City Council Agenda

Special Meeting

Wednesday, October 19, 2011
7:00 PM

Bell Community Center
6250 Pine Avenue

Ali Saleh
Mayor

Danny Harber
Vice Mayor

Violeta Alvarez
Council Member

Ana Maria Quintana
Council Member

Nestor E. Valencia
Council Member

Welcome to the City Council Meeting

The Bell City Council and staff welcomes you. This is your City Government. Individual participation is a basic part of American Democracy and all Bell residents are encouraged to attend meetings of the City Council.

Regularly City Council meetings are held the second and fourth Wednesday of the month at 7:00 p.m., Bell Council Chambers, 6330 Pine Avenue. For more information, you may call City Hall during regular business hours 8:00 a.m. to 4:00 p.m., Monday through Friday at (323) 588-6211 Extension 217.

City Council Organization

There are five City Council members, one of whom serves as Mayor and is the presiding officer of the City Council. These are your elected representatives who act as a Board of Directors for the City of Bell. City Council members are like you, concerned residents of the community who provide guidance in the operation of your City.

Addressing the City Council

If you wish to speak to the City Council on any item which is listed or not listed on the City Council Agenda, please complete a *Request to Speak Card* available in the back of the City Council Chambers. Please submit the completed card to the City Clerk prior to the meeting.

The Mayor will call you to the microphone at the appropriate time if you have filled out a *Request to Speak Card.* At that time, please approach the podium, clearly state your name and address, and proceed to make your comments.

Compliance with Americans with Disabilities Act

The City of Bell, in complying with the Americans with Disabilities Act (ADA), request individuals who require special accommodation(s) to access, attend, and or participate in a City meeting due to disability. Please contact the City Clerk's Office, (323) 588-6211, Ext. 217, at least one business day prior to the scheduled meeting to insure that we may assist you.

Special Meeting of
Bell City Council

October 19, 2011
7:00 PM

Bell Community Center
6250 Pine Avenue

I. Call to Order

1.01 Pledge of Allegiance to the Flag.

1.02 Roll call of City Council in their capacities as Councilmembers.

Ms. Alvarez _____
Ms. Quintana _____
Mr. Harber _____
Mr. Valencia _____
Mr. Saleh _____

II. Communications From The Public

This is the time for members of the public to address the City Council, Community Redevelopment Agency, the Community Housing Authority, the Public Finance Authority and the Bell Solid Waste Authority on items that are listed on the open session agenda.

State law prohibits the Council and/or its related authorities and agencies from taking any action on a matter not on this Agenda. Any matter may be referred to the Interim Chief Administrative Officer to submit a report to the Council and/or its related authorities and agencies at the next meeting.

Persons wishing to address the Council and/or its related authorities and agencies during "Communications from the Public" must submit a request on the "blue form" provided by the City Clerk; these requests may be submitted at any time before the beginning of Communications from the Public; provided, however, that requests must be submitted prior to the beginning of the first speaker's remarks.

III. Council Business

The following items have no legal publication requirements. Pursuant to the Ralph M. Brown Act, public comments may be received on these items prior to the time action is taken by the City Council.

3.01 Strategy for Effective Council meetings.

IV. Adjournment

Regular Meeting, Wednesday, October 26, 2011 at 6:30 P.M.

I, Rebecca Valdez, City Clerk of the City of Bell, certify that a true, accurate copy of the foregoing agenda was posted on October 14, 2011 Twenty-four (24) hours prior to the meeting as required by law.

_____
Rebecca Valdez, CMC
City Clerk

City of Bell
Agenda Report

DATE: October 19, 2011

TO: Mayor and Members of the City Council

FROM: Arne Croce, Interim Chief Administrative Officer

APPROVED BY: Arne Croce, Interim Chief Administrative Officer

SUBJECT: Strategies for Effective Council Meetings: Opportunities and Limitations

Local government decision-making is a process that involves five elected officials deliberating policies in public and with public input. This session presents information and strategies for making that public decision-making process occur successfully.

I. Introduction and Overview for Community (7:00-7:30)

- A. City Manager Introduction of ILG Staff
- B. Institute's Role and Mission
- C. About Study Session
- D. Questions from the Community

II. Understanding the Role of Council Meetings in Public Agency Decisions (7:30 - 8:00)

- A. Forum/Format that Allows Elected Officials to Make Decisions
- B. Staff Presents Options, Research, Updates and Recommendations
- C. Only Place Where Majority of Electeds Can Discuss Issues
- D. Public Has a Right to Address Council
- E. Public Hearings Are More Constrained
- F. Role of the Mayor as Meeting Chair
- G. Promoting Mutual Respect and Civility
- H. Dealing with Controversial Issues
- I. Note: In Ideal World, Council Meetings and Public Hearings Are Final Phase of Public Information and Consultation Process

III. Interview with Mayor Victor Manalo, Ph.D., Mayor, City of Artesia: Maximizing Council Meeting Effectiveness (8:00-8:45)

Break (8:45-9:00)

IV. **Coming to Agreement on Procedures and Shared Expectations** (9:00-9:45)

A. Rules of Procedure and Council Protocols

B. Civility Codes, Protocols

C. Council Discussion:

1. What Meeting Procedure Issues Should the Protocols for the City of Bell Address?
2. What Format(s) Will Best Serve the Community's Needs?
3. Civility: "Dos" or "Don'ts"?

