 11.2 Consultant shall require each of its subcontractors to maintain insurance coverage that meets all of the requirements of this Agreement.
- 11.3 The policy or policies required by this Agreement shall be issued by an insurer admitted in the State of California and with a rating of at least A:VII in the latest edition of Best's Insurance Guide.
- 11.4 Consultant agrees that if it does not keep the aforesaid insurance in full force and effect, City may either (i) immediately terminate this Agreement; or (ii) take out the necessary insurance and pay, at Consultant's expense, the premium thereon.
- 11.5 At all times during the term of this Agreement, Consultant shall maintain on file with City's Risk Manager a certificate or certificates of insurance showing that the aforesaid policies are in effect in the required amounts and naming the City and its officers, employees, agents and volunteers as additional insureds. Consultant shall, prior to commencement of work under this Agreement, file with City's Risk Manager such certificate(s).

- 11.6 Consultant shall provide proof that policies of insurance required herein expiring during the term of this Agreement have been renewed or replaced with other policies providing at least the same coverage. Such proof will be furnished at least two weeks prior to the expiration of the coverages.
- 11.7 The General Liability Policy of insurance required by this Agreement shall contain an endorsement naming City and its officers, employees, agents and volunteers as additional insureds. The General Liability Policy required under this Agreement shall contain an endorsement providing that the policies cannot be canceled or reduced except on thirty days' prior written notice to City. Consultant agrees to require its insurer to modify the certificates of insurance to delete any exculpatory wording stating that failure of the insurer to mail written notice of cancellation imposes no obligation, and to delete the word "endeavor" with regard to any notice provisions. If this contract provides service to a Homeowners Association, that Homeowners Association must be listed as an additional insured in addition to the City.
- 11.8 The insurance provided by Consultant shall be primary to any coverage available to City. Any insurance or self-insurance maintained by City and/or its officers, employees, agents or volunteers, shall be in excess of Consultant's insurance and shall not contribute with it.
- 11.9 All insurance coverage provided pursuant to this Agreement shall not prohibit Consultant, and Consultant's employees, agents or subcontractors, from waiving the right of subrogation prior to a loss. Consultant hereby waives all rights of subrogation against the City.
- 11.10 Any deductibles or self-insured retentions must be declared to and approved by the City. At the option of City, Consultant shall either reduce or eliminate the deductibles or self-insured retentions with respect to City, or Consultant shall procure a bond guaranteeing payment of losses and expenses.
- 11.11 Procurement of insurance by Consultant shall not be construed as a limitation of Consultant's liability or as full performance of Consultant's duties to indemnify, hold harmless and defend under Section 10 of this Agreement.

## **12. MUTUAL COOPERATION**

- 12.1 City shall provide Consultant with all pertinent data, documents and other requested information as is reasonably available for the proper performance of Consultant's services under this Agreement.

12.2 In the event any claim or action is brought against City relating to Consultant's performance in connection with this Agreement, Consultant shall render any reasonable assistance that City may require.

**13. RECORDS AND INSPECTIONS**

Consultant shall maintain full and accurate records with respect to all matters covered under this Agreement for a period of three years after the expiration or termination of this Agreement. City shall have the right to access and examine such records, without charge, during normal business hours. City shall further have the right to audit such records, to make transcripts therefrom and to inspect all program data, documents, proceedings, and activities.

**14. PERMITS AND APPROVALS**

Consultant shall obtain, at its sole cost and expense, all permits and regulatory approvals necessary in the performance of this Agreement. This includes, but shall not be limited to, encroachment permits and building and safety permits and inspections.

**15. NOTICES**

Any notices, bills, invoices, or reports required by this Agreement shall be deemed received on: (i) the day of delivery if delivered by hand, facsimile or overnight courier service during Consultant's and City's regular business hours; or (ii) on the third business day following deposit in the United States mail if delivered by mail, postage prepaid, to the addresses listed below (or to such other addresses as the parties may, from time to time, designate in writing).

If to City

City of Calabasas  
100 Civic Center Way  
Calabasas, CA 91302  
Attn: Jeff Campbell  
Telephone: (818) 222-2782  
Email: jcampbell@cityofcalabasas.com

If to Consultant:

Cooksey Lifeguard and Swim  
Academy, LLC.  
8025 Redlands St #8  
Playa Del Rey, CA 90293  
Attn: Samuel Cooksey  
Telephone: (818) 475-7939  
Email:samuel@cookseyswim.com

With courtesy copy to:

Matthew T. Summers  
Colantuono, Highsmith & Whatley, PC  
City Attorney  
790 E. Colorado Blvd., Suite 850  
Pasadena, CA 91101  
Telephone: (213) 542-5700  
Facsimile: (213) 542-5710

**16. SURVIVING COVENANTS**

The parties agree that the covenants contained in Section 9, Section 10, Paragraph 12.2 and Section 13 of this Agreement shall survive the expiration or termination of this Agreement.

**17. TERMINATION**

17.1. City shall have the right to terminate this Agreement for any reason on five calendar days' written notice to Consultant. Consultant shall have the right to terminate this Agreement for any reason on sixty calendar days' written notice to City. Consultant agrees to cease all work under this Agreement on or before the effective date of any notice of termination. All City data, documents, objects, materials or other tangible things shall be returned to City upon the termination or expiration of this Agreement.

17.2 If City terminates this Agreement due to no fault or failure of performance by Consultant, then Consultant shall be paid based on the work satisfactorily performed at the time of termination. In no event shall Consultant be entitled to receive more than the amount that would be paid to Consultant for the full performance of the services required by this Agreement.

**18. GENERAL PROVISIONS**

18.1 Consultant shall not delegate, transfer, subcontract or assign its duties or rights hereunder, either in whole or in part, without City's prior written consent, and any attempt to do so shall be void and of no effect. City shall not be obligated or liable under this Agreement to any party other than Consultant.

18.2 In the performance of this Agreement, Consultant shall not discriminate against any employee, subcontractor, or applicant for employment because of race, color, creed, religion, sex, marital status, sexual orientation, national origin, ancestry, age, physical or mental disability or medical condition.

18.3 The captions appearing at the commencement of the sections hereof, and in any

paragraph thereof, are descriptive only and for convenience in reference to this Agreement. Should there be any conflict between such heading, and the section or paragraph thereof at the head of which it appears, the section or paragraph thereof, as the case may be, and not such heading, shall control and govern in the construction of this Agreement. Masculine or feminine pronouns shall be substituted for the neuter form and vice versa, and the plural shall be substituted for the singular form and vice versa, in any place or places herein in which the context requires such substitution(s).

- 18.4 The waiver by City or Consultant of any breach of any term, covenant or condition herein contained shall not be deemed to be a waiver of such term, covenant or condition or of any subsequent breach of the same or any other term, covenant or condition herein contained. No term, covenant or condition of this Agreement shall be deemed to have been waived by City or Consultant unless in writing.
- 18.5 Consultant shall not be liable for any failure to perform if Consultant presents acceptable evidence, in City's sole judgment that such failure was due to causes beyond the control and without the fault or negligence of Consultant.
- 18.6 Each right, power and remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise shall be cumulative and shall be in addition to every other right, power, or remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise. The exercise, the commencement of the exercise, or the forbearance of the exercise by any party of any one or more of such rights, powers or remedies shall not preclude the simultaneous or later exercise by such party of any of all of such other rights, powers or remedies. In the event legal action shall be necessary to enforce any term, covenant or condition herein contained, the party prevailing in such action, whether reduced to judgment or not, shall be entitled to its reasonable court costs, including accountants' fees, if any, and attorneys' fees expended in such action. The venue for any litigation shall be Los Angeles County, California.
- 18.7 If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, then such term or provision shall be amended to, and solely to, the extent necessary to cure such invalidity or unenforceability, and in its amended form shall be enforceable. In such event, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.
- 18.8 This Agreement shall be governed and construed in accordance with the laws of

the State of California.

- 18.9 All documents referenced as exhibits in this Agreement are hereby incorporated into this Agreement. In the event of any material discrepancy between the express provisions of this Agreement and the provisions of any document incorporated herein by reference, the provisions of this Agreement shall prevail. This instrument contains the entire Agreement between City and Consultant with respect to the transactions contemplated herein. No other prior oral or written agreements are binding upon the parties. Amendments hereto or deviations herefrom shall be effective and binding only if made in writing and executed by City and Consultant.
- 18.10 In consideration of this agreement, consultant ( or artist(s), or performer(s) grants to city and its officers and employees, the right to film, through photography, video, or other media, the performance(s) contemplated under this agreement. The city is authorized to use of the performer(s) name(s) and/or Artist approved photographs. The city is also authorized, without limitation, to broadcast or re-broadcast the performance(s) on City CTV, through the city’s website, news media, or through other forms of media (e.g. streaming).



**TO EFFECTUATE THIS AGREEMENT**, the parties have caused their duly authorized representatives to execute this Agreement on the dates set forth below.

**“City”**  
**City of Calabasas**

**“Consultant”**  
**Cooksey Lifeguard and Swim Academy, LLC.**

By: \_\_\_\_\_  
Alicia Weintraub, Mayor

By: \_\_\_\_\_  
Samuel Cooksey, Owner

Date: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Kindon Meik, City Manager

By: \_\_\_\_\_  
Hayley Church, Owner

Date: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Erica Green, Community Services Director

Date: \_\_\_\_\_

Attest:

By: \_\_\_\_\_  
Maricela Hernandez, MMC, CPMC  
City Clerk

Date: \_\_\_\_\_

Approved as to form:

By: \_\_\_\_\_  
Matthew T. Summers  
Colantuono, Highsmith & Whatley, PC  
City Attorney

Date: \_\_\_\_\_

EXHIBIT A  
SCOPE OF WORK

Scheduling of and supervision of Lifeguard, Head Lifeguard and Water Safety Instructor Services at the Calabasas Tennis and Swim Center in conjunction with the City's Aquatics Supervisor

Lifeguard and Swim Instructor Training and Certification

# STATEMENT OF QUALIFICATIONS

FOR PROVIDING LIFEGUARDS AND SWIM  
INSTRUTORS TO THE CITY OF CALABASAS

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## COOKSEY'S LIFEGUARD AND SWIM ACADEMY, LLC.

Cooksey's Lifeguard and Swim Academy, LLC. (CLSA) ensures top-quality safety and running of the aquatic facilities for all contracts. CLSA builds each contract's aquatic program to their needs specifically in order to provide excellent service. New to 2024, CLSA now holds a \$5 million excess liability policy.

CLSA contracts are executed with a combination of careful planning, broad and pin-point goals, strong communication, attention to safety, and a commitment to meeting the needs of the clients and community. Adaptation to changing circumstances and a proactive approach to challenges also contribute to the success of our partnerships.

# EXECUTIVE SUMMARY



CLSA is very excited to be giving the opportunity for the chance to work with The City for another successful year.

Given our involvement in The City's aquatic program over the past few years, we possess a significant advantage in understanding the specific demands and intricacies of the work. In 2023 alone, the city utilized 3,274 lifeguard hours, 1,617 head lifeguard hours, and 582 swim instructor hours. In 2022 the city used a total of 4,137 hours (this total includes head lifeguard and swim instructors hours). With this historical data, we are adept at aligning our staffing to precisely meet the city's needs in 2024.

This allows us to efficiently plan staffing levels throughout the year. During peak seasons, our analysis indicates an approximately 30 lifeguards on staff to ensure comprehensive coverage of all hours. Conversely, during off-peak periods, we have need for 12 lifeguards to maintain a safe and effective operational capacity.

This strategic approach to staffing guarantees that the city's aquatic facilities are adequately and flexibly manned, ensuring the safety of all patrons regardless of the season. Our ability to train new lifeguards at several different facilities around the area allows us to hire new lifeguards in a more timely manner filling all gaps that The City may need.

This utilization of historical usage data for staffing predictions, combined with our proactive approach to aligning resources, solidifies our capability to seamlessly deliver lifeguard and swim instruction services in accordance with The City's needs, providing a consistent and reliable level of service throughout the year.

Additionally, we welcome the opportunity to fully staff your aquatic facility with all CLSA lifeguards and swim instructors.

# SCOPE OF WORK

## **a. Scheduling Needs Management:**

### *Approach:*

CLSA uses a proactive and technology-driven approach to manage lifeguard and swim instructor scheduling needs for the City. We utilize specialized software to create efficient schedules that consider peak hours, special events, and employee availability.

### *Methodology:*

1. Automated Scheduling System: Continue using an automated scheduling system to ensure fair distribution of shifts and optimize coverage.
2. Real-Time Updates: Continue with real-time platform for staff to communicate availability, swap shifts, and request time off.
3. Customizable Shifts: Tailor schedules to accommodate the unique needs of the City's aquatic facilities, ensuring an appropriate number of lifeguards and swim instructors at all times. Covering as many City shifts last minute as possible.
4. Site Lead Lifeguard: Update the hard copy of the schedule in the Recreation Supervisor office. Get shifts covered when city lifeguards are not able to get a cover. Forward all weekly reminders to CLSA Regional Manager so staff page and scheduling notes are up to date.

