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RESOLUTION NO. 19.059

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH, CALIFORNIA, INSTITUTING A RULES OF DECORUM AND CIVILITY POLICY FOR CITY OFFICIALS, EMPLOYEES AND MEMBERS OF THE PUBLIC

WHEREAS, across the nation many groups have adopted policies and rules to enhance civility at public meetings and in interactions with the public, including the United States Conference of Mayors, which adopted a Civility Accord; and

WHEREAS, in keeping with this national trend, many cities have approved policies to promote civility at local public meetings and in the workplace; and

WHEREAS, the defining characteristics of the City of Laguna Beach include its commitment to the democratic process, individual rights of expression, robust debate, and tolerance for disparate views; and

WHEREAS, the Laguna Beach City Council, the City's boards and commissions, other public bodies, and various community groups all convene public meetings to address controversial issues that engender passionate and often conflicting opinions; and

WHEREAS, an atmosphere of impropriety, incivility, and disrespect at these public meetings can stifle participation and debate, threaten the quality of decisions, and undermine the local democratic process; and

WHEREAS, adopting rules of decorum and principles of civility applicable to all public meetings and in all interactions in the workplace will also help ensure that civic engagement and local democracy continue to flourish in Laguna Beach.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laguna Beach to adopt the attached Rules of Decorum and Civility Policy for City Officials, Employees and Members of the Public.



CITY OF LAGUNA BEACH  
RULES OF DECORUM AND CIVILITY POLICY  
FOR CITY OFFICIALS, EMPLOYEES AND MEMBERS OF THE PUBLIC

A. PURPOSE

The purpose of the Rules of Decorum and Civility Policy is to promote mutual respect, civility, and orderly conduct among elected and appointed City officials, City staff, and members of the public. This policy is not intended to deprive any person of his or her right to freedom of expression, but to promote, to the extent possible and reasonable, open dialogue and positive communications while discouraging intimidating, demeaning, volatile, hostile or aggressive actions. The City expects locally elected and appointed officials and its employees to comply with this policy, and also seeks cooperation from members of the public.

B. RULES OF DECORUM AND CIVILITY POLICY FOR CITY OFFICIALS AND EMPLOYEES

The City holds numerous public meetings, such as meetings of the City Council and City commissions, boards and committees (hereinafter “Public Meetings”). In order to safeguard participatory democracy in Laguna Beach, all elected officials, appointed officials and City employees (hereinafter “City Officials”) are expected to adhere to the following standards of conduct:

- Treat everyone courteously;
- Listen to others respectfully;
- Exercise self-control;
- Give open-minded consideration to all viewpoints;
- Focus on the issues and avoid personalizing debate;
- Embrace respectful disagreement and dissent as democratic rights that are inherent components of an inclusive public process and tools for forging sound decisions and allow all members of the public to speak without intimidation or interruption; and
- Provide fair and equal treatment for all persons and matters coming before City bodies.

In furtherance of the foregoing standards of conduct, the rules of decorum set forth below shall be followed:

1. City Officials shall treat all members of the public with respect at all times during Public Meetings and shall not make belligerent, personal, impertinent, slanderous, threatening, intimidating, abusive, profane or disparaging comments towards members of the public or other City Officials. No shouting or physical actions that could be construed as threatening will be tolerated on the part of any City Official.
2. Every effort shall be made by City Officials to be fair and impartial in listening to public testimony. Members of the public deserve an opportunity to influence the thinking of elected and appointed officials. Expressing a final opinion or passing judgment prior to the close of presenting evidence and testimony at a Public Meeting

casts doubt on the ability of members of a City body to conduct a fair review of the issue.

3. The same level of respect and consideration of differing points of view that is deemed appropriate for Public Meetings shall be maintained by City Officials in private conversations or communications, such as emails, voicemail messages, and text messages regarding matters of City business.
4. The professional and personal conduct of City Officials shall be above reproach and avoid even the appearance of impropriety. City Officials shall refrain from abusive conduct, personal charges or verbal attacks upon the character of members of the public or other City Officials.
5. All City Officials shall promote the use of and adherence to these rules at all Public Meetings.