V. **Public Comment** (9:45 – 9:55)

VI. **Discussion on Next Steps/Topics for Future Discussion** (9:55-10:00)

Making Meetings Work

Democracy must mean more than two wolves and a sheep voting on what to have for lunch.

—Benjamin Franklin

Much of the business of governing is carried out in meetings, including regular governing body meetings, work sessions, committee meetings, and public hearings.

Your local charter provides the framework for regular governing body meetings, including requirements for public announcements, voting quorums, minutes, and state laws that must be observed, such as open meeting laws and freedom of information laws.

Fast Fact

The first open records law was passed in Wisconsin shortly after Wisconsin became a state in 1848. The first open meeting law was passed in Florida in 1967. All states and the District of Columbia now have both open records laws that govern access to public documents and open meeting laws that define public meeting requirements and sanctions.

The rapid rise of open meeting laws in the 1970s—led by Florida's "sunshine law"—initially caused anxiety, but open government has become a positive way of life for today's public officials. Knowing what's in your state open meeting law is an important part of your information tool kit.

Beyond the legal requirements, factors contributing to successful meetings include

- Rules of procedure and protocols
- A well-planned agenda
- Committees and work sessions.

ATTACHMENT A

Open E-mail

When members of a leadership team communicate by e-mail, they must observe open records and open meeting laws. A California legal opinion concluded that members of a governing body who e-mail each other to develop a collective agreement on a scheduled action are violating the state open meeting law. E-mails sent by public officials are generally considered public communications and are covered under freedom of information laws. Many public officials include a statement at the bottom of their e-mails confirming that their e-mail communication is part of the public record.

Rules of Procedure and Protocols

Rules of procedure help you conduct public business in an orderly way. Protocols provide guidelines for governing body behavior and interaction in public settings. Combined, well-written rules of procedure and clear protocols that everyone agrees to follow provide a framework for successful governing body meetings.

One of the first acts that some new councils take after an election is to adopt existing rules and protocols to reestablish standards for working together. One of your first acts when you join the leadership team as a new member of the governing body should be to review all rules and protocols carefully and ask questions so that you become comfortable with the governing body's way of carrying out its business.

Rules of Procedure

Topics covered in governing body rules include

- The regular schedule for meetings, and provisions for calling special meetings
- Order of business, who prepares the agenda, and the deadline for delivery of materials to governing body members
- Procedures for modifying the published agenda for new or emergency items or for making any other post-publication changes
- Debate and voting procedures, such as how to resolve tie votes, when to use roll call votes, and how to record silent votes and abstentions
- Procedures for public participation in governing body meetings, including when public input is accepted, time limits for speaking, when and how to register to speak, whether advance notice is required, and opportunities to submit written statements
- Exceptions to the rules
- Parliamentary procedures that will be followed, and procedures for resolving any challenges to rulings by the chair.

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Guiding Principles for Streamlined Parliamentary Rules

1. ***Rules should establish order.*** The first purpose of parliamentary procedure is to establish a framework for orderly meetings.
2. ***Rules should be clear.*** Simple rules lead to wider understanding and participation.
3. ***Rules should be user-friendly.*** The rules must be simple enough that citizens feel they have been able to participate in the process.
4. ***Rules should enforce the will of the majority while protecting the rights of the minority.*** The ultimate purpose of the rules is to encourage discussion and facilitate decision making. The rules must enable the majority to express itself and fashion a result, while permitting the minority to express itself (but not dominate) and fully participate in the process.

Adapted from *Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century*

Many governing bodies rely on *Robert's Rules of Order* for parliamentary procedure. But *Robert's Rules* is complicated, detailed, and intended primarily for large legislative bodies. It can be frustrating to use. A governing body that gets tangled in parliamentary process doesn't make good decisions, which can undermine public confidence in government.

Adopting your own simpler parliamentary rules is fine—as long as those rules are clear, used consistently, and contribute to productive debate and action. It is useful to have streamlined parliamentary procedures reviewed by your local government attorney.

Sample Governing Body Code of Conduct

- Seek to understand one another's perspective.
- Seek diversity of ideas.
- Honor one another in public, and protect each other in their absence.
- Be tough on issues, soft on people.
- Focus on the issues, not on personalities.
- Seek honesty and integrity in all deliberations and interactions.
- Governing body direction to staff should be by consensus rather than by individual action.
- Once a decision is made, move on, bury disagreements, and expect staff to follow through as defined.

Protocols

Protocols focus on civility, courtesy, and decorum. Some governing bodies develop informal protocols to guide how they'll work together as a team and what constitutes acceptable behavior in public settings. Protocols may also cover the governing body's expectations for the behavior of local government staff and the public at meetings.