## **b. Lifeguard and Swim Instructor Training and Certification:**

### *Approach:*

CLSA is committed to maintaining a highly trained and certified team of lifeguards and swim instructors. We follow industry standards and regularly update training programs to meet the latest safety and instructional requirements.

### *Methodology:*

1. Certification Programs: Lifeguards are trained and certified through Red Cross. Swim instructors are certified with WSI.
2. Regular Training Sessions: Once certified, each lifeguard is required to go to monthly training sessions to keep staff updated on CPR, first aid, water rescue techniques, and customer service skills. CLSA staff practices EAP at each of these sessions. These follow the two hour minimum to keep Red Cross certifications active.
3. Recertification Program: Returning lifeguards must complete a "revalidation" training prior to coming back to CLSA each year. When certifications are near expiration, lifeguards must do a recertification as Red Cross requires.

# SCOPE OF WORK CONT.

## **d. Hourly Rates 2024**

- Lifeguard: \$25
- Site Lead Lifeguard / Head Lifeguard: \$27
- Swim Instructor / Swim Team Coach: \$27

## **e. Tasks Required by City staff**

### *Approach:*

Effective task delegation is crucial for the successful execution of the Scope of Work. CLSA will work closely with City staff, continuously defining roles and responsibilities to achieve seamless collaboration. Delegation is crucial to a safe environment for staff and patrons.

### *Methodology:*

- **Task Identification and Allocation:** Clearly define all tasks outlined in weekly reminders that are updated by the Recreation Supervisor to ensure that the Scope of Work is understood when the season maintenance changes or when the programming does.
- **Regular Coordination Meetings:** Conduct regular coordination meetings to address any challenges, provide updates, and ensure alignment between City staff and our team. This will be done weekly within CLSA. CLSA will coordinate meetings with The City's Recreation Supervisor on their request, whenever necessary.
- **Performance Monitoring:** Continue using CLSA's performance monitoring system to assess the effectiveness of the delegated tasks, allowing for adjustments as needed. This will be assessed through meetings and 360 evaluations.

By implementing this comprehensive approach and methodology, we aim to ensure a safe and efficiently managed aquatic environment for The City, with well-trained staff and streamlined operational processes.



# SITE STAFFING



CLSA will deploy a comprehensive team for both daily on-site operations and behind-the-scenes support to ensure a successful aquatic program for The City. All CLSA staff are W-2 employees. The city's sole responsibility will be providing the schedule; we will manage all other operational aspects seamlessly. Below is a comprehensive list of all CLSA staff who will collaborate with the city to execute the aquatic program efficiently. All lifeguard staff will be CA Bundle 5 Certifications through Red Cross. All Swim Instructor staff will be WSI certified.

## **On-Site Staff**

- 1 Site Lead Head Lifeguard
  - Oversight of lifeguard operations including safety, scheduling, working closely with the Recreation Supervisor to ensure all needs are met. Is the first to deal with any emergencies or problems that arrive on the pool deck.
- 3-5 Head Lifeguards
  - Oversees the daily responsibilities of ensuring that all staff are doing their duties and facility is safe to the public. Assists with covering shifts when needed.
- 30-12 Lifeguards
  - Overall safety of the pool, enforce rules, proactively keep all clients and other staff safe. Will have the CA Bundle 5 Certifications through Red Cross.
- 6-7 Swim instructors
  - Teach swim lessons and coach swim team.

## **Off-Site Staff**

- Accountant/Bookkeeper: Handles financial records, maintains accounts, prepares financial reports, and manages payroll and invoices.
- Human Resources Manager: Manages personnel matters, including recruitment, training, employee relations, and compliance with labor laws.
- Regional Managers: Provides administrative support, over-see schedule, manages correspondence to all staff for any operational changes, and orders uniforms and equipment when needed.
- Red Cross License Training Provider: employs certified instructors and upholds strict Red Cross standards to ensure that all individuals receiving training are taught according to the Red Cross curriculum.

EXHIBIT B  
APPROVED FEE SCHEDULE

Approved Hourly Rates:

Lifeguard - \$25 per hour

Head Lifeguard - \$27 per hour

Water Safety Instructor - \$27 per hour





**CITY of CALABASAS**

**CITY COUNCIL AGENDA REPORT**

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**DATE:** JANUARY 22, 2024

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS

**FROM:** KINDON MEIK, CITY MANAGER  
MARICELA HERNANDEZ, CITY CLERK

**SUBJECT:** REVIEW, DISCUSS AND PROVIDE DIRECTION ON RECOMMENDED AMENDMENTS TO THE CITY COUNCIL PROTOCOLS. DISCUSS AND PROVIDE DIRECTION ON THE WEEKLY MAYOR'S LETTER.

**MEETING**

**DATE:** JANUARY 31, 2024

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**SUMMARY RECOMMENDATION:**

That the City Council review, discuss and provide direction on recommended amendments to City Council Protocols (Protocols); and discuss the recommendation by the Council's Procedures and Protocols Committee to suspend the weekly Mayor's Letter.

**BACKGROUND:**

At the request of the Council, the initiative to update the City Council began in April 2022. The Procedures and Protocols Committee, consisting of Councilmember Kraut and Councilmember Bozajian, and assisted by the City Manager and City Clerk met on multiple occasions to review and recommend amendments to the Protocols.

In their discussions, the Committee focused on four main goals or objectives by drafting protocols that would:

1. Underscore the Mayor's responsibility to accurately represent the majority opinion of the Council in oral and written communication.
2. Maximize the time during Council meetings to conduct City business.
3. Establish procedures to ensure that City Council agenda items reflect the interests of the majority.
4. Outline campaign guidelines during the election period.

At the September 13, 2023, Council meeting, the request was made to grant additional time to those Councilmembers who are not on the Protocols Committee to review the proposed changes. Subsequently, staff met with Mayor Shapiro, Mayor pro Tem Weintraub and Councilmember Albrecht to review the amended protocols document in its entirety. As a result of those conversations, the three Councilmembers have asked for further clarification and discussion on several items and have likewise made suggested edits to other sections of the document.

The attached table identifies those Protocols that require further discussion and clarification. Additionally, the table references one or more of the four goals that the revised Protocols are meant to address.

Finally, the Protocols Committee considered at length the weekly Mayor's Letter to the community. Based on those conversations, the Protocols Committee is recommending that the letter be suspended. The Committee is interested in the opinion of the Council on this matter.

**REQUESTED ACTION:**

1. That the City Council review, discuss and provide direction on the recommended amendments to Council Protocols.
2. Discuss and provide direction on the weekly Mayor's Letter to the community.

**ATTACHMENTS:**

- A. Table identifying Committee goals and protocols to be discussed
- B. Current Council Protocols
- C. Proposed City Council Protocols (redlined version)
- D. Proposed City Council Protocols (clean version)
- E. PowerPoint Presentation

**TABLE WITH  
COMMITTEE  
GOALS/  
PROTOCOLS**

Section/Item #	Committee Goal	Protocol Committee Draft Language	Notes
Selection of Mayor		Entire section.	Request to review one-year rotation protocols from other cities for clarity in language and direction on what happens when regular rotation cycle is altered.
Mayor's Role - #3	Mayor's representation of the majority.	The Mayor is to preside at all meetings of the City Council and perform such other duties consistent with the office as may be imposed by the Council or by vote of the people. As presiding officer of the Council, the Mayor is to faithfully communicate the will of the Council majority in matters of policy. The Mayor is also recognized as the official head of the City for all ceremonial purposes. As such, the Mayor shall be the chief spokesperson for the City, representing the City at all ceremonial events and functions, and shall issue all ceremonial proclamations and certificates.	Consider adding language similar to that found in City Council Interaction and Communication – Item #7 that Mayor is to communicate the will of the majority but may also state his or her opinion if it differs than that of the majority.
Mayor's Role - #4		The Mayor shall sign all ordinances and other documents that have been adopted by the City Council and require an official signature; except when the City Manager has been authorized by Council action to sign documents. In the event the Mayor is unavailable, the Mayor pro Tem or another Councilmember's signature may be used.	Consider revision to this section authorizing the Mayor pro Tem to sign ordinances and other documents in the event of an emergency and when the Mayor is unable to sign.
Mayor's Role - #8	Council agendas represent majority.	Two Councilmembers may place an item on the Future City Council agenda. Future items shall be agendized within 90 days.	Recommendation that items be agendized or assigned to a Council Committee within 90 days.
Mayor's Role - #9	Council agendas represent majority.	Items shall be agendized in the following order: a. Matters of urgency b. Strategic priorities c. Committee recommendations d. Future City Council agenda items in the order they were requested	Request for further discussion.

Section/Item #	Committee Goal	Protocol Committee Draft Language	Notes
Mayor's Role - #11	Council agendas represent majority.	For a period of two years, no matter that has previously been decided, shall return to a City Council agenda for reconsideration unless there are demonstratively changed circumstances, which must be outlined in the staff report.	Request for further discussion.
Mayor's Role - #16	Mayor's representation of the majority; campaign guidelines.	The Mayor presents the State of the City Address annually in November or December to inform the public of the actions of the Council, the events of last year, the health of the City and plans for the future. The focus should be on the accomplishments of the Council and the City as a whole, although the Mayor is free to advocate for his or her vision of the future.	Request for further discussion. Recommendation that language is revised to allow flexibility for Mayor to hold a state of the city or other type of public forum. Consider clarification that state of the city or other event be held after between the first week of November and prior to Council reorg. In election years, the event would be held after the election.
Campaign Reform	Campaign guidelines.	Entire section.	Request for further discussion. Consider change to section title. Recommendation that City Attorney provide direction on personal, candidate, and campaign social media accounts.
Public Meetings - #1e	Mayor's representation of the majority.	The Mayor allows other Councilmembers to speak first, and then summarizes or provides the final comments before asking for a motion or direction to staff on the item. The Mayor does not interject in between Councilmembers.	Request for further discussion.

Section/Item #	Committee Goal	Protocol Committee Draft Language	Notes
Public Meetings - #6	Council agendas represent majority.	Councilmembers are expected to attempt to persuade their colleagues to their point of view through reasoned debate, but also to accept the Council's ultimate decision graciously and as final. Councilmembers should not place the City Manager or staff in the position of having to deal with minority positions which do not further established Council policy. <b>Items shall not return to City Council unless there has been substantial change and it is requested by a member of the original majority vote.</b>	Request for further discussion.
Public Meetings - #7	Maximize time during council meetings.	<b>Announcements should be made by Councilmembers associated with any upcoming event. Before meetings begin, Councilmembers should identify which announcements will be made and who will be making them in order to ensure that items are not missed.</b>	Request for further discussion.
Public Meetings - #8	Maximize time during council meetings.	Public comments are limited to no more than three (3) minutes per speaker. <b>In order to avoid repetition and to promote thorough and thoughtful arguments, one member of the public who is present in Council Chambers may cede their time to another speaker (six minutes maximum).</b>	Request for further discussion.

Section/Item #	Committee Goal	Protocol Committee Draft Language	Notes
Public Meetings - #22		All members of the public desiring to speak at a Council meeting shall complete a speaker card which will be made available at all such meetings. The speaker should provide his or her name and City of residence on the speaker card. Speaker cards shall be submitted to the City Clerk or meeting staff prior to the time the item begins. It is within the discretion of the Mayor to accept a late submitted speaker card. <b>Speakers participating via Zoom or any other remote/virtual communication system used by the City Council should press raise hand at the time the item they wish to comment on is heard. When they are brought into the meeting, they should state their name and City of residency.</b>	Staff requests time to further evaluate this change based on recent issues during public comment over Zoom in other cities.
City Council Interaction and Communication - #13	Maximize time during council meetings; council agendas represent majority.	<b>Two Councilmembers may request, through the City Clerk, resolutions, proclamations or similar initiatives. All such requests must be approved by the City Manager, who should ask staff to vet the cause, if necessary. The Mayor should limit the number of presentations made at City Council meetings to maintain sufficient time to conduct City business.</b>	Request for further discussion.
City Council Interaction and Communication - #14	Maximize time during council meetings; council agendas represent majority.	<b>Two Councilmembers may request, through the City Clerk, certificates or other awards recognizing special events, organizations or individuals of importance to the City. All such requests must be approved by the City Manager, who should ask staff to vet the organization, if necessary. Such certificates or awards are normally to include the name and/or signature of all Councilmembers. The Mayor should limit the number of presentations made at City Council meetings to maintain sufficient time to conduct City business.</b>	Request for further discussion. Consider individual councilmembers to request certificates or awards without having a second.  Note: Certificates are requested through the City Manager’s Office.

