

RESOLUTION NO. 19-0083

A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL
ENDORISING STANDARDS OF BEHAVIOR THAT PROMOTE
CIVILITY AT ALL PUBLIC MEETINGS AND IN INTERACTIONS
WITH THE PUBLIC

THE MANHATTAN BEACH CITY COUNCIL HEREBY RESOLVES AS
FOLLOWS:

SECTION 1. The City Council hereby approves and adopts the Manhattan Beach Civility Policy set forth in Exhibit A, which is attached hereto and incorporated herein by this reference.

SECTION 2. The City Council hereby approves and adopts the Manhattan Beach Rules of Decorum at Public Meetings set forth in Exhibit B, which is attached hereto and incorporated herein by this reference.

SECTION 3. Prior civility policies and meeting decorum standards adopted previously by this Council are superseded by this Resolution.

SECTION 4. The City Clerk shall certify to the passage and adoption of this Resolution.

ADOPTED on August 6, 2019.

AYES:

NOES:

ABSENT:

ABSTAIN:

NANCY HERSMAN
Mayor

ATTEST:

LIZA TAMURA
City Clerk

EXHIBIT A

MANHATTAN BEACH CIVILITY POLICY (AMENDED AND RESTATED AUGUST 6, 2019)

RECITALS

1. Manhattan Beach elected officials and employees will treat members of the public with respect and expect the same in return. The City is committed to maintaining orderly administrative processes in keeping City administrative offices free from disruptions. The City is committed to maintaining a safe, productive and harassment-free work environment for all of its City employees.

2. This policy promotes mutual respect, civility and orderly conduct among City employees, elected officials, and the public. This policy is not intended to deprive any person of his or her right to freedom of expression, but only to maintain, to the extent possible and reasonable, a safe, productive and harassment-free workplace for City staff and a safe and non-threatening environment for visitors and customers. The City encourages professional, respectful, and courteous communication and discourages hostile, intimidating, or otherwise disruptive actions. The City seeks public cooperation with this endeavor.

PROVISIONS:

A. Rules of Civility

1. All interactions between City staff, City elected officials and members of the public will be conducted in a respectful manner.
2. Threats, including threats of violence, will not be tolerated.
3. Members of the public will refrain from any behavior that disrupts or threatens to disrupt City government operations, including any of the following:
 - a) Insulting, demeaning, intimidating, or offensive communications;
 - b) Harassment or intimidation of any City staff, City elected official, or member of the public;
 - c) Willful destruction of property damage;
 - d) Conduct that threatens to provoke a violent reaction; and
 - e) A continuing pattern of disruptive behavior.

B. Enforcement Protocols.

The City will take the following steps to promote compliance with this Civility Policy. The City reserves the right to take additional measures as necessary, including establishing a separate protocol for interactions between City staff and a member of the public.

1. Official Warning

If a member of the public violates this Civility Policy, staff will issue an oral warning and provide that person with a copy of this policy before taking further action unless the behavior of the member of the public requires a more severe response. This warning, which should clearly identify both the offending behavior and potential consequences that will arise if such behavior persists, will 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.

2. Suspension from the Government Building

If a member of the public does not improve his or her behavior in response to an official warning, the City will request the individual leave the premises for a short period of time. This temporary suspension from City property provides the member of the public with an opportunity to “cool down” and reflect on his or her treatment of City staff.

3. Cease and Desist Letter

If a member of the public does not improve his or her behavior in response to an official warning or brief suspension, the City will respond by sending a “cease-and-desist” letter. The letter will identify both the prohibited conduct and the City’s potential remedies. A “cease-and-desist” letter will put the member of the public on notice of the potentially serious consequences of his or her conduct.

4. Additional Measures

As noted above, nothing in this policy precludes additional action where warranted.

EXHIBIT B

MANHATTAN BEACH RULES OF DECORUM AT PUBLIC MEETINGS

WHEREAS, a majority of Americans believe that our society is increasingly uncivil and that this problem is particularly acute and particularly detrimental in national, state and local political arenas where it threatens government's ability to function democratically and effectively;

WHEREAS, across the nation many groups have adopted policies and rules to enhance civility and decorum at public meetings;

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

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

WHEREAS, the Manhattan 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;

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

WHEREAS, adopting rules of decorum applicable to all public meetings will help ensure that civic engagement and local democracy continue to flourish in Manhattan Beach.

PROVISIONS:

A. General Guidelines

The City has numerous public meetings such as City Council meetings, Commission meetings, Board meetings, etc. (hereinafter "Public Meetings"). In order to safeguard participatory democracy in Manhattan Beach, all persons attending Public Meetings in Manhattan Beach should strive to:

- 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.

B. Rules of Decorum

1. No person attending a Public Meetings 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 (hereinafter “Presiding Officer”) and not to any other member of the public or to any single Council, Board or Commission Member 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 presence of such item disturbs, disrupts or otherwise impedes the orderly conduct of the meeting.
4. All persons attending a Public Meeting shall remain seated in the seats provided, unless addressing the body at the podium or entering or leaving the meeting.
5. All persons attending a Public Meeting shall obey any lawful order of the Presiding Officer to enforce the Rules of Decorum.

C. Enforcement of the Rules of Decorum

1. The Presiding Officer shall be responsible for maintaining the decorum at the Public Meeting and uniformly enforcing the Rules of Decorum.
2. In the event that any person breaches the Rules of Decorum in a manner that disturbs, disrupts, or otherwise impedes the orderly conduct of the meeting, the Presiding Officer shall order that person to cease the offending conduct.
3. If any person continues to breach the Rules of Decorum in a manner that disturbs, disrupts, or otherwise impedes the orderly conduct of the 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.
4. If any person refuses to leave the Public Meeting following an order from the Presiding Officer to do so, the Presiding Officer may order any law enforcement officer on duty to remove that person from the Public Meeting.

The City Council, all City Boards and Commissions, and City staff shall promote the use of and adherence to these guidelines for behavior at all public meetings within the City.