Formal protocols define both acceptable behavior and consequences for violations. For example, a governing body member who regularly violates the rules may be reprimanded or formally censured, or a citizen whose behavior is unacceptable may be barred from further testimony.

While it is difficult to legislate behavior, written, adopted, published, and accepted protocols provide a framework for positive and productive meetings.

Sometimes, the biggest challenge for the mayor or governing body chair is keeping discussion focused on the issue rather than on the person. That's why

Sunnyvale, California (www.sunnyvale.ca.gov), developed this checklist as part of its *Code of Conduct for Elected Officials* to help individual council members assess their behavior at public meetings.

- ☐ Will my decision/statement/action violate the trust, rights, or goodwill of others?
- ☐ If I have to justify my conduct in public tomorrow, will I do so with pride or shame?
- ☐ How would my conduct be evaluated by people whose integrity and character I respect?
- ☐ Even if my conduct is not illegal or unethical, is it done at someone else's painful expense?
- ☐ Is my conduct fair? Just? Morally right?
- ☐ If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
- ☐ Does my conduct give others reason to trust or distrust me?
- ☐ Am I willing to take an ethical stand when it is called for?
- ☐ Can I take legitimate pride in the way I conduct myself and the example I set?
- ☐ Do I listen and understand the views of others?
- ☐ Do I question and confront points of view in a constructive manner?
- ☐ Do I work to resolve differences and come to mutual agreement?
- ☐ Do I support others and show respect for their ideas?
- ☐ Will my conduct cause public embarrassment to someone else?

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Palo Alto, California (www.cityofpaloalto.org), provides guidelines for council conduct with one another, with staff, and with other boards and commissions; staff conduct with the city council; and other procedural issues in its adopted *Council Protocols*. Specific protocols related to public meetings include the following:

- Use formal titles.
- Practice civility and decorum in discussions and debate.
- Honor the role of the presiding officer in maintaining order and equity.
- Demonstrate effective problem-solving approaches.
- Be respectful of other people's time.

a rule against personal attacks that applies to both the governing body and the public is valuable. Personal attacks among governing body members or from a community activist, protestor, or gadfly interfere with decision making and, over the long run, discourage others from participating productively.

Members of the governing body set the standard for civility and decorum at the meeting by modeling expected behavior. You can't challenge or reprimand a disruptive citizen if disruption and personal attacks are common among governing body members. Written protocols set the framework for behavior. Good judgment and sensitivity to your public role make the difference.

A Well-Planned Agenda

If I had eight hours to chop down a tree,
I'd spend six sharpening my axe.

—Abraham Lincoln

Generally the chief administrative officer prepares the governing body agenda, working closely with the mayor/council chairman. The agenda usually balances routine items that a governing body must act on with issues related to the governing body's priorities. The more your priorities drive your agenda, the more effective your meetings will be.

To ensure that you are using your time most effectively, it may be useful for the chief administrative officer and the governing body to agree on criteria for organizing the agenda. Criteria to consider include

- **Policy impact/connection to priorities:** Issues that have significant policy implications, are directly related to your established priorities, and may have

a long-term impact on your community should get the most time on your agenda—and usually early in the meeting.

- **Citizen interest:** Particular issues of concern or interest to constituents should be accommodated on the agenda if possible.
- **Relevance to other issues:** Items that are related to or contingent on one another should be listed consecutively or under one heading.
- **Immediacy:** A deadline or crisis should be considered when arranging agenda items. Usually a well-planned approach to public business will cut down on the frequency of crises, but emergencies happen, and your agenda should take that into account.

Chief administrative officers recognize the importance of developing agendas that will support the governing body in carrying out the public's business. A carefully structured agenda and clear, complete, and concise backup materials create an environment for effective decision making.

While governing body agendas vary significantly from community to community, most include the same general information for all items: (1) the issue to be covered; (2) a brief background statement, including a staff recommendation; and (3) the action expected by the governing body. Practical tools such as **consent agendas,** which group routine issues under one action, and **fact sheets,** which summarize the scope of agenda items, can be helpful in managing time and information at a governing body meeting.

Successful meetings start with carefully planned agendas. The chief administrative officer and department staff support governing body decision making by planning agendas and providing both background reports and recommendations for action.

Committees and Work Sessions

Committees and full-group work sessions give elected officials time to explore complex issues in depth between regular meetings where decisions are made.

Fast Fact

More than 80 percent of local governing bodies use committees to examine policy issues, according to NLC's survey, compared with only 61 percent in 1979. Only 70 percent of smaller communities use committees, compared with 91 percent of larger cities (200,000 population or more).

Governing body committees are smaller groups that prepare issues for action by the full body. Ongoing or standing committees are often organized around major government functions—for example, public safety, community and eco-

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nomic development, financial management, intergovernmental relations, land use and planning, transportation, energy, and the environment. Ad hoc committees are organized around urgent priorities or emerging challenges.

Governing body work sessions allow the entire governing body to study issues in more depth before making a decision.

The advantage of committees and work sessions is a more informal environment. Members can ask clarifying questions, discuss issues at length with expert staff, seek additional information, and prepare for formal decision making. Professional staff with relevant expertise are assigned to work closely with members in committees and work sessions.