Section/Item #	Committee Goal	Protocol Committee Draft Language	Notes
City Council Interaction and Communication - #15	Maximize time during council meetings; council agendas represent majority.	Two Councilmembers may request, through the City Clerk, speakers, briefs or informational presentations of importance to the City. All such requests must be approved by the City Manager, who should consider the value of the information and the authority of the City to utilize the information. The Mayor should limit the number of presentations made at City Council meetings to maintain sufficient time to conduct City business.	Request for further discussion.
City Council Interaction and Communication - #16	Maximize time during council meetings; council agendas represent majority.	Two Councilmembers may request, through the City Clerk, support or opposition of pending legislation, which must be related to municipal governance. All such requests must be reviewed and approved by the City Manager, who should evaluate the request in accordance with the City's legislative platform. The Mayor should limit the number of such requests made at City Council meeting to maintain sufficient time to conduct City business.	Request for further discussion.
City Council Interaction and Communication - #17		Councilmembers who plan to appear at programs or events which involve the use of City staff or resources shall provide notice of such programs or events to all Councilmembers. For all public meetings and event appearances, a reasonable effort shall be made to accommodate the schedule of all Councilmembers.	Consider revision that includes "ceremonial functions".
City Council Interaction and Communication - #18		All electronic mail communications between members of the City Council and any other person either relating to the City's business or communicated in the City Councilmember's official capacity should be sent using the City Councilmember's official electronic email address issued by City staff. Councilmembers are not to personally delete emails or texts from their accounts.	Request that language be consistent with previously adopted protocol and use the word "must" or "shall".
Resident Communications - #2	Mayor's representation of the majority.	Councilmembers should refrain from making any public statements regarding what action, if any, the City should take.	Request for further discussion.





**CURRENT  
CITY COUNCIL  
PROTOCOLS**

# CITY COUNCIL PROTOCOLS

ADOPTED BY THE  
CALABASAS CITY COUNCIL



CITY *of* CALABASAS

*Adopted, As Amended  
September 9, 2020*

# CITY OF CALABASAS

## City Council Protocols

### PREAMBLE

The Calabasas City Council is charged with taking appropriate, necessary, and timely action to maintain the City of Calabasas as a leading, well-managed, and innovative city at the forefront of desirable California cities.

It is the overall responsibility of the City Council a) to gather information and knowledge; b) to take counsel; c) to keep a long-range perspective; d) to hold itself to the highest standards of ethical and professional conduct in the performance of its duties without regard to personal advantage; e) to be free of favoritism; f) to listen carefully to the public; and g) to conduct a reasonable and reasoned period of discussion prior to making decisions.

To accomplish the above-stated responsibilities, and as guidance for the orderly governance of the City, the Calabasas City Council has adopted the following protocols. Except for those protocols that are based on law, these protocols are voluntary and non-binding. They are set forth here to clarify what has become, over time, successful procedures or best practices for the conduct of civic affairs within our City.

These protocols are intended to be consistent with all legal requirements applicable to the conduct of City affairs. In the instance of any conflict with State or federal law, or with the Calabasas Municipal Code, such State, federal or municipal law requirements will control. In addition, official City meetings are generally conducted pursuant to Roberts Rules of Order.

It is expected that the City Council will renew these protocols periodically, in order to consider appropriate additions, deletions, and/or amendments.

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# GENERAL

1. The Council participates in regional, state and national programs and meetings which serve the best interests of the City of Calabasas.
2. The Council provides policy direction to the City Manager. The City Manager, through city staff, implements Council policy. The Council does not interfere with the operating decisions of the city, which are the responsibility of the City Manager.
3. The City Manager keeps each Councilmember fully, and equally, informed as to all matters of importance to the city, including agenda items, financial conditions, needs of the city, resident concerns, staffing needs, and urgency items.
4. The Council endeavors not to burden the City Manager or staff with demands for individual time or attention on matters that the City Manager can better handle with general communications to the Council as a whole.
5. The Council looks to the City Manager, staff, commissions and committees for advice on city policies and legislative actions.
6. The Council complies with all laws relating to open meetings, public records, and conflicts of interest.
7. The Council encourages resident participation in the development of City policies.
8. The Council desires the public to be fully informed about decisions that impact the public, and encourages public comment as policies are set.
9. The Council makes adequate provision for the training and continuing education of the Council, commissions, and city staff.
10. All Councilmembers should receive and review any documents shown or provided by city staff to any other Councilmember.
11. Councilmembers inform the City Manager as far in advance as possible of when they will be out of town or otherwise unavailable to conduct city business.

## SELECTION OF THE MAYOR

1. The Mayor and Mayor Pro Tem are nominated at the second Council meeting in March of each year, and are selected by a vote of their peers on the Council. Each serves for a one-year term. In the customary rotation, the Mayor Pro Tem is nominated to serve as Mayor at the end of the Mayor's one-year term.
2. The outgoing Mayor will follow [1] those already in the rotation and [2] first-time elected Councilmember(s).
3. The order of the first-time elected Councilmember(s) should be based on the order of finish in the election, with the first-time elected Councilmember receiving the most votes taking the first term, the next in line taking the second, and so on.
4. Once a Councilmember's position in the rotation is established, it does not change based upon the future order of election results.
5. If the election is canceled, the order of the rotation of the appointed candidates will remain the same.
6. The Mayor and Mayor Pro Tem are peers of and serve at the pleasure of the other Councilmembers.
7. The Mayor assumes the center chair on the dais and oversees the seating location of the other Councilmembers.

## MAYOR'S ROLE

1. The Mayor represents the City, is its official spokesperson, and presides over all City Council meetings.
2. The Mayor, as well as each Councilmember, recognizes the unique role of representing the City, and takes great care to insure that this always takes precedence over representing oneself or one's own personal agenda.
3. It is the Mayor's prerogative to make Council committee assignments from choices provided by Councilmembers. The Mayor accommodates Council choices whenever possible.
4. The Mayor informs the Council by copying to them any correspondence sent under the Mayor's signature which relates to city business. The Mayor will also copy the Council on correspondence or email sent under his signature.
5. The Mayor, in consultation with the City Manager, sets the agenda for each Council meeting.
6. The Mayor or two Councilmembers may place an item on the City Council agenda.
7. At a public meeting, the Mayor has discretion to move agenda items and/or to take them out of order to accommodate the needs of the Council or the public.
8. In the absence of the Mayor, the Mayor Pro Tem performs the duties of Mayor.
9. The Mayor is obliged to act as a facilitator during public meetings. The Mayor ensures that all views are heard and that the meeting progresses in an orderly and timely fashion. The Mayor provides an equal opportunity for each Councilmember to be heard.
10. The Mayor is expected to be an advocate for his or her views, just as other Councilmembers are, but not to take advantage of the Mayor's status on the dais to coerce or to advocate in excess of what is allowed to other Councilmembers. The Mayor's role as a facilitator should not be compromised by his or her role as an advocate.
11. If a Councilmember, or sub-committee, brings an issue forward to the council, it is appropriate for the Mayor to give that member or committee members the opportunity to speak first on that particular issue.



## CITY COUNCIL PREPARATION

1. Councilmembers avoid surprising their colleagues or staff. To the maximum extent possible, Councilmembers advise the City Manager in advance of issues or questions they intend to bring up at a public meeting. This refers to issues and questions that the staff would not normally anticipate or have researched for that particular meeting. Getting minor questions resolved with staff prior to a public meeting will shorten meetings and move the agenda forward in a timely manner.
2. Councilmembers are prepared for Council or committee meetings, which includes having read all agendas and supporting documentation prior to the meeting.
3. Councilmembers stay abreast of regional issues affecting neighboring cities, counties, and the operations of other districts or agencies.

# PUBLIC MEETINGS

1. Public hearings and discussion items at Council meetings proceed generally in the following order:
  - a. City staff presents a report of the item under consideration.
  - b. Councilmembers have an opportunity to ask questions of staff for clarification or to gather additional information.
  - c. Public testimony is taken from affected parties or members of the public who wish to be heard.
  - d. At the close of public testimony, the Mayor allows staff to respond to any public testimony which staff wishes to supplement or regards as inaccurate or in need of clarification.
  - e. The Mayor allows other Councilmembers to speak first, and then summarizes or provides the final comments before asking for a motion or direction to staff on the item.
  - f. The order of Council comments is at the discretion of the Mayor. If the item under consideration was studied first by a committee of the Council, members of the committee would be expected to lead off the discussion.
2. Any Councilmember who desires to recuse himself or herself for conflict of interest or any other reason shall do so as soon as the item is called and shall leave the Council chambers until the item is concluded.
3. Any Councilmember may request a continuance of an item on the agenda if that Councilmember needs more time to become fully informed and able to render a decision. However, a continuance need not be granted if a majority of the Council deems it necessary to render a decision at the agenda time.
4. If a Councilmember is ill or away for any agenda item of special interest to that Councilmember, the item may be continued or tabled at that Councilmember's request, subject to any applicable statutory time periods, and only if such delay would not be adverse to the City's best interests. However, Councilmembers should not request a continuance without justifiable reason. Bear in mind that the public may attend expecting discussion or action on the issue, staff has prepared reports, and there may be staff or consultants present just for that item. Councilmembers should coordinate with the City Manager about future agendas and their own schedules to avoid missing items that may be of particular interest to them.

## PUBLIC MEETINGS, continued...

5. If any Councilmember becomes aware of an unexpected issue that may be brought up by a member of the public at a Council, commission or committee meeting, that Councilmember will, as a courtesy, inform the other Councilmembers and the City Manager to the extent legally permissible.
6. Councilmembers are expected to attempt to persuade their colleagues to their point of view through reasoned debate, but also to accept the Council's ultimate decision graciously and as final. Councilmembers should not place the City Manager or staff in the position of having to deal with minority positions which do not further established Council policy.
7. Public comments are limited to no more than three (3) minutes per speaker, but that time may be reduced at the Mayor's discretion if there are numerous speakers on a particular item.
8. The Mayor requests speakers to direct their comments to the Council and not to the audience or to the TV cameras.
9. The Mayor controls the meeting, and discourages personal attacks of any kind from speakers by encouraging them instead to productively address the issues at hand.
10. The Council listens carefully to the speakers and does not interrupt or engage in debate with the speakers. The three-minute period belongs to the speaker.
11. Subject to applicable legal deadlines, the Mayor or any Councilmember may move to refer back to staff any agenda item that is deemed to be incomplete or unready for final decision. The same rule applies to City Commissions.
12. A Councilmember may suggest a change in procedure if he or she feels it will be helpful for the conduct of a particular meeting, understanding that the Mayor runs the meeting.
13. While unanimity is not required or always possible, the Mayor attempts to find consensus on discussion items.
14. Councilmembers make the reasons for their votes clear to their colleagues and to the public. This is particularly important when the Council is divided on an issue.
15. The Mayor, Councilmembers, and all Commission and committee members treat everyone with courtesy and respect.
16. All participants in a public meeting, including Councilmembers, staff and the public, shall make their remarks succinct, to the point, and as brief as possible. Participants shall avoid repeating remarks already made by others, and may simply state agreement with those particular shared sentiments.

## PUBLIC MEETINGS, continued...

17. Direction to staff must be determined by a majority of the Council and must be clearly identified at the Council meeting. Tacit approval, or lack of disagreement by others, is not considered direction. The Mayor should ensure that the direction staff receives is clear and represents the majority view of the Council.
18. Every Council action should be:
  - a. A reasoned decision that was arrived at in a fair way.
  - b. Not to the personal advantage of any Councilmember.
  - c. Free of favoritism.
  - d. Based on information and opinions from a variety of sources, and particularly, from those who would be most affected.
19. Councilmembers do not have private communications, among themselves or with members of the public, via electronic communication devices or otherwise, from the dais during public meetings.
20. All members of the public desiring to speak at a Council or Commission meeting shall complete a speaker card which will be made available at all such meetings. The speaker should provide his and her name and city of residence on the speaker card. Speaker cards shall be submitted to the City Clerk or meeting staff prior to the time the item begins. It is within the discretion of the Mayor or meeting chair to accept a late submitted speaker card.
21. All meeting participants will tell the truth to the best of their knowledge and ability when presenting testimony or oral comments to the Council or Commission.
22. All meeting participants shall conduct themselves in an orderly manner. As a last resort, any person conducting themselves in a disorderly manner may be removed from the meeting room pursuant to California Government Code Section 54954.3(c).

# CITY COUNCIL INTERACTION AND COMMUNICATION

1. Councilmembers treat each other with the respect and courtesy that is their due as residents and public officials.
2. Each Councilmember has the responsibility to initiate action to resolve problems cooperatively and as soon as possible, either directly with other Councilmembers or with the City Manager.
3. The Council maintains a respectful decorum, and avoids personal attacks during public meetings, in the press, or at any other time. Legitimate dissent or opposition to another Councilmember's voting record or positions on issues are within the bounds of appropriate political discourse.
4. Councilmembers should be sensitive to the negative impact that inappropriate conduct has on the public perception of the City. Councilmembers should be mindful of the fact that they are representatives of the City in all their public activities.
5. Councilmembers are flexible and cooperative in filling in for one another at meetings or important functions.
6. Councilmembers do not engage in private discussions in violation of the Brown Act. A Councilmember who feels that a conversation is potentially a violation should express his or her concern and immediately withdraw from the conversation. Councilmembers are expected to honor such concerns and immediately cease the conversation even if they do not agree that the Brown Act applies in that particular instance.
7. Personal attacks are always off-limits. Councilmembers start with the assumption that other members have the best interests of the City at heart, even if they disagree with their positions.
8. If a Councilmember takes a position in the media, or at any public hearing, critical of a decision, or critical of fellow Councilmembers or members' positions on issues, such public comments should stick to the issues under contention and never involve personal attacks. Councilmembers shall be mindful when representing views or making comments and, if they do not reflect the majority of the Council, must claim the comments as their own personal opinion. Positions set forth in writing on City letterhead should clearly indicate if the position stated is one officially voted on by the City Council, or if it only represents the position of the individual Councilmember.