C. RULES OF DECORUM AND CIVILITY POLICY FOR MEMBERS OF THE PUBLIC

Members of the public are expected to adhere to the following standards of conduct at Public Meetings and in interactions with City Officials in the workplace:

- Treat everyone courteously;
- Listen to City Officials and other members of the public respectfully;
- Exercise self-control and avoid threats of violence and loud, insulting, demeaning, or offensive communications;
- Give open-minded consideration to all viewpoints;
- Focus on the issues and avoid personalizing debate; and
- Embrace respectful disagreement and dissent as democratic rights that are inherent components of an inclusive public process and tools for forging sound decisions and allow all members of the public to speak without intimidation or interruption.

In furtherance of the foregoing standards of conduct, the rules of decorum set forth below shall be followed:

1. No person attending a Public Meeting shall engage in disorderly or boisterous conduct, including, but not limited to, applause, whistling, stamping of feet, booing, or making any loud, threatening, profane, abusive, personal, impertinent, or slanderous utterance, that disturbs, disrupts, or otherwise impedes the orderly conduct of the meeting.
2. All remarks by members of the public shall be addressed to the Mayor or the Chair of the City body (hereinafter "Presiding Officer") and not to any other member of the public or to any individual member of the City body unless in response to a question from that member.

3. Signs, placards, banners, or other similar items shall not be permitted in the audience during a public meeting if the Presiding Officer determines that the presence of such item disturbs, disrupts, or otherwise impedes the orderly conduct of the meeting.
4. All persons attending a Public Meeting shall obey any lawful order of the Presiding Officer to enforce the Rules of Decorum.
5. All persons attending a Public Meeting shall listen courteously and attentively to all public discussions at the meeting and avoid interrupting members of the public addressing the City body or City Officials.
6. Members of the public while attending a Public Meeting shall refrain from abusive conduct, personal charges or verbal attacks upon the character of City Officials.
7. It is the responsibility of the Presiding Officer to keep comments on topic during Public Meetings. Individuals should honor efforts by the Presiding Officer to focus discussion on current agenda items. If there is disagreement about the agenda or the Presiding Officer's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.

D. ENFORCEMENT OF RULES OF DECORUM AND CIVILITY POLICY

1. The Presiding Officer shall be responsible for maintaining the decorum and civility at Public Meetings and enforcing the Rules of Decorum in a uniform and even-handed manner.
2. The Presiding Officer may intervene to ensure that no City Councilmembers interrupt members of the public while speaking.
3. City Officials who intentionally and repeatedly do not adhere to these rules may be reprimanded by the Presiding Officer or formally censured by a majority of the members of the City body of which such City Official is a member. City Officials who are appointed by the City Council to a City body may be censured or removed by a majority vote of the City Council for a failure to adhere to these rules. The foregoing does not limit the power of the City Council to remove any appointed member of a City body with or without cause.
4. In the event that any member of the public breaches the Rules of Decorum in a manner that disturbs, disrupts, or otherwise impedes the orderly conduct of a Public Meeting, the Presiding Officer shall order that person to cease the offending conduct.
5. If any member of the public continues to breach the Rules of Decorum in a manner that disturbs, disrupts, or otherwise impedes the orderly conduct of a Public Meeting following an order from the Presiding Officer to cease the offending conduct, the Presiding Officer may order that person to leave the Public Meeting and may engage the efforts of law enforcement as necessary to carry out the order.

6. If a member of the public acts abusively towards a City employee outside of a public meeting but in the workplace, staff will issue an oral warning before taking further action in response to the abuse and provide that person with this policy. This warning, which should clearly identify both the offending behavior and the potential consequences that may occur if such behavior persists, shall provide the member of the public with an opportunity to improve his or her behavior before the City takes more serious action, such as removal from the premises.
7. If a member of the public does not improve his or her behavior in response to an oral warning, the City will ask the abusive individual to leave the premises for a short period of time (e.g., the remainder of the day).

The above-described remedies for compliance with the Rules of Decorum are not exclusive and shall not preclude the application or use of other remedies provided by State law or the Municipal Code.

A breach of the Rules of Decorum and Civility Policy shall in no event be a basis for the invalidation of any action taken by the City Council or any City board, commission or committee.