Three caveats about committees and work sessions are important to remember:

1. Decisions are not made in committee meetings or work sessions.
2. Committee meetings don't preclude or eliminate public debate at formal meetings.
3. Most open meeting laws apply to committee meetings and governing body work sessions, which means that the public is invited.

Recap

- Policy making happens in meetings, so working together to make sure meetings enable good decision making is an essential part of your job.
- Open meeting laws guide the process of public decision making.
- Well-written rules of procedure and clear protocols that everyone agrees to follow provide a framework for successful governing body meetings.
- Successful meetings start with carefully planned agendas that help participants address the most important issues in a timely and productive way.

Recommended Local Reading

- State open meeting and freedom of information laws
- Adopted rules of procedure
- Recent governing body agendas and minutes
- *Roberts Rules of Order* or local parliamentary procedures

Tips for Promoting Civility in Public Meetings

What is Civility?

In the context of democratic debate, civility is about how people treat each other. Civility involves the display of respect for those who have positions with which one disagrees.

Even though disagreement and confrontation plays a necessary role in governance and politics, the issue is *how* one expresses that disagreement. The key is to focus on the strengths and weakness of proposed solutions to community problems—not to engage in personal attacks against those who favor different solutions.[1]

Specific Strategies

- **Embrace Diverse Points of View.** Local officials are grappling with difficult policy challenges. Bringing as many perspectives on what might be the best solution to a given problem increases the likelihood that the solution will indeed be successful and enduring.

- **Everyone Gets a Chance to Share Their Views.** Voltaire said "I may not agree with what you say, but I will fight to the death for your right to say it." Everyone's right to have their view heard is a central democratic value. Conversely, a strategy that relies on drowning other perspectives out usually results in a turning up of the volume and corresponding decreases in civility in discussions.

- **With Rights Come Responsibilities.** For there to be time for everyone to weigh in on an issue, there may need to be reasonable time limits on how long individuals speak. The goal is to create a culture in which as many people as possible (including decision-makers) are respectful of other people's time in attending and participating in the meeting.

About This Tip Sheet

This tip sheet is a service of the Institute for Local Government (ILG) whose mission is to promote good government at the local level with practical, impartial, and easy-to-use resources for California communities. ILG is the nonprofit 501(c)(3) research and education affiliate of the League of California Cities and the California State Association of Counties. For more information and to access the Institute's resources on Local Government 101, go to www.ca-ilg.org/localgovt101.

The Institute welcomes feedback on this resource:

- *Email:* info@ca-ilg.org Subject: *Tips for Promoting Civility in Public Meetings*
- *Fax:* 916.444.7535
- *Mail:* 1400 K Street, Suite 205 ▪ Sacramento, CA ▪ 95814

- **Avoid Debates and Interruptions.** Interruptions should be discouraged so that individuals have the opportunity to complete their thoughts. A good practice for everyone participating in the conversation is to make a note of a question or different point of view that occurs to you when someone is speaking and then address that issue when it is one's turn to speak. This is an especially important approach for decision-makers to model.

- **Reduce Uncertainty.** Assuring people they will be allowed to share their views and how can reduce concerns that they will not be allowed to be heard. Explaining what process will be used to allow all views to be heard at the outset of a meeting or discussion item can reduce tension levels.

- **The Importance of Listening.** Listening is an important sign of respect, as is giving others the opportunity to listen. Decision-makers' active interest in what people are saying is vital. Repeating back core points that a speaker makes reassures the speaker that their message has indeed been heard—even if one does not necessarily agree with it. The mood turns ugly if the public thinks the matter has already been decided, decision-makers don't care about public input, or decision-makers are being impolite or disrespectful of the public they serve. Everyone attending a meeting should respect other attendees' right to both listen and be heard. One person should talk at a time, any private conversations should be taken outside or deferred, and cell phones should be turned off.

- **Be Compassionate About the Fear Factor/ Heckling and Applause Not Allowed.** Polls suggest many people fear public speaking.[2] This fear can come from concerns about being judged negatively or having ideas that people will ridicule or reject. Allowing cheering and booing or other forms of heckling discourages people from sharing their views (even silence or no applause can be perceived as rejection). It also runs the risk that those that do speak

Agenda Guidance

Some local agencies include language to the following effect on their agendas:

> Free expression of all points of view is an important democratic value in this community.
>
> To allow all persons to speak who may wish to do so, each speaker is allowed a maximum of __ minutes. An effective approach is to lead with your key point or concern and then explain the reasons underlying it.
>
> If others have already expressed your views, you may simply indicate that you agree with the previous speaker. If appropriate, a spokesperson may present the views of a group.
>
> To encourage and respect expression of all views, meeting rules meeting rules prohibit clapping, booing or shouts of approval or disagreement from the audience.

will focus more on getting applause than moving the conversation towards addressing difficult issues. (Eye-rolling and grimacing can be non-verbal forms of heckling and also have no place in communities that value mutual respect.)