## CITY COUNCIL INTERACTION AND COMMUNICATION, continued...

9. Councilmembers should avoid expressions, comments, or opinions of city fault responsibility or liability in any matters involving property damage, personal injury or alleged breach of contract or alleged violation of law.
10. These Protocols do not, by themselves, carry the weight of law. Councilmembers are expected to abide by them out of a desire to have a well run City that treats its residents respectfully and with dignity. A governing body that strives to be fair, informed, honest, diligent, dignified, efficient and respectful of others will win the respect and trust of its residents.
11. If any Councilmember feels that a Protocol is being violated, it is appropriate for that member to discuss it individually with the errant Councilmember. If the City Manager or staff are involved, it is appropriate to discuss it with the City Manager. If this does not resolve the situation, it is appropriate, as a last resort, to bring up the matter within the Future Agenda Item period of a public meeting and ask for the issue to be put on a future agenda.
12. A principal purpose of the Protocols is to establish or uphold procedures and behavior that win the trust of the public by promoting efficient, productive and civil interaction between Councilmembers. Any Councilmember who habitually ignores these Protocols should expect to be called to task by his or her fellow Councilmembers and by the public.
13. A Councilmember who originates an idea or program shall continue to be identified as the originator even if the idea or program is pursued by another Councilmember or City official.
14. Councilmembers may request, through the City Clerk, certificates or other awards recognizing special events, organizations or individuals of importance to the City. All such requests must be approved by the Mayor, who should ask staff to vet the organization, if necessary. Such certificates or awards are normally to include the name and/or signature of all Councilmembers.
15. Councilmembers who plan or appear at programs or events which involve the use of City staff or resources shall provide notice of such programs or events to all Councilmembers.
16. All electronic mail communications between members of the City Council and any other person either relating to the City's business or communicated in the City Councilmember's official capacity must be sent using the City Councilmember's official electronic mail address issued by City staff. Council members are not to personally delete emails or texts from their accounts.

## CITY COUNCIL INTERACTION AND COMMUNICATION, continued...

17. All text messages between members of the City Council and any other person either relating to the City's business or communicated in the City Councilmember's official capacity may be sent using a device and telephone account provided by the City.

# CITY COUNCIL INTERACTION AND COMMUNICATION WITH STAFF

1. The Council and City Manager work together as a solution-oriented team.
2. Councilmembers feel free to communicate with the City Manager about any City issues, including resident concerns. However, Councilmembers are also mindful of the City Manager's busy schedule and competing requests for access.
3. Complaints or concerns about any City departments or staff are first taken up with the City Manager. It is not appropriate, in any situation, to critique, ridicule, or complain about other staff to any staff person other than the City Manager.
4. Councilmembers may routinely ask department heads for information relative to their department. However, inquiries that require extensive research, or reports that may occupy more than cursory staff time should first be discussed with the City Manager, and may require action or approval by the entire Council.
5. Department heads report to the City Manager. Councilmembers do not insert themselves into or interfere with that chain of command.
6. The Council should expect to be fully and promptly informed by the City Manager or his designee regarding any unusual activities or events of public concern.
7. Councilmembers keep a friendly, professional relationship with staff members, but avoid getting involved with personal matters, operational matters, work assignments or projects with any staff other than the City Manager.
8. It is staff's role to provide factual, objective, and unbiased information to the Council and the public in its reports. Councilmembers do not interfere or attempt to unduly influence the content of reports being prepared by staff. If a Councilmember disagrees with a staff recommendation, he or she is not obligated to vote for it and is likewise free to attempt to convince his or her colleagues on the Council of his or her position.
9. Councilmembers establish action and budget priorities for the City once a year during the annual budget review process.
10. Changes from the priorities or budget allocations established during the annual budget review process should be pursued only after careful consideration, as they may involve changes in staff work load and appropriations, and because the original priorities were established with the benefit of a public hearing.



## CITY COUNCIL INTERACTION AND COMMUNICATION WITH STAFF, continued...

11. Councilmembers should bring forward requests for deviations from the established budget priorities only if they involve a degree of urgency that cannot wait until the next budget review.
12. Councilmembers may individually ask the City Attorney general questions involving matters related to their performance as City officials. However, inquiries that require extensive research, opinions or reports should first be discussed with the City Manager, and may require action or approval by the Council.

## COMMITTEES OF THE COUNCIL

1. Committees of the Council serve the entire Council. Committees are not seen as territorial, but neither do Councilmembers interfere in the committee work of others.
2. The Council endeavors to define the jurisdiction and area of study of each committee so as to avoid conflicts or overlapping issues.
3. Committee members keep the rest of the Council informed of their work, which may include the filing of reports, memoranda or minutes.
4. The Council is available to advise committees by placing items about which a committee needs guidance on a Council agenda.
5. Each Council meeting agenda should include an opportunity for the making of committee reports. Whenever possible, written reports are provided to the Council prior to the public meeting.
6. Committees may recommend a course of action to the Council, but they never supplant the decision-making authority of the Council, unless authority to take specific action is expressly delegated to a committee by a vote of the Council at a public meeting.
7. Committee meetings are scheduled and (where applicable) proper public notice is provided through staff. Councilmembers who wish to call a committee meeting do so by asking the City Manager to make the appropriate arrangements.

## COMMISSIONS AND BOARDS

1. Commission appointments are generally based on the recommendation of one nominee from each Councilmember. The nominations are then subject to approval by the entire Council. The Commissions shall elect a Chair and Vice-Chair from among themselves, which positions shall rotate.
2. The Council is responsible to make its vision for the City clear to all appointed and advisory bodies as policy guidance for those bodies.
3. The Council holds Commissions and boards to the highest standards of ethical and professional conduct in the performance of their appointed duties.
4. Like the City Council, Commissions and boards work for the benefit of the community and never for personal purposes.
5. The Council spells out the role, jurisdiction, authority and prerogatives of appointed bodies.
6. Commissions and boards are expected to make specific recommendations on matters brought before them, and not merely to pass them on to the City Council for final decision.
7. Councilmembers do not dictate the decisions of Commissioners and other board members. Commissioners and board members come to their own conclusions based on the evidence, the City's Municipal Code, and other governing and visioning documents. Substantial consideration is to be given by Commissioners to the recommendations of staff contained in the agenda reports.
8. Commissioners are encouraged to discuss questions or concerns about any agenda items with the Commission's staff liaison prior to Commission meetings in order to be prepared to take action at public meetings. Commissioners are to be mindful of undue consumption of staff time and resources.
9. Any Commission or board action should clearly state for the record the specific justification for the decision, so that the Council and the public may have the benefit of its reasoning.
10. All persons requesting appointment or re-appointment to a Commission or Board shall make written application to the City Clerk. The City Clerk is to acknowledge receipt of each application by letter to the applicant which includes an explanation of the appointment process. The City Council shall provide an opportunity for applicants to come before the Council and be interviewed before nominations are made.

## COMMISSIONS AND BOARDS, continued...

11. All nominations for appointment to a Commission or Board are to be placed on the Council's public agenda with the applicant's name and a copy of the application (with personal information redacted). All nominees are required to appear in person before the Council prior to appointment or re-appointment. The City Clerk shall send a letter to all applicants stating the results of the appointment process in which they participated.

## RESIDENT COMPLAINTS

1. Upon receiving a complaint from the public, Councilmembers direct that complaint to the City Manager for appropriate staff action and follow-up.
2. Councilmembers first ensure that they are in possession of all of the facts and both sides of the story before making any statements to the press or to the complaining party regarding what action, if any, the City should take.
3. The Council allows staff to handle resident complaints and does not to attempt a direct resolution of the problem. The Council gives staff time to do their job.

**PROPOSED  
CITY COUNCIL  
PROTOCOLS/  
REDLINED**

# CITY COUNCIL PROTOCOLS

ADOPTED BY THE  
CALABASAS CITY COUNCIL



CITY *of* CALABASAS

*Adopted, As Amended*  
*September 9, 2024*

# CITY OF CALABASAS

## City Council Protocols

### PREAMBLE

The Calabasas City Council is charged with taking appropriate, necessary, and timely action to maintain the City of Calabasas as a leading, well-managed, and innovative cityCity at the forefront of desirable California cities.

It is the overall responsibility of the City Council a) to gather information and knowledge; b) to take counsel; c) to keep a long-range perspective; d) to hold itself to the highest standards of ethical and professional conduct in the performance of its duties without regard to personal advantage; e) to be free of favoritism; f) to listen carefully to the public; and g) to conduct a reasonable and reasoned period of discussion prior to making decisions.

To accomplish the above-stated responsibilities, and as guidance for the orderly governance of the City, the Calabasas City Council has adopted the following protocols. Except for those protocols that are based on law, these protocols are voluntary and non-binding. They are set forth here to clarify what has become, over time, successful procedures or best practices for the conduct of civic affairs within our City.

These protocols are intended to be consistent with all legal requirements applicable to the conduct of City affairs. In the instance of any conflict with state or federal law, or with the Calabasas Municipal Code, such state, federal or municipal law requirements will control. In addition, official City meetings are generally conducted pursuant to the most current Roberts Rules of Order.

It is expected that the City Council will review these protocols and Roberts Rules of Order periodically, in order to consider appropriate additions, deletions, and/or amendments.

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# GENERAL

1. The Council participates in regional, state and national programs and meetings which serve the best interests of the City of Calabasas.
2. The Council provides policy direction to the City Manager. The City Manager, through cityCity staff, implements Council policy. The Council does not interfere with the operating decisions of the cityCity, which are the responsibility of the City Manager.
3. The City Manager keeps each Councilmember fully, and equally, informed as to all matters of importance to the cityCity, including agenda items, financial conditions, needs of the cityCity, resident concerns, staffing needs, and urgency items.
4. The Council endeavors not to burden the City Manager or staff with demands for individual time or attention on matters that the City Manager can better handle with general communications to the Council as a whole.
5. The Council looks to the City Manager, staff, ~~commissions~~ Commissions and ~~committees~~ Committees for timely, accurate and unbiased presentations and advice on cityCity policies and legislative actions.
6. The Council complies with all laws relating to open meetings, public records, and conflicts of interest.
7. The Council encourages resident participation in the development of City policies.
8. The Council desires the public to be fully informed about decisions that impact the public, and encourages public comment as policies are set.
9. The Council makes adequate provision for the training and continuing education of the Council, commissions, and cityCity staff.
10. All Councilmembers should receive and review any documents shown or provided by cityCity staff to any other Councilmember.
11. Councilmembers inform the City Manager as far in advance as possible of when they will be out of town or otherwise unavailable to conduct cityCity business.

## SELECTION OF THE MAYOR

1. The Mayor and Mayor ~~Pro-pro~~ Tem are nominated at the ~~second~~ Council reorganization meeting in ~~March-December~~ of each year, and are selected by a vote of their peers on the Council. Each serves for a one-year term. In the customary rotation, the Mayor ~~P~~pro Tem is nominated to serve as Mayor at the end of the Mayor's one-year term.
- ~~4.2.~~ The outgoing Mayor of an odd-numbered year will assume his/her place at the end of the rotation.
- ~~2.3.~~ The outgoing Mayor of an even-numbered year will follow [1] those already in the rotation and [2] first-time elected Councilmember(s).
- ~~3.4.~~ The order of the first-time elected Councilmember(s) should be based on the order of finish in the election, with the first-time elected Councilmember receiving the most votes taking the first term, the next in line taking the second, and so on.
- ~~4.5.~~ Once a Councilmember's position in the rotation is established, it does not change based upon the future order of election results.
- ~~5.6.~~ If the election is canceled, the order of the rotation of the appointed candidates will remain the same.
- ~~6.7.~~ The Mayor and Mayor ~~Pro-pro~~ Tem are peers of and serve at the pleasure of the other Councilmembers.
- ~~7.8.~~ The Mayor assumes the center chair on the dais and oversees the seating location of the other Councilmembers.