- **Separate People from The Problem.** Personal attacks or questioning people's motives or character rarely moves the conversation forward to a solution of a problem. In the book about effective negotiating called *Getting to Yes*,[3] the authors encourage negotiators to attack the problem, not the people involved in the problem. Anything that approaches name-calling should be off limits.

- **Use Titles.** In meetings, a number of local agency officials refer to each other by title and last name (Supervisor Hassan, Council Member Lee, Board Member Aviña) as a verbal sign of respect that an individual has been elected and is participating in the conversation in that capacity. Using similar forms of respect for members of the public (Mr., Ms, Sir, Madam) when speaking can also reinforce the notion that everyone is engaged in a special kind of discussion.

- **Take a Break.** If conversations get heated, consider taking a break. As one veteran observer of public meetings noted "time can be an anti-inflammatory agent" that can give people a chance to calm down and restore order.[4]

A Note on Civility and Staff

Staff plays a critical role in providing service to the agency and the public the agency serves. An agency's ability to attract and retain capable and motivated staff is an important determinant of how satisfied the public is likely to be with the agency's performance and that of its elected officials.

An old management saw counsels those with oversight responsibilities to praise in public and criticize in private. That advice is sound for those in public service.

If an elected official has concerns about a staff member's performance or actions, a good practice to make the top administrative official of the agency aware of those concerns.

Similarly, a member of the public raises concerns about the performance of a public agency employee; refer it to management with a request for follow up.

If the communication is more in the nature of a personal attack, try to identify the underlying concern and respond to that. Separating people from the problem can be just as valuable a strategy when it comes to staff.

- **Ejection a Last Resort.** If a recess does not work to restore order and other techniques are not successful, calling in the sergeant of arms is a last resort. A good practice is to create a record that disruptor was given ample warnings and opportunity to leave or reform their behavior voluntarily.

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Parliamentary Procedure and Civility

Rules of parliamentary procedure are another tool to encourage civility and decorum at meetings. The most famous source of parliamentary procedure is Robert's Rules of Order. A good starting point is www.robertsrules.com/ (the "survival tips" page is especially helpful).

A former mayor and county supervisor (and now judge) has created a simplified version for use at the local level. Called "Rosenberg's Rules," the text and an explanatory video are accessible from the Institute's website at www.ca-ilg.org/rosenbergsrules.

The following is an excerpt from Rosenberg's Rules on about courtesy and decorum:

> The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the Chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the Chair before proceeding to speak.
>
> The Chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The Chair has the right to cut off discussion that is too personal, is too loud, or is too crude.
>
> Debate and discussion should be focused, but free and open. In the interest of time, the Chair may, however, limit the time allotted to speakers, including members of the body.
>
> Can a member of the body interrupt the speaker? The general rule is "no." There are, however, exceptions. . . .

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- **Walk the Talk.** For civility to be a regular part of community discourse, community leaders must set the standard. Scholars are concerned—and the data seems to demonstrate—that public officials' incivility to one another contributes to voter alienation and antipathy toward public officials and public agencies.[5]

  A good approach is to treat people how you would like to be treated. This includes a) limiting one's statements in discussions to those that move the conversation forward, b) keeping one's remarks brief, to the point and non-repetitive of comments others have made (other than to note one's agreement), c) avoiding personal attacks (in public and private) and d) otherwise adhering to the strategies described above.

Resource for Further Reading

This tip sheet is a distillation and update of the Institute for Local Government's 2003 whitepaper called *Promoting Civility at Public Meetings: Concepts and Practice*, available at www.ca-ilg.org/civility.

Additional resources from the Institute include *Dealing with Emotions at Public Hearings*, available at http://www.ca-ilg.org/sites/ilgbackup.org/files/resources/Emotions_and_Conflicts_in_Public_Hearings_2.pdf and *A Leader's Role When Tragedy Strikes*, available at http://www.ca-ilg.org/sites/ilgbackup.org/files/resources/Everyday_Ethics_April10.pdf

Conclusion

How a community conducts its public meetings is a reflection of the community and its values. As Dr. Martin Luther King's observed:

> In a neighborhood dispute there may be stunts, rough words, and even hot insults; but when a whole people speaks to its government, the dialogue and the action must be on a level reflecting the worth of that people and the responsibility of that government.[6]

Dr. King's admonition to his listeners to set their standards of discourse high--irrespective of how others behave--is consistent with the quote from Gandhi to his followers that "you must be the change you wish to see in the world."

Sample Codes of Civility

Drafting Note: *A threshold issue is whether an agency's code will be positive or negative. In other words, will the code describe conduct that is prohibited or describe the kind of conduct it desires to be the norm. Describing the kind of conduct that is preferred has the advantage of being more instructive in setting the goal and encouraging people to meet that goal.*

Commitment to Civil Behavior

To maintain a cohesive, productive working environment, the members of the San Diego County Water Authority Board of Directors commit to:

1. Support the Authority's mission.
2. Bring Authority related concerns, issues, and conflicts to the Authority Board for discussion.
3. Offer alternative solution(s) when addressing a problem or issue.
4. Show respect to each other as appointed representatives of their member agencies.
5. Promote civility during Board meetings and tolerate nothing less.
6. Maintain the confidentiality of material discussed during closed Board meeting sessions. Similarly, not to disclose the content or substance of confidential or privileged communications relating to Authority business.
7. Limit the length of comments during Board meetings to three minutes per Director per item and not repeat points that already have been stated by other Directors.

Pledge of Civility

1. The manner in which we govern ourselves is often as important as the positions we take.
2. The organization's collective decisions will be better—and truer to our mission—when differing views have had the opportunity to be fully vetted and considered.
3. All those who appear before the organization's board and committees have the right to be treated with respect, courtesy, and openness. We value all input.

Accordingly, we commit to conduct ourselves at all times with civility and courtesy, to both those with whom the Board interacts and to each other. We also pledge to endeavor to correct ourselves, should our conduct fall below this standard.[7]

Resources and References

[1] Burgess, Guy and Heidi, *The Meaning of Civility* , Conflict Research Consortium at www.colorado.edu/conflict/civility.htm.
[2] http://www.gallup.com/poll/1891/Snakes-Top-List-Americans-Fears.aspx (fear of public speaking ranks second to fear of snakes).
[3] Fisher, Roger and Ury, William L., *Getting to Yes: Negotiating Agreement Without Giving In* (1991).
[4] *See* Vermont Institute for Government, Born to Chair: An Introduction to the Science and Art of Chairing a Board Meeting (1998), available at http://www.sec.state.vt.us/municipal/pubs/chair.pdf and http://crs.uvm.edu/citizens/chair.pdf., page 3.
[5] Carter, Stephen L., *Civility: Manners, Morals and the Etiquette of Democracy* (1998) at 9.
[6] *From the March on Washington for Jobs, Peace and Freedom, 1963.*
[7] Adapted from the Pledge of Civility adopted by the California Public Employee Retirement System Board.

Responding to Emotions and Conflicts in Public Hearings

People who attend public hearings can be passionate, nervous, angry, frustrated, scared, confused, or uncertain about the issues, the hearing itself, or the possible outcomes. Emotions can run high. Conflicts among participants or between participants and officials may result. So what to do?

1. **Be Real.** People's feelings are real and conflicts do happen. To pretend or act otherwise will often make people feel angrier and less "heard."

2. **Guide Communications.** Clear hearing rules, as well as "good-practice" guidelines for how attendees can effectively make their views or concerns known can help reduce stress and promote good communication and civility.

3. **Be Attentive.** While not taking sides, the presiding and other officials can acknowledge the verbal and emotional expression of speakers. One aspect of this is good body language that shows respect, diligence and attentiveness. A public official's clarifying question can also reduce a participant's fear that no one is really hearing the concerns being expressed.

4. **Ensure Clarity.** As described elsewhere, recording in some way what hearing attendees are saying, as well as clarifying early how input will be used and how final decisions will be made, will contribute to less stress, confusion and anger. Transparency by public officials almost always helps.

5. **Acknowledge What You Hear.** If done with skill, it is also possible to feed back (in brief summary) what you have heard a speaker say ("so you're saying you believe this would kill all the fish in the stream, is that right?") or acknowledge strong feeling ("this is something that you've cared a lot about for a long time isn't it?"). This can be done while staying in an appropriate role and without being seen as taking sides. Practice helps of course, and equal treatment for all is important. Time is always a factor that may limit such interactions at a specific hearing.

6. **Identify Values and Interests.** Look for and ask about values and interests that underly speakers' expressed positions. People can more often understand each other's values and interests before they accept different positions. Here's an example:

   - *"I think children are vitally important to our community" (value);*
   - *"I want the health of our children protected" (interest);*
   - *"I want a legislated limit on the amount of mercury in our water supply" (position)*

   There are usually more ways to satisfy interests than to bridge conflicting positions. This kind of conversation can reduce or more clearly focus conflicts and differences.

7. **Dealing With Conflict.** Interpersonal conflicts that result from the issue in controversy cannot be addressed directly in the hearing. However, these are dynamics that linger, affect the quality of individual and community life, and may reignite in the future. Local officials may wish to encourage that unresolved interpersonal conflicts be addressed through a local mediation program or similar resource, especially when they are tied to an agency's decision.

Conflicts between the public and officials at public hearings are a more complex matter. However, clear process, good listening, and acknowledging the input received will help reduce the likelihood of bad feelings and ongoing conflict. Where appropriate, more and earlier public dialogue (before the public hearings) will also help. Decisions that reference interests (see above) and values will also tend to enhance understanding and reduce unnecessary conflict.

This excerpt is from the Institute for Local Government publication, Getting the Most Out of Public Hearings: Ideas to Improve Public Involvement. For this and other ILG publications, visit www.ca-ilg.org/PublicEngagement.

Tips on Chairing Meetings

Meetings are central to the local agency decision-making process. Through public meetings, elected and appointed officials come together to receive public input, discuss, deliberate and decide issues on behalf of the public. Such decisions typically require support of a majority of the decision-making body.