# MAYOR'S ROLE

1. The Mayor represents the City, is its official spokesperson, and presides over all City Council meetings.
2. ~~The Mayor, as well as each~~ Councilmember, s recognizes the unique role of representing the City, the Mayor recognizes the unique role of representing the Council and each takes great care to ~~insure~~ ensure that this always takes precedence over representing oneself or one's own personal agenda.
3. The Mayor is to preside at all meetings of the City Council and perform such other duties consistent with the office as may be imposed by the Council or by vote of the people. As presiding officer of the Council, the Mayor is to faithfully communicate the will of the Council majority in matters of policy. The Mayor is also recognized as the official head of the City for all ceremonial purposes. As such, the Mayor shall be the chief spokesperson for the City, representing the City at all ceremonial events and functions, and shall issue all ceremonial proclamations and certificates.
4. The Mayor shall sign all ordinances and other documents that have been adopted by the City Council and require an official signature; except when the City Manager has been authorized by Council action to sign documents. In the event the Mayor is unavailable, the Mayor pro Tem or another Councilmember's signature may be used.
3. ~~It is the Mayor's prerogative to make Council~~ Committee assignments from choices provided by Councilmembers, subject to City Council ratification. The Mayor accommodates Council choices whenever possible.
5. \_\_\_\_\_
4. ~~The Mayor informs the Council by copying to them any correspondence sent under the Mayor's signature which relates to~~ cityCity business. ~~The Mayor will also copy the Council on correspondence or email sent under his signature.~~
6. \_\_\_\_\_
- 5-7. ~~The Mayor~~ City Manager, in consultation with the ~~City Manager~~Mayor, sets the agenda for each Council meeting.
8. ~~The Mayor or t~~Two Councilmembers may place an item on the Future City Council agenda. Future items shall be agendized within 90 days.
9. Items shall be agendized in the following order:
  - a. Matters of urgency
  - b. Strategic priorities
  - c. Committee recommendations
  - 6- d. Future City Council agenda items in the order they were requested

## MAYOR'S ROLE, Continued

- ~~7-10.~~ At a public meeting or a Closed Session of Council, the Mayor has discretion to move agenda items and/or to take them out of order to accommodate the needs of the Council or the public.
- ~~11.~~ For a period of two years, no matter that has previously been decided, shall return to a City Council agenda for reconsideration unless there are demonstratively changed circumstances, which must be outlined in the staff report.
- ~~8-12.~~ In the absence of the Mayor, the Mayor ~~P~~ro Tem performs the duties of Mayor.
- ~~9-13.~~ The Mayor is obliged to act as a facilitator during public meetings. The Mayor ensures that all views are heard and that the meeting progresses in an orderly and timely fashion. The Mayor provides an equal opportunity for each Councilmember to be heard.
- ~~10-14.~~ The Mayor is expected to be an advocate for his or her views, just as other Councilmembers are, but not to take advantage of the Mayor's status on the dais to coerce or to advocate in excess of what is allowed to other Councilmembers. The Mayor's role as a facilitator should not be compromised by his or her role as an advocate.
- ~~15.~~ If a Councilmember, or ~~sub-c~~Committee, brings an issue forward to the ~~council~~Council, it is appropriate for the Mayor to give that Councilmember or ~~committee~~Committee members the opportunity to introduce and/or speak first on that particular issue.
- ~~11-16.~~ The Mayor presents the State of the City Address annually in November or December to inform the public of the actions of the Council, the events of last year, the health of the City and plans for the future. The focus should be on the accomplishments of the Council and the City as a whole, although the Mayor is free to advocate for his or her vision of the future.

## CAMPAIGN REFORM

1. If the Mayor or any Councilmember are up for election, the Mayor will appoint two Councilmembers who are not up for election to moderate any voter outreach or election-related activities of the Mayor's Youth Council from the beginning of the nomination period until election day.
2. Any announcement or event that highlights the Mayor or another Councilmember who is up for election, by singling him or her out by name or by photo will not be advertised or held from the beginning of the nomination period until election day. This includes the State of the City but does not prevent the Mayor from speaking at another function (such as a festival or ribbon cutting). It does, however, prevent the advertising of these functions from using the name or photo of the Mayor or another Councilmember.
3. Councilmembers shall keep separate social media accounts for their roles as elected officials and candidate/campaign. Posts to the elected official accounts shall not include the promotion of any candidate or advocacy for any measure nor shall they be used for any Get Out The Vote message. City staff may use the City's official social media accounts to post anything in the normal course of business including a Get Out to Vote campaign but must refrain from promoting any candidate or measure.

# CITY COUNCIL PREPARATION

- ~~1. Councilmembers avoid surprising their colleagues or staff. To the maximum extent possible, Councilmembers advise the City Manager in advance of issues or questions they intend to bring up at a public meeting. This refers to issues and questions that the staff would not normally anticipate or have researched for that particular meeting. Getting minor questions resolved with staff prior to a public meeting will shorten meetings and move the agenda forward in a timely manner.~~
- 2.1. Councilmembers are prepared for Council or ~~committee~~ Committee meetings, which includes having read all agendas and supporting documentation ~~prior to sufficiently in advance of the meeting to allow for questions, research and response by staff.~~
- ~~2. Councilmembers avoid surprising their colleagues or staff. To the maximum extent possible, Councilmembers advise the City Manager in advance of issues or questions they intend to bring up at a public meeting. This refers to issues and questions that the staff would not normally anticipate or have researched for that particular meeting. Getting questions resolved with staff prior to a public meeting will shorten meetings and move the agenda forward in a timely manner.~~
3. Councilmembers stay abreast of regional issues affecting neighboring cities, counties, and the operations of other districts or agencies.

# PUBLIC MEETINGS

1. Public ~~hearings-meetings~~ and discussion items at Council meetings proceed generally in the following order:
  - a. City staff presents a report of the item under consideration.
  - b. Councilmembers have an opportunity to ask questions of staff for clarification or to gather additional information.
  - c. Public testimony is taken from affected parties or members of the public who wish to be heard.
  - d. At the close of public testimony, the Mayor may allow staff to respond to any public testimony which ~~staff wishes to~~ supplement or clarify regards as inaccurate or in need of clarification the information.
  - e. The Mayor allows other Councilmembers to speak first, and then summarizes or provides the final comments before asking for a motion or direction to staff on the item. The Mayor does not interject in between Councilmembers.
  - f. The order of Council comments is at the discretion of the Mayor. If the item under consideration was studied first by a committee of the Council, members of the committee would be expected to lead off the discussion.
2. Any Councilmember who desires to recuse himself or herself for conflict of interest or any other reason shall do so as soon as the item is called and shall leave the Council ~~chambers~~ Chambers until the item is concluded.
3. Any Councilmember may request a continuance of an item on the agenda if that Councilmember needs more time to become fully informed and able to render a decision. However, a continuance ~~need not be granted if~~ must be approved by a majority of the Council ~~deems it necessary to render a decision at the agenda~~ time.
4. If a Councilmember is ill or away for any agenda item of special interest to that Councilmember, the item may be continued or tabled at that Councilmember's request, subject to any applicable statutory time periods, and only if such delay would not be ~~ad~~verse to the City's best interests. However, Councilmembers should not request a continuance without justifiable reason. Bear in mind that the public may attend expecting discussion or action on the issue, staff has prepared reports, and there may be staff or consultants present just for that item. Councilmembers should coordinate with the City Manager about future agendas and their own schedules to avoid missing items that may be of particular interest to them.



## PUBLIC MEETINGS, ~~continued~~Continued...

5. If any Councilmember becomes aware of an unexpected issue that may be brought up by a member of the public at a Council, commission or committee meeting, that Councilmember will, as a courtesy, inform the other Councilmembers and the City Manager to the extent legally permissible.
6. Councilmembers are expected to attempt to persuade their colleagues to their point of view through reasoned debate, but also to accept the Council's ultimate decision graciously and as final. Councilmembers should not place the City Manager or staff in the position of having to deal with minority positions which do not further established Council policy. Items shall not return to City Council unless there has been substantial change and it is requested by a member of the original majority vote.
7. Announcements should be made by Councilmembers associated with any upcoming event. Before meetings begin, Councilmembers should identify which announcements will be made and who will be making them in order to ensure that items are not missed
- ~~7-8.~~ Public comments are limited to no more than three (3) minutes per speaker, ~~but that time may be reduced at the Mayor's discretion if there are numerous speakers on a particular item.~~ In order to avoid repetition and to promote thorough and thoughtful arguments, one member of the public who is present in Council Chambers may cede their time to another speaker (six minutes maximum).
- ~~8-9.~~ The Mayor requests speakers to direct their comments to the Council and not to the presenter, staff, the audience or ~~to~~ the TV cameras.
- ~~9-10.~~ The Mayor controls the meeting, and discourages personal attacks of any kind from speakers by encouraging them instead to productively address the issues at hand.
11. At the Mayor's discretion, a Councilmember may be permitted to respond to a personal attack directed at that Councilmember.
- ~~10-12.~~ The Council listens carefully to the speakers and does not interrupt or engage in debate with the speakers. The three-minute period belongs to the speaker.
- ~~11-13.~~ Subject to applicable legal deadlines, the Mayor or any Councilmember may move to refer back to staff any agenda item that is deemed to be incomplete or unready for final decision. ~~The same rule applies to City Commissions.~~
- ~~12-14.~~ A Councilmember may suggest a change in procedure if he or she feels it will be helpful for the conduct of a particular meeting, understanding that the Mayor runs the meeting.

## PUBLIC MEETINGS, Continued

~~13-15.~~ While unanimity is not required or always possible, the Mayor attempts to find consensus on discussion items.

~~16. Councilmembers provide succinct summaries of previous discussions with staff to assure the public that items have been thoroughly reviewed and concerns have been addressed~~

~~14-17.~~ Councilmembers should make the reasons for their votes clear to their colleagues and to the public. This is particularly important when the Council is divided on an issue.

~~15-18.~~ The Mayor, and Councilmembers, ~~and all Commission and committee members~~ treat everyone with courtesy and respect.

~~16. All participants in a public meeting, including Councilmembers, staff and the public, shall make their remarks succinct, to the point, and as brief as possible. Participants shall avoid repeating remarks already made by others, and may simply state agreement with those particular shared sentiments.~~

## ~~PUBLIC MEETINGS, continued...~~

~~17-19.~~ Direction to staff must be determined by a majority of the Council and must be clearly identified at the Council meeting. Tacit approval, or lack of disagreement by others, is not considered direction. The Mayor should ensure that the direction staff receives is clear and represents the majority view of the Council.

~~18-20.~~ Every Council action should be:

- a. A reasoned decision that was arrived at in a fair way.
- b. Not to the personal advantage of any Councilmember.
- c. Free of favoritism.
- d. Based on information and opinions from a variety of sources, and particularly, from those who would be most affected.

~~19-21.~~ Councilmembers do not have private communications, among themselves or with members of the public, via electronic communication devices or otherwise, from the dais during public meetings.

~~2022~~. All members of the public desiring to speak at a Council ~~or Commission~~ meeting shall complete a speaker card which will be made available at all such meetings. The speaker should provide his ~~and or~~ her name and ~~city~~City of residence on the speaker card. Speaker cards shall be submitted to the City Clerk or meeting staff prior to the time the item begins. It is within the discretion of the Mayor ~~or meeting chair~~ to accept a late submitted speaker card. Speakers participating via Zoom or any other remote/virtual communication system used by the City Council should press raise hand at the time the item they wish to comment on is heard. When they are brought into the meeting, they should state their name and City of residency.

## PUBLIC MEETINGS, Continued

~~2123~~. All meeting participants will tell the truth to the best of their knowledge and ability when presenting testimony or oral comments to the Council ~~or Commission~~.

~~2224~~. All meeting participants shall conduct themselves in an orderly manner. As a last resort, any person conducting themselves in a disorderly manner may be removed from the meeting room pursuant to California Government Code Section 54954.3(c).

# CITY COUNCIL INTERACTION AND COMMUNICATION

1. Councilmembers treat each other with the respect and courtesy that is their due as residents and public officials.
2. Each Councilmember has the responsibility to initiate action to resolve problems cooperatively and as soon as possible, either directly with other Councilmembers or with the City Manager.
3. The Council maintains a respectful decorum, and avoids personal attacks during public meetings, in the press, or at any other time. Legitimate dissent or opposition to another Councilmember's voting record or positions on issues are within the bounds of appropriate political discourse.
4. Councilmembers should be sensitive to the negative impact that inappropriate conduct has on the public perception of the City. Councilmembers should be mindful of the fact that they are representatives of the City in all their public activities.
5. Councilmembers are flexible and cooperative in filling in for one another at meetings or important functions.
6. ~~Councilmembers do not engage in private discussions in violation of the Brown Act. A Councilmember who feels that a conversation is potentially a violation should express his or her concern and immediately withdraw from the conversation. Councilmembers are expected to honor such concerns and immediately cease the conversation even if they do not agree that the Brown Act applies in that particular instance.~~
7. ~~Personal attacks are always off-limits. Councilmembers start with the assumption that other members have the best interests of the City at heart, even if they disagree with their positions. All official press releases shall be reviewed and approved by the City Manager.~~
87. If a Councilmember takes a position in the media, or at any public hearing, critical of a decision, or critical of fellow Councilmembers or members' positions on issues, such public comments should stick to the issues under contention and never involve personal attacks. —Councilmembers shall be mindful when representing views or making comments and, if they do not reflect the majority of the Council, must claim the comments as their own personal opinion. If the Mayor takes a position in the media, he or she must note the Council's position if it runs contrary to his or her own opinion. Positions set forth in writing on City letterhead should clearly indicate if the position stated is one officially voted on by the City Council, or if it only represents the position of the individual Councilmember.

## ~~CITY COUNCIL INTERACTION AND COMMUNICATION, continued...~~

98. Councilmembers should avoid public expressions, comments, or opinions of ~~city~~ City fault responsibility or liability in any matters involving property damage, personal injury or alleged breach of contract or alleged violation of law.