All members of the decision-making body usually have the same voting power. The meeting chair, however, plays a special role in helping the group reach wise decisions. The following tip sheet offers suggestions for performing that role well.

Goal of Meeting Discussions

The usual goal of any discussion at a public agency meeting is for decision-makers to:

- Receive and share information, so everyone can make informed choices
- Share thoughts and perspectives on what decision best serves the public's interests and other community values
- Reach a decision on what the best option is

Another goal is for the group to reach decisions in a way that builds and maintains relationships as well as promotes trust in both decision-makers and the decision-making process.

About this Tip Sheet

This tip sheet is a service of the Institute for Local Government (ILG) whose mission is to promote good government at the local level with practical, impartial, and easy-to-use resources for California communities. ILG is the nonprofit 501(c)(3) research and education affiliate of the League of California Cities and the California State Association of Counties. For more information and to access the Institute's resources on Local Government 101, go to www.ca-ilg.org/localgovt101.

The Institute welcomes feedback on this resource:

- *Email:* info@ca-ilg.org Subject: *Tips on Chairing Meetings*
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Everyone's Role

All participants in the decision-making process are responsible for working towards achieving these meeting goals. Moreover, everyone has a shared stake in having an opportunity to be heard and being treated fairly. Thus, everyone has an interest in supporting the chair's efforts to conduct the meeting effectively and fairly.

The Chair's Role

The chair's role includes:

- Helping the group determine whether it has all the information necessary and available to make a decision
- Where there are multiple points of view on what the best decision might be, encouraging decision-makers to share those views
- Actively listening to determine potential points of agreement and testing those points for actual agreement
- Managing any conflicts that may arise during the discussions
- Keeping the discussion on topic
- Ensuring that clear decisions are made
- Sticking to the agenda
- Getting through the agenda items in a timely manner.

As a result, the role of the chair can be understood as:

- **A team captain** who leads by example and helps the group function as a team;
- **A coach** who encourages participants to perform at their best, including as it relates to principles of fair play and sportsmanship; and
- **A referee** who has authority to stop the action and apply the rules of play.[1]

For the chair to play the role of referee effectively, the chair needs the group's trust and respect. To earn this trust and respect, the chair needs to conduct the meeting fairly. This means applying the group's agreed upon standards in an impartial manner. If one's colleagues' understand that the chair's goal is to be an impartial facilitator to help the group achieve consensus, the group will be more inclined to act in ways that support the chair's efforts and achieve the meeting's goals.

To achieve both the perception and the reality of impartiality, it can be helpful for the chair to hold off expressing his or her views on a matter and not engage in debate.

Strategies for Success

At The Beginning of the Meeting

- **Welcome and Introductions.** It can be helpful for the public (particularly first-timers) to know who is sitting at the dais, what opportunities there will be to provide input, and how they can understand what is going on (for example, if translation equipment/service is available, where people can pick up the equipment). This can communicate decision-makers' earnest desire to both receive public input and have the public understand what is going on.

- **Agenda Overview.** A brief statement of the major sections of the agenda can remind both decision-makers and the public of the scope of what needs to be accomplished during the meeting.

- **Aspirational Statement on Decorum.** If the body has adopted a guidelines and goals for civility, a brief reminder to that effect can help set the tone for both decision-makers' interactions and encouragement for other meeting participants' conduct.

As the Body Moves to New Agenda Sections/Items

- **Agenda Sections.** Different agenda sections are sometimes subject to different procedures. For example, a consent agenda usually is a group of items that are routine and non-controversial and are taken up as a group.

  Conversely, other items are taken up one by one. Sometimes certain items are subject to special procedures (for example, public hearings). It can be helpful for the chair to briefly note these differences, as a reminder to new decision-makers and first time attenders at the meeting.

  Example: Chair: "Now we are at the public hearing portion of the agenda. To be respectful of the rights and interests of all involved, there will be three stages to our consideration of each item:

  1. *Facts and Evidence:*
     a. *First staff will summarize their analysis of the issue before us.*
     b. *Then, the applicant will be given a chance to explain, based on facts and evidence, how the applicant has met standards necessary for us to approve the application.*
     c. *Next the public will be given an opportunity to offer their thoughts and evidence on the merits of the application. This can include any suggestions of question that the public thinks we should ask of the applicant.*
     d. *We will then ask any questions of the applicant.*

2. *Law and Analysis*
    a. *After listening and considering both the applicant's and the public's information, it becomes our turn to discuss among ourselves what we have learned based on what has been presented.*
    b. *Once it appears that a consensus is developing, we may ask questions of staff on what kinds of findings need to be made to explain our decision based on the information we have received.*

3. *Decision*
    a. *The chair will entertain a motion to make a decision and adopt findings consistent with that decision.*
    b. *If the motion receives a second, we'll vote to see if a majority of us can agree."*

- **Agenda Items.** In addition to calling the agenda item, it can be helpful to identify the issue to be resolved.

  Chair: "The issue before us is whether the application to engage in X enterprise meets the standards in our zoning code for such activities."

  This reminds staff, decision-makers, the applicant and the public the standard which needs to be focused on.

- **Note about Technical Language.** Public agency decisions sometimes involve special terminology, jargon and acronyms. This can lead to confusion and misunderstanding, which in turn, can take the discussion in unproductive directions. Another important role of the chair is to make sure the conversation occurs at a level that everyone can understand. The chair can ask speakers to define unfamiliar terms and explain unfamiliar concepts.

Fostering Discussion and Decision

- **Opening Up the Issue for Discussion.** Having stated the issue and heard staff and the public's information on it, ask for decision-makers' thoughts. To enable the chair to be a fair guider of the discussion, the chair will typically refrain from offering their thoughts at the beginning.

- **Who Speaks When and to Whom.** At this point in the meeting, the discussion is among decision-makers and therefore decision-makers should be speaking to each other in an effort to come to a decision, not the public.

  An important role of the chair is to make sure only one person speaks at a time, so both the public and decision-makers can understand and follow the discussion. A typical approach is for each decision-maker to offer their thoughts and then listen to other decision-makers' thoughts in turn.

If it appears multiple people want to talk at once, the chair has the option of asking people to raise their hands to be recognized before speaking. The chair can keep a list of who has asked to be heard, to call on each person to speak in sequence. Everyone who wants to speak should know that they are on the list and their turn is coming.

- **Keeping Discussion Participation Balanced.** Some bodies have a norm that each person will take a turn in asking all their questions and sharing their thoughts. Others find that such a restriction interferes with dialogue and the deliberative process. If a person seems to be repeating him or herself or otherwise dominating the discussion to the exclusion of others, one approach is for the chair to acknowledge that the individual's perspective has been heard.

  Example: *Chair "We have heard that Supervisor Nasirian feels strongly that fixing our roads is an urgent priority. What are others' thoughts?"* or *"Is there anyone who hasn't spoken yet who would like to share their thoughts?"*

  The chair can also give preference to those who haven't spoken.

  Example: *Chair "I see your hand up Council Member Cooke and we'll get to you in a moment; I am going to recognize Council Member Suarez first since she hasn't yet spoken."*

- **Avoiding Interrupting One Another.** When people are passionate or otherwise convinced of the correctness of their position or information, they will sometimes jump in to respond to what a colleague is saying. A chair's role is to intervene to protect the person's ability to finish their thought. (*"Let's let Director Feliciano finish his thought; you'll have an opportunity to share your perspectives."*)

- **Dealing with Conflict.** Differing perspectives is inherent in a group decision-making process and healthy. However, if the discussion gets particularly heated among two or more decision-makers, a helpful device is to have people address their remarks to the chair. Another is to summarize the points of disagreement and then move the discussion away from those who in conflict by asking others how they see the issue. If the conversation turns personal, the chair can ask the group to keep the discussion focused on the problem at hand, not underlying motivations or personalities. If these techniques are unsuccessful, calling a recess can be helpful to enable people to step away from the conflict and reflect on how to move the discussion forward. *See also Dealing with Emotions.*

- **Actively Listening for Signs of Consensus.** The chair's role is to listen for points of agreement and possible consensus and then test the chair's sense of where people are leaning. Tools the chair has to help the group get to a decision point include:

  - *"It sounds like Supervisor Rodriguez and Supervisor Ifill are both concerned about the impact of the proposed use, even with the proposed conditions on the permit, on*

surrounding neighbors. Am I understanding your concerns? Would either of you like to move that the application be denied"?

- *Thank you Council Member Chen for sharing that view; would you like to make a motion to that effect?"*
- *"It sounds that there are two views on the board: [state the two views]. Which strikes people as having more advantages for our community?*
- *"What's the group's pleasure? The question before us is [restate the issue before the group]."*

- **Motion and Second.** Once a motion is made, the chair asks for a second. A second to the motion indicates that at least one other person agrees with the maker of the motion.
  - If no one seconds the motion, the chair can note that the motion is appearing to die for lack of a second. The chair can ask if someone else wants to make a different motion.
  - If the group seems ambivalent, the chair can ask if someone wants to second the motion for purposes of discussion. Through that discussion, an approach at least a majority can agree on may emerge, in which case the chair may want to ask whether there's a friendly amendment to the original motion or a substitute motion.

- **Vote.** It's helpful for the chair to re-state the motion on which the group is voting.

At the End of the Meeting

- **End on an Upbeat Note.** If at all possible, end the meeting on a positive note and thank everyone for their contributions to the meeting and their participation.

- **Explain Next Steps.** Note that the actions taken at the meeting are being recorded through meeting minutes, which will be reviewed at the next meeting. Note when the next meeting will be.

If at First You Don't Succeed . . .

People can take awhile to get used to the norms associated with group decision-making. If an approach doesn't work perfectly the first time, don't give up. Think about what worked and what didn't and consider whether persistence might help get the group to a better place.

[1] *See* Vermont Institute for Government, Born to Chair: An Introduction to the Science and Art of Chairing a Board Meeting (1998), available at http://www.sec.state.vt.us/municipal/pubs/chair.pdf and http://crs.uvm.edu/citizens/chair.pdf.