## CITY COUNCIL INTERACTION AND COMMUNICATION, Continued

409. These Protocols do not, by themselves, carry the weight of law. Councilmembers are expected to abide by them out of a desire to have a well--run City that treats its residents respectfully and with dignity. A governing body that strives to be fair, informed, honest, diligent, dignified, efficient and respectful of others will win the respect and trust of its residents.
4410. If any Councilmember feels that a Protocol is being violated, it is appropriate for that member to discuss it individually with the errant Councilmember. If the City Manager or staff are involved, it is appropriate to discuss it with the City Manager. If this does not resolve the situation, it is appropriate, as a last resort, to bring up the matter within the Future Agenda Item period of a public meeting and ask for the issue to be put on a future agenda.
4211. A principal purpose of the Protocols is to establish or uphold procedures and behavior that win the trust of the public by promoting efficient, productive and civil interaction between Councilmembers. Any Councilmember who habitually ignores these Protocols should expect to be called to task by his or her fellow Councilmembers and by the public.
4312. A Councilmember who originates an idea or program shall continue to be identified as the originator even if the idea or program is pursued by another Councilmember or City official.
13. Two Councilmembers may request, through the City Clerk, resolutions, proclamations or similar initiatives. All such requests must be approved by the City Manager, who should ask staff to vet the cause, if necessary. The Mayor

should limit the number of presentations made at City Council meetings to maintain sufficient time to conduct City business.

4414. Two Councilmembers may request, through the City Clerk, certificates or other awards recognizing special events, organizations or individuals of importance to the City. All such requests must be approved by the Mayor~~City Manager~~, who should ask staff to vet the organization, if necessary. Such certificates or awards are normally to include the name and/or signature of all Councilmembers. The Mayor should limit the number of presentations made at City Council meetings to maintain sufficient time to conduct City business.

## CITY COUNCIL INTERACTION AND COMMUNICATION, Continued

15. Two Councilmembers may request, through the City Clerk, speakers, briefs or informational presentations of importance to the City. All such requests must be approved by the City Manager, who should consider the value of the information and the authority of the City to utilize the information. The Mayor should limit the number of presentations made at City Council meetings to maintain sufficient time to conduct City business.

4516. Two Councilmembers may request, through the City Clerk, support or opposition of pending legislation, which must be related to municipal governance. All such requests must be reviewed and approved by the City Manager, who should evaluate the request in accordance with the City's legislative platform. The Mayor should limit the number of such requests made at City Council meeting to maintain sufficient time to conduct City business.

17. Councilmembers who plan ~~or to~~ appear at programs or events which involve the use of City staff or resources shall provide notice of such programs or events to all Councilmembers. For all public meetings and event appearances, a reasonable effort shall be made to accommodate the schedule of all Councilmembers.

168. All electronic mail communications between members of the City Council and any other person either relating to the City's business or communicated in the City Councilmember's official capacity must~~should~~ be sent using the City Councilmember's official electronic email address issued by City staff. Council members are not to personally delete emails or texts from their accounts.

~~CITY COUNCIL INTERACTION  
AND COMMUNICATION, continued...~~

- ~~17. All text messages between members of the City Council and any other person either relating to the City's business or communicated in the City Councilmember's official capacity may be sent using a device and telephone account provided by the City.~~

# CITY COUNCIL INTERACTION AND COMMUNICATION WITH STAFF

1. The Council and City Manager work together as a solution-oriented team.
2. Councilmembers feel free to communicate with the City Manager about any City issues, including resident concerns. However, Councilmembers are also mindful of the City Manager's busy schedule and competing requests for access.
3. Complaints or concerns about any City departments or staff are first taken up with the City Manager. It is not appropriate, in any situation, to critique, ridicule, or complain about other staff to any staff person other than the City Manager.
4. Councilmembers may routinely ask department heads for information relative to their department. However, inquiries that require extensive research, or reports that may occupy more than cursory staff time should first be discussed with the City Manager, and may require action or approval by the entire Council.
5. Department heads report to the City Manager. –Councilmembers do not insert themselves into or interfere with that chain of command. Neither the City Council nor any Councilmember shall give orders to, command the services of, or assign work to any subordinates of the City Manager, either publicly or privately. Alternately, contact may be made directly with Senior Management, as long as a copy of the communication is forwarded to the City Manager. Senior Management shall inform the City Manager of all Councilmember contact.
6. The Council should expect to be fully and promptly informed by the City Manager or his designee regarding any unusual activities or events of public concern.
7. Councilmembers keep a friendly, professional relationship with staff members, but avoid getting involved with personal matters, operational matters, work assignments or projects with any staff other than the City Manager.
8. It is staff's role to provide factual, objective, and unbiased information to the Council and the public in its reports. Councilmembers do not interfere or attempt to unduly influence the content of reports being prepared by staff. ~~–If a Councilmember disagrees with a staff recommendation, he or she is not obligated to vote for it and is likewise free to attempt to convince his or her colleagues on the Council of his or her position.~~If a Councilmember believes that information provided by staff is not factual, objective or unbiased, he or she should request the City Manager to review it.
9. Councilmembers establish action and budget priorities for the City at least once a year during the annual budget review process.
10. Changes from the priorities or budget allocations established during the annual budget review process should be pursued only after careful consideration, as



they may involve changes in staff work load and appropriations, and because the original priorities were established with the benefit of a public hearing.

## CITY COUNCIL INTERACTION AND COMMUNICATION WITH STAFF, ~~continued~~Continued...

11. Councilmembers should bring forward requests for deviations from the established budget priorities only if they involve a degree of urgency that cannot wait until the next budget review.
12. Councilmembers may individually ask the City Attorney general questions involving matters related to their performance as City officials. However, inquiries that require extensive research, opinions or reports should first be discussed with the City Manager, and may require action or approval by the Council.
- 12-13. Email correspondence is preferred when distributing information. Text messages should be used when the information is urgent or immediate replies are necessary.

# COMMITTEES OF THE COUNCIL

1. Committees of the Council serve the entire Council. Committees are not seen as territorial, but neither do Councilmembers interfere in the ~~committee~~ Committee work of others.
- ~~2.~~ Both Committee members shall be included in all meetings, correspondence and communication.
- ~~2.3.~~ The Council endeavors to define the jurisdiction and area of study of each ~~committee~~ Committee so as to avoid conflicts or overlapping issues.
- ~~3.4.~~ Committee members keep the rest of the Council informed of their work, which may include the filing of reports, memoranda or minutes. This documentation will be produced by staff and reviewed by Committees prior to distribution to Council.
- ~~4.~~ ~~The Council is available to advise committees by placing items about which a committee needs guidance on a Council agenda.~~
5. Each Council meeting agenda should include an opportunity for the making of ~~committee~~ Committee reports. Whenever possible, written reports are provided to the Council prior to the public meeting.
6. Committees may recommend a course of action to the Council, but they never supplant the decision-making authority of the Council, unless authority to take specific action is expressly delegated to a ~~committee~~ Committee by a vote of the Council at a public meeting.
- ~~7.~~ ~~Committee meetings are scheduled and (where applicable) proper public notice is provided through staff.~~ Councilmembers who wish to call a ~~committee~~ Committee meeting may do so by asking the City Manager to make the appropriate arrangements.
- ~~7.8.~~ The need and effectiveness of the Committees are evaluated on an annual basis by the City Council.

# COMMISSIONS AND BOARDS

- ~~1. 1. Commission appointments are generally based on the recommendation of one nominee from each Councilmember. The nominations are then subject to approval by the entire Council. The Commissions shall elect a Chair and Vice-Chair from among themselves, which positions shall rotate.~~
2. The Council is responsible to make its vision for the City clear to all appointed and advisory bodies as policy guidance for those bodies.
- ~~3.2. The Council holds Commissions and ~~boards~~ Boards to the highest standards of ethical and professional conduct in the performance of their appointed duties.~~
- ~~4. Like the City Council, Commissions and boards work for the benefit of the community and never for personal purposes.~~
- ~~5.3. The Council spells out the role, jurisdiction, authority and prerogatives of appointed bodies.~~
- ~~6. Commissions and boards are expected to make specific recommendations on matters brought before them, and not merely to pass them on to the City Council for final decision.~~
- ~~7. Councilmembers do not dictate the decisions of Commissioners and other ~~board~~ Board members. Commissioners and board members come to their own conclusions based on the evidence, the City's Municipal Code, and other governing and visioning documents. Substantial consideration is to be given by Commissioners to the recommendations of staff contained in the agenda reports.~~
- ~~4. Commissioners are encouraged to discuss questions or concerns about any agendized items with the Commission's staff liaison prior to Commission meetings in order to be prepared to take action at public meetings. Commissioners are to be mindful of undo consumption of staff time and resources.~~
- ~~5.~~
- ~~8. Any Commission or board action should clearly state for the record the specific justification for the decision, so that the Council and the public may have the benefit of its reasoning.~~
9. All persons requesting appointment or re-appointment to a Commission or Board shall make written submit an application to the City Clerk. The City Clerk is to acknowledge receipt of each application by letter to the applicant which includes an explanation of the appointment process. The City Council shall provide an opportunity for applicants to come before the Council and be interviewed before nominations are made.

## ~~COMMISSIONS AND BOARDS, continued...~~

~~10.6.~~ All nominations for appointment to a Commission or Board are to be placed on the Council's public agenda with the applicant's name and a copy of the application (with personal information redacted). ~~All~~ nominees are required to appear in person before the Council prior to appointment or re-appointment. ~~The City Clerk shall send a letter to all applicants stating the results of the appointment process in which they participated.~~

## RESIDENT ~~COMPLAINTS~~COMMUNICATIONS

1. Upon receiving a ~~complaint concern~~ from the public, Councilmembers direct that ~~complaint concern~~ to the City Manager for appropriate staff action and follow-up.
2. Councilmembers ~~first ensure that they are in possession of all of the facts and both sides of the story before should refrain from~~ making any public statements ~~to the press or to the complaining party~~ regarding what action, if any, the City should take.
3. The Council allows staff to handle resident ~~complaints concerns~~ and does not to attempt a direct resolution of the ~~problem~~issue.
- 3.4. Upon receiving communications from the public regarding an agenda item, it should be forwarded to the City Clerk for distribution to all Councilmembers and for the record. The Council gives staff time to do their job.

**PROPOSED  
CITY COUNCIL  
PROTOCOLS  
CLEAN  
VERSION**

# CITY COUNCIL PROTOCOLS

ADOPTED BY THE  
CALABASAS CITY COUNCIL



CITY *of* CALABASAS

*Adopted, As Amended*  
*, 2024*

# CITY OF CALABASAS

## City Council Protocols

### PREAMBLE

The Calabasas City Council is charged with taking appropriate, necessary, and timely action to maintain the City of Calabasas as a leading, well-managed, and innovative City at the forefront of desirable California cities.

It is the overall responsibility of the City Council a) to gather information and knowledge; b) to take counsel; c) to keep a long-range perspective; d) to hold itself to the highest standards of ethical and professional conduct in the performance of its duties without regard to personal advantage; e) to be free of favoritism; f) to listen carefully to the public; and g) to conduct a reasonable and reasoned period of discussion prior to making decisions.

To accomplish the above-stated responsibilities, and as guidance for the orderly governance of the City, the Calabasas City Council has adopted the following protocols. Except for those protocols that are based on law, these protocols are voluntary and non-binding. They are set forth here to clarify what has become, over time, successful procedures or best practices for the conduct of civic affairs within our City.

These protocols are intended to be consistent with all legal requirements applicable to the conduct of City affairs. In the instance of any conflict with state or federal law, or with the Calabasas Municipal Code, such state, federal or municipal law requirements will control. In addition, official City meetings are generally conducted pursuant to the most current Roberts Rules of Order.

It is expected that the City Council will review these protocols and Roberts Rules of Order periodically, in order to consider appropriate additions, deletions, and/or amendments.

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# GENERAL

1. The Council participates in regional, state and national programs and meetings which serve the best interests of the City of Calabasas.
2. The Council provides policy direction to the City Manager. The City Manager, through City staff, implements Council policy. The Council does not interfere with the operating decisions of the City, which are the responsibility of the City Manager.
3. The City Manager keeps each Councilmember fully, and equally, informed as to all matters of importance to the City, including agenda items, financial conditions, needs of the City, resident concerns, staffing needs, and urgency items.
4. The Council endeavors not to burden the City Manager or staff with demands for individual time or attention on matters that the City Manager can better handle with general communications to the Council as a whole.
5. The Council looks to the City Manager, staff, Commissions and Committees for timely, accurate and unbiased presentations and advice on City policies and legislative actions.
6. The Council complies with all laws relating to open meetings, public records, and conflicts of interest.
7. The Council encourages resident participation in the development of City policies.
8. The Council desires the public to be fully informed about decisions that impact the public, and encourages public comment as policies are set.
9. The Council makes adequate provision for the training and continuing education of the Council, commissions, and City staff.
10. All Councilmembers should receive and review any documents shown or provided by City staff to any other Councilmember.
11. Councilmembers inform the City Manager as far in advance as possible of when they will be out of town or otherwise unavailable to conduct City business.

## SELECTION OF THE MAYOR

1. The Mayor and Mayor pro Tem are nominated at the Council reorganization meeting in December of each year, and are selected by a vote of their peers on the Council. Each serves for a one-year term. In the customary rotation, the Mayor pro Tem is nominated to serve as Mayor at the end of the Mayor's one-year term.
2. The outgoing Mayor of an odd-numbered year will assume his/her place at the end of the rotation.
3. The outgoing Mayor of an even-numbered year will follow [1] those already in the rotation and [2] first-time elected Councilmember(s).
4. The order of the first-time elected Councilmember(s) should be based on the order of finish in the election, with the first-time elected Councilmember receiving the most votes taking the first term, the next in line taking the second, and so on.
5. Once a Councilmember's position in the rotation is established, it does not change based upon the future order of election results.
6. If the election is canceled, the order of the rotation of the appointed candidates will remain the same.
7. The Mayor and Mayor pro Tem are peers of and serve at the pleasure of the other Councilmembers.
8. The Mayor assumes the center chair on the dais and oversees the seating location of the other Councilmembers.

# MAYOR'S ROLE

1. The Mayor represents the City, is its official spokesperson, and presides over all City Council meetings.
2. Councilmembers recognize the unique role of representing the City, the Mayor recognizes the unique role of representing the Council and each takes great care to ensure that this always takes precedence over representing oneself or one's own personal agenda.
3. The Mayor is to preside at all meetings of the City Council and perform such other duties consistent with the office as may be imposed by the Council or by vote of the people. As presiding officer of the Council, the Mayor is to faithfully communicate the will of the Council majority in matters of policy. The Mayor is also recognized as the official head of the City for all ceremonial purposes. As such, the Mayor shall be the chief spokesperson for the City, representing the City at all ceremonial events and functions, and shall issue all ceremonial proclamations and certificates.
4. The Mayor shall sign all ordinances and other documents that have been adopted by the City Council and require an official signature; except when the City Manager has been authorized by Council action to sign documents. In the event the Mayor is unavailable, the Mayor pro Tem or another Councilmember's signature may be used.
5. It is the Mayor's prerogative to make Council Committee assignments from choices provided by Councilmembers, subject to City Council ratification. The Mayor accommodates Council choices whenever possible.
6. The Mayor informs the Council by copying to them any correspondence sent under the Mayor's signature which relates to City business.
7. The City Manager, in consultation with the Mayor, sets the agenda for each Council meeting.
8. Two Councilmembers may place an item on the Future City Council agenda. Future items shall be agendized within 90 days.
9. Items shall be agendized in the following order:
  - a. Matters of urgency
  - b. Strategic priorities
  - c. Committee recommendations
  - d. Future City Council agenda items in the order they were requested

## MAYOR'S ROLE, Continued

10. At a public meeting or a Closed Session of Council, the Mayor has discretion to move agenda items and/or to take them out of order to accommodate the needs of the Council or the public.
11. For a period of two years, no matter that has previously been decided, shall return to a City Council agenda for reconsideration unless there are demonstratively changed circumstances, which must be outlined in the staff report.
12. In the absence of the Mayor, the Mayor pro Tem performs the duties of Mayor.
13. The Mayor is obliged to act as a facilitator during public meetings. The Mayor ensures that all views are heard and that the meeting progresses in an orderly and timely fashion. The Mayor provides an equal opportunity for each Councilmember to be heard.
14. The Mayor is expected to be an advocate for his or her views, just as other Councilmembers are, but not to take advantage of the Mayor's status on the dais to coerce or to advocate in excess of what is allowed to other Councilmembers. The Mayor's role as a facilitator should not be compromised by his or her role as an advocate.
15. If a Councilmember or Committee, brings an issue forward to the Council, it is appropriate for the Mayor to give that Councilmember or Committee members the opportunity to introduce and/or speak first on that particular issue.
16. The Mayor presents the State of the City Address annually in November or December to inform the public of the actions of the Council, the events of last year, the health of the City and plans for the future. The focus should be on the accomplishments of the Council and the City as a whole, although the Mayor is free to advocate for his or her vision of the future.

# CAMPAIGN REFORM

1. If the Mayor or any Councilmember are up for election, the Mayor will appoint two Councilmembers who are not up for election to moderate any voter outreach or election-related activities of the Mayor's Youth Council from the beginning of the nomination period until election day.
2. Any announcement or event that highlights the Mayor or another Councilmember who is up for election, by singling him or her out by name or by photo will not be advertised or held from the beginning of the nomination period until election day. This includes the State of the City but does not prevent the Mayor from speaking at another function (such as a festival or ribbon cutting). It does, however, prevent the advertising of these functions from using the name or photo of the Mayor or another Councilmember.
3. Councilmembers shall keep separate social media accounts for their roles as elected officials and candidate/campaign. Posts to the elected official accounts shall not include the promotion of any candidate or advocacy for any measure nor shall they be used for any Get Out The Vote message. City staff may use the City's official social media accounts to post anything in the normal course of business including a Get Out to Vote campaign but must refrain from promoting any candidate or measure.

## CITY COUNCIL PREPARATION

1. Councilmembers are prepared for Council or Committee meetings, which includes having read all agendas and supporting documentation sufficiently in advance of the meeting to allow for questions, research and response by staff.
2. Councilmembers avoid surprising their colleagues or staff. To the maximum extent possible, Councilmembers advise the City Manager in advance of issues or questions they intend to bring up at a public meeting. This refers to issues and questions that the staff would not normally anticipate or have researched for that particular meeting. Getting questions resolved with staff prior to a public meeting will shorten meetings and move the agenda forward in a timely manner.
3. Councilmembers stay abreast of regional issues affecting neighboring cities, counties, and the operations of other districts or agencies.

# PUBLIC MEETINGS

1. Public meetings and discussion items at Council meetings proceed generally in the following order:
  - a. City staff presents a report of the item under consideration.
  - b. Councilmembers have an opportunity to ask questions of staff for clarification or to gather additional information.
  - c. Public testimony is taken from affected parties or members of the public who wish to be heard.
  - d. At the close of public testimony, the Mayor may allow staff to respond to any public testimony which supplement or clarify the information.
  - e. The Mayor allows other Councilmembers to speak first, and then summarizes or provides the final comments before asking for a motion or direction to staff on the item. The Mayor does not interject in between Councilmembers.
  - f. The order of Council comments is at the discretion of the Mayor. If the item under consideration was studied first by a committee of the Council, members of the committee would be expected to lead off the discussion.
2. Any Councilmember who desires to recuse himself or herself for conflict of interest or any other reason shall do so as soon as the item is called and shall leave the Council Chambers until the item is concluded.
3. Any Councilmember may request a continuance of an item on the agenda if that Councilmember needs more time to become fully informed and able to render a decision. However, a continuance must be approved by a majority of the Council.
4. If a Councilmember is ill or away for any agenda item of special interest to that Councilmember, the item may be continued or tabled at that Councilmember's request, subject to any applicable statutory time periods, and only if such delay would not be averse to the City's best interests. However, Councilmembers should not request a continuance without justifiable reason. Bear in mind that the public may attend expecting discussion or action on the issue, staff has prepared reports, and there may be staff or consultants present just for that item. Councilmembers should coordinate with the City Manager about future agendas and their own schedules to avoid missing items that may be of particular interest to them.



## PUBLIC MEETINGS, Continued

5. If any Councilmember becomes aware of an unexpected issue that may be brought up by a member of the public at a Council, commission or committee meeting, that Councilmember will, as a courtesy, inform the other Councilmembers and the City Manager to the extent legally permissible.
6. Councilmembers are expected to attempt to persuade their colleagues to their point of view through reasoned debate, but also to accept the Council's ultimate decision graciously and as final. Councilmembers should not place the City Manager or staff in the position of having to deal with minority positions which do not further established Council policy. Items shall not return to City Council unless there has been substantial change and it is requested by a member of the original majority vote.
7. Announcements should be made by Councilmembers associated with any upcoming event. Before meetings begin, Councilmembers should identify which announcements will be made and who will be making them in order to ensure that items are not missed
8. Public comments are limited to no more than three (3) minutes per speaker. In order to avoid repetition and to promote thorough and thoughtful arguments, one member of the public who is present in Council Chambers may cede their time to another speaker (six minutes maximum).
9. The Mayor requests speakers to direct their comments to the Council and not to the presenter, staff, the audience or the TV cameras.
10. The Mayor controls the meeting, and discourages personal attacks of any kind from speakers by encouraging them instead to productively address the issues at hand.
11. At the Mayor's discretion, a Councilmember may be permitted to respond to a personal attack directed at that Councilmember.
12. The Council listens carefully to the speakers and does not interrupt or engage in debate with the speakers. The three-minute period belongs to the speaker.
13. Subject to applicable legal deadlines, the Mayor or any Councilmember may move to refer back to staff any agenda item that is deemed to be incomplete or unready for final decision.
14. A Councilmember may suggest a change in procedure if he or she feels it will be helpful for the conduct of a particular meeting, understanding that the Mayor runs the meeting.

## PUBLIC MEETINGS, Continued

15. While unanimity is not required or always possible, the Mayor attempts to find consensus on discussion items.
16. Councilmembers provide succinct summaries of previous discussions with staff to assure the public that items have been thoroughly reviewed and concerns have been addressed
17. Councilmembers should make the reasons for their votes clear to their colleagues and to the public. This is particularly important when the Council is divided on an issue.
18. The Mayor and Councilmembers treat everyone with courtesy and respect.
19. Direction to staff must be determined by a majority of the Council and must be clearly identified at the Council meeting. Tacit approval, or lack of disagreement by others, is not considered direction. The Mayor should ensure that the direction staff receives is clear and represents the majority view of the Council.
20. Every Council action should be:
  - a. A reasoned decision that was arrived at in a fair way.
  - b. Not to the personal advantage of any Councilmember.
  - c. Free of favoritism.
  - d. Based on information and opinions from a variety of sources, and particularly, from those who would be most affected.
21. Councilmembers do not have private communications, among themselves or with members of the public, via electronic communication devices or otherwise, from the dais during public meetings.
22. All members of the public desiring to speak at a Council meeting shall complete a speaker card which will be made available at all such meetings. The speaker should provide his or her name and City of residence on the speaker card. Speaker cards shall be submitted to the City Clerk or meeting staff prior to the time the item begins. It is within the discretion of the Mayor to accept a late submitted speaker card. Speakers participating via Zoom or any other remote/virtual communication system used by the City Council should press raise hand at the time the item they wish to comment on is heard. When they are brought into the meeting, they should state their name and City of residency.

## PUBLIC MEETINGS, Continued

23. All meeting participants will tell the truth to the best of their knowledge and ability when presenting testimony or oral comments to the Council.
24. All meeting participants shall conduct themselves in an orderly manner. As a last resort, any person conducting themselves in a disorderly manner may be removed from the meeting room pursuant to California Government Code Section 54954.3(c).

## CITY COUNCIL INTERACTION AND COMMUNICATION

1. Councilmembers treat each other with the respect and courtesy that is their due as residents and public officials.
2. Each Councilmember has the responsibility to initiate action to resolve problems cooperatively and as soon as possible, either directly with other Councilmembers or with the City Manager.
3. The Council maintains a respectful decorum, and avoids personal attacks during public meetings, in the press, or at any other time. Legitimate dissent or opposition to another Councilmember's voting record or positions on issues are within the bounds of appropriate political discourse.
4. Councilmembers should be sensitive to the negative impact that inappropriate conduct has on the public perception of the City. Councilmembers should be mindful of the fact that they are representatives of the City in all their public activities.
5. Councilmembers are flexible and cooperative in filling in for one another at meetings or important functions.
6. All official press releases shall be reviewed and approved by the City Manager.
7. If a Councilmember takes a position in the media, or at any public hearing, critical of a decision, or critical of fellow Councilmembers or members' positions on issues, such public comments should stick to the issues under contention and never involve personal attacks. Councilmembers shall be mindful when representing views or making comments and, if they do not reflect the majority of the Council, must claim the comments as their own personal opinion. If the Mayor takes a position in the media, he or she must note the Council's position if it runs contrary to his or her own opinion. Positions set forth in writing on City letterhead should clearly indicate if the position stated is one officially voted on by the City Council, or if it only represents the position of the individual Councilmember.
8. Councilmembers should avoid public expressions, comments, or opinions of City fault responsibility or liability in any matters involving property damage, personal injury or alleged breach of contract or alleged violation of law.

## CITY COUNCIL INTERACTION AND COMMUNICATION, Continued

9. These Protocols do not, by themselves, carry the weight of law. Councilmembers are expected to abide by them out of a desire to have a well-run City that treats its residents respectfully and with dignity. A governing body that strives to be fair, informed, honest, diligent, dignified, efficient and respectful of others will win the respect and trust of its residents.
10. If any Councilmember feels that a Protocol is being violated, it is appropriate for that member to discuss it individually with the errant Councilmember. If the City Manager or staff are involved, it is appropriate to discuss it with the City Manager. If this does not resolve the situation, it is appropriate, as a last resort, to bring up the matter within the Future Agenda Item period of a public meeting and ask for the issue to be put on a future agenda.
11. A principal purpose of the Protocols is to establish or uphold procedures and behavior that win the trust of the public by promoting efficient, productive and civil interaction between Councilmembers. Any Councilmember who habitually ignores these Protocols should expect to be called to task by his or her fellow Councilmembers and by the public.
12. A Councilmember who originates an idea or program shall continue to be identified as the originator even if the idea or program is pursued by another Councilmember or City official.
13. Two Councilmembers may request, through the City Clerk, resolutions, proclamations or similar initiatives. All such requests must be approved by the City Manager, who should ask staff to vet the cause, if necessary. The Mayor should limit the number of presentations made at City Council meetings to maintain sufficient time to conduct City business.
14. Two Councilmembers may request, through the City Clerk, certificates or other awards recognizing special events, organizations or individuals of importance to the City. All such requests must be approved by the City Manager, who should ask staff to vet the organization, if necessary. Such certificates or awards are normally to include the name and/or signature of all Councilmembers. The Mayor should limit the number of presentations made at City Council meetings to maintain sufficient time to conduct City business.

## CITY COUNCIL INTERACTION AND COMMUNICATION, Continued

15. Two Councilmembers may request, through the City Clerk, speakers, briefs or informational presentations of importance to the City. All such requests must be approved by the City Manager, who should consider the value of the information and the authority of the City to utilize the information. The Mayor should limit the number of presentations made at City Council meetings to maintain sufficient time to conduct City business.
16. Two Councilmembers may request, through the City Clerk, support or opposition of pending legislation, which must be related to municipal governance. All such requests must be reviewed and approved by the City Manager, who should evaluate the request in accordance with the City's legislative platform. The Mayor should limit the number of such requests made at City Council meeting to maintain sufficient time to conduct City business.
17. Councilmembers who plan to appear at programs or events which involve the use of City staff or resources shall provide notice of such programs or events to all Councilmembers. For all public meetings and event appearances, a reasonable effort shall be made to accommodate the schedule of all Councilmembers.
18. All electronic mail communications between members of the City Council and any other person either relating to the City's business or communicated in the City Councilmember's official capacity should be sent using the City Councilmember's official electronic email address issued by City staff. Councilmembers are not to personally delete emails or texts from their accounts.

# CITY COUNCIL INTERACTION AND COMMUNICATION WITH STAFF

1. The Council and City Manager work together as a solution-oriented team.
2. Councilmembers feel free to communicate with the City Manager about any City issues, including resident concerns. However, Councilmembers are also mindful of the City Manager's busy schedule and competing requests for access.
3. Complaints or concerns about any City departments or staff are first taken up with the City Manager. It is not appropriate, in any situation, to critique, ridicule, or complain about other staff to any staff person other than the City Manager.
4. Councilmembers may routinely ask department heads for information relative to their department. However, inquiries that require extensive research, or reports that may occupy more than cursory staff time should first be discussed with the City Manager, and may require action or approval by the entire Council.
5. Department heads report to the City Manager. Councilmembers do not insert themselves into or interfere with that chain of command. Neither the City Council nor any Councilmember shall give orders to, command the services of, or assign work to any subordinates of the City Manager, either publicly or privately. Alternately, contact may be made directly with Senior Management, as long as a copy of the communication is forwarded to the City Manager. Senior Management shall inform the City Manager of all Councilmember contact.
6. The Council should expect to be fully and promptly informed by the City Manager or his designee regarding any unusual activities or events of public concern.
7. Councilmembers keep a friendly, professional relationship with staff members, but avoid getting involved with personnel matters, operational matters, work assignments or projects with any staff other than the City Manager.
8. It is staff's role to provide factual, objective, and unbiased information to the Council and the public in its reports. Councilmembers do not interfere or attempt to unduly influence the content of reports being prepared by staff. If a Councilmember believes that information provided by staff is not factual, objective or unbiased, he or she should request the City Manager to review it.
9. Councilmembers establish action and budget priorities for the City at least once a year during the annual budget review process.
10. Changes from the priorities or budget allocations established during the annual budget review process should be pursued only after careful consideration, as they may involve changes in staff work load and appropriations, and because the original priorities were established with the benefit of a public hearing.

## CITY COUNCIL INTERACTION AND COMMUNICATION WITH STAFF, Continued

11. Councilmembers should bring forward requests for deviations from the established budget priorities only if they involve a degree of urgency that cannot wait until the next budget review.
12. Councilmembers may individually ask the City Attorney general questions involving matters related to their performance as City officials. However, inquiries that require extensive research, opinions or reports should first be discussed with the City Manager, and may require action or approval by the Council.
13. Email correspondence is preferred when distributing information. Text messages should be used when the information is urgent or immediate replies are necessary.



## COMMITTEES OF THE COUNCIL

1. Committees of the Council serve the entire Council. Committees are not seen as territorial, but neither do Councilmembers interfere in the Committee work of others.
2. Both Committee members shall be included in all meetings, correspondence and communication.
3. The Council endeavors to define the jurisdiction and area of study of each Committee so as to avoid conflicts or overlapping issues.
4. Committee members keep the rest of the Council informed of their work, which may include the filing of reports, memoranda or minutes. This documentation will be produced by staff and reviewed by Committees prior to distribution to Council.
5. Each Council meeting agenda should include an opportunity for the making of Committee reports. Whenever possible, written reports are provided to the Council prior to the public meeting.
6. Committees may recommend a course of action to the Council, but they never supplant the decision-making authority of the Council, unless authority to take specific action is expressly delegated to a Committee by a vote of the Council at a public meeting.
7. Councilmembers who wish to call a Committee meeting may do so by asking the City Manager to make the appropriate arrangements.
8. The need and effectiveness of the Committees are evaluated on an annual basis by the City Council.

## COMMISSIONS AND BOARDS

1. The Council is responsible to make its vision for the City clear to all appointed and advisory bodies as policy guidance for those bodies.
2. The Council holds Commissions and Boards to the highest standards of ethical and professional conduct in the performance of their appointed duties.
3. The Council spells out the role, jurisdiction, authority and prerogatives of appointed bodies.
4. Councilmembers do not dictate the decisions of Commissioners and other Board members.
5. All persons requesting appointment or re-appointment to a Commission or Board shall submit an application to the City Clerk.
6. All nominations for appointment to a Commission or Board are to be placed on the Council's public agenda with the applicant's name and a copy of the application (with personal information redacted). All nominees are required to appear in person before the Council prior to appointment or re-appointment.

## RESIDENT COMMUNICATIONS

1. Upon receiving a concern from the public, Councilmembers direct that concern to the City Manager for appropriate staff action and follow-up.
2. Councilmembers should refrain from making any public statements regarding what action, if any, the City should take.
3. The Council allows staff to handle resident concerns and does not to attempt a direct resolution of the issue.
4. Upon receiving communications from the public regarding an agenda item, it should be forwarded to the City Clerk for distribution to all Councilmembers and for the record.

**ITEM 2 ATTACHMENT E  
POWERPOINT  
PRESENTATION**

# City Council Protocols



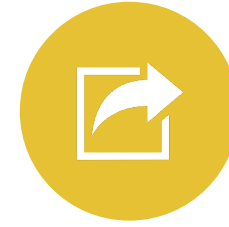
CITY *of* CALABASAS

City Council Meeting  
January 31, 2024

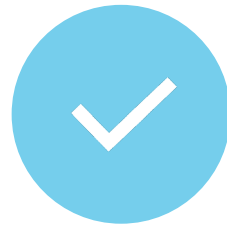
# Committee Goals



Maximize the time during Council meetings to conduct City business.



Underscore the Mayor's responsibility to accurately represent the majority opinion of the Council.



Establish procedures to ensure that City Council agendas reflect the interests of the majority.



Outline campaign guidelines during the election period.

# Selection of Mayor

The Committee initially recommended modifications to this section. However, no changes are necessary as current wording is sufficient.

# Mayoral Rotation

2024

Alicia Weintraub

2025

Peter Kraut

2026

James Bozajian

2027

Ed Albrecht

2028

David Shapiro



# Mayor's Role

(proposed language)

#3 – The Mayor is to preside at all meetings of the City Council and perform such other duties consistent with the office as may be imposed by the Council or by vote of the people. As presiding officer of the Council, the Mayor is to faithfully communicate the will of the Council majority in matters of policy. The Mayor is also recognized as the official head of the City for all ceremonial purposes. As such, the Mayor shall be the chief spokesperson for the City, representing the City at all ceremonial events and functions, and shall issue all ceremonial proclamations and certificates.

# Mayor's Role

(proposed language)

#4 – The Mayor shall sign all ordinances and other documents that have been adopted by the City Council and require an official signature; except when the City Manager has been authorized by Council action to sign documents. In the event the Mayor is unavailable, the Mayor pro Tem or another Councilmember's signature may be used.

# Mayor's Role

(proposed language)

#8 – Two Councilmembers may place an item on the Future City Council agenda. Future items shall be agendized within 90 days.

# Mayor's Role

(proposed language)

- #9 – Items shall be agendized in the following order:
- a. Matters of urgency
  - b. Strategic priorities
  - c. Committee recommendations
  - d. Future City Council agenda items in the order they were requested



# Mayor's Role

(proposed language)

#11 – For a period of two years, no matter that has previously been decided, shall return to a City Council agenda for reconsideration unless there are demonstratively changed circumstances, which must be outlined in the staff report.

# Mayor's Role

(proposed language)

#16 – The Mayor presents the State of the City Address annually in November or December to inform the public of the actions of the Council, the events of last year, the health of the City and plans for the future. The focus should be on the accomplishments of the Council and the City as a whole, although the Mayor is free to advocate for his or her vision of the future.

# Campaign Reform

This is a new section added to the protocols. Councilmembers not on the protocols committee requested further discussion. Additional request for the City Attorney to provide direction on social media accounts.

# Public Meetings

(proposed language)

#1e – The Mayor allows other Councilmembers to speak first, and then summarizes or provides the final comments before asking for a motion or direction to staff on the item. The Mayor does not interject in between Councilmembers.



# Public Meetings

(proposed language)

#6 – Councilmembers are expected to attempt to persuade their colleagues to their point of view through reasoned debate, but also to accept the Council's ultimate decision graciously and as final. Councilmembers should not place the City Manager or staff in the position of having to deal with minority positions which do not further established Council policy. Items shall not return to City Council unless there has been substantial change and it is requested by a member of the original majority vote.

# Public Meetings

(proposed language)

#7 – Announcements should be made by Councilmembers associated with any upcoming event. Before meetings begin, Councilmembers should identify which announcements will be made and who will be making them in order to ensure that items are not missed.

# Public Meetings

(proposed language)

#8 – Public comments are limited to no more than three (3) minutes per speaker. In order to avoid repetition and to promote thorough and thoughtful arguments, one member of the public who is present in Council Chambers may cede their time to another speaker (six minutes maximum).

# Public Meetings

(proposed language)

#22 – Speakers participating via Zoom or any other remote/virtual communication system used by the City Council should press raise hand at the time the item they wish to comment on is heard. When they are brought into the meeting, they should state their name and City of residency.



# City Council Interaction and Communication

(proposed language)

#13 – Two Councilmembers may request, through the City Clerk, resolutions, proclamations or similar initiatives. All such requests must be approved by the City Manager, who should ask staff to vet the cause, if necessary. The Mayor should limit the number of presentations made at City Council meetings to maintain sufficient time to conduct City business.

# City Council Interaction and Communication

(proposed language)

#14 – Two Councilmembers may request, through the City Clerk, certificates or other awards recognizing special events, organizations or individuals of importance to the City. All such requests must be approved by the City Manager, who should ask staff to vet the organization, if necessary. Such certificates or awards are normally to include the name and/or signature of all Councilmembers. The Mayor should limit the number of presentations made at City Council meetings to maintain sufficient time to conduct City business.

# City Council Interaction and Communication

(proposed language)

#15 – Two Councilmembers may request, through the City Clerk, speakers, briefs or informational presentations of importance to the City. All such requests must be approved by the City Manager, who should consider the value of the information and the authority of the City to utilize the information. The Mayor should limit the number of presentations made at City Council meetings to maintain sufficient time to conduct City business.



# City Council Interaction and Communication

(proposed language)

#16 – Two Councilmembers may request, through the City Clerk, support or opposition of pending legislation, which must be related to municipal governance. All such requests must be reviewed and approved by the City Manager, who should evaluate the request in accordance with the City's legislative platform. The Mayor should limit the number of such requests made at City Council meeting to maintain sufficient time to conduct City business.



# City Council Interaction and Communication

(proposed language)

#17 – Councilmembers who plan to appear at programs or events which involve the use of City staff or resources shall provide notice of such programs or events to all Councilmembers. For all public meetings and event appearances, a reasonable effort shall be made to accommodate the schedule of all Councilmembers.

# City Council Interaction and Communication

(proposed language)

#18 – All electronic mail communications between members of the City Council and any other person either relating to the City's business or communicated in the City Councilmember's official capacity should be sent using the City Councilmember's official electronic email address issued by City staff. Councilmembers are not to personally delete emails or texts from their accounts.

# Resident Communications

(proposed language)

#2 – Councilmembers should refrain from making any public statements regarding what action, if any, the City should take.

# Mayor's Letter

- City Council Protocols Committee recommends that the Mayor's Weekly Letter be suspended.
- The Protocols Committee solicits the input from Councilmembers on this item and direction to staff.