



# CITY COUNCIL AGENDA STATEMENT



November 13, 2018

File ID: 18-0466

## **TITLE**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A CODE OF CIVIL DISCOURSE FOR THE CITY OF CHULA VISTA BASED ON THE MODEL DEVELOPED BY THE NATIONAL CONFLICT RESOLUTION CENTER

## **RECOMMENDED ACTION**

The Human Relations Commission recommends that the City Council adopt the resolution.

## **SUMMARY**

The National Conflict Resolution Center (NCRC) is a San Diego based non-profit dedicated to the promotion of respectful and constructive engagement within organizations and communities to improve relations and to solve problems. As a guideline for civil engagement, the NCRC has drafted a Code of Civil Discourse. After discussions with the Mayor and the City Attorney, consideration of the Code in Chula Vista was referred to the newly formed Human Relations Commission (HRC). At the HRC's July 26, 2018 regular meeting, the NCRC presented its Code to the HRC and the HRC voted 8-1 to present the Code to the City Council for its consideration. This item implements the HRC recommendation that the City Council adopt a Code of Civil Discourse based on the NCRC version.

## **ENVIRONMENTAL REVIEW**

The Director of Development Services has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines because it will not result in a physical change in the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Thus, no environmental review is required.

## **BOARD/COMMISSION/COMMITTEE RECOMMENDATION**

On July 26, 2018, the Human Relations Commission voted 8-1 to present a Code of Civil Discourse to the City Council for its consideration and adoption.

## **DISCUSSION**

The National Conflict Resolution Center (NCRC) is a San Diego based non-profit founded in 1983 by the University of San Diego Law Center and the San Diego County Bar Association. Its stated mission is to provide the resources, training and expertise to help people, organizations and communities manage and solve conflicts, with civility. Services provided by the NCRC to achieve this mission include community engagement projects, individual and organizational training programs, youth alternatives to incarceration,

and a wide ranges of mediation services. NCRC is active in the South Bay in all of these areas, and is looking to expand its South Bay presence.

As a guideline for civil engagement, the NCRC has drafted a Code of Civil Discourse. After discussions with the Mayor and the City Attorney, consideration of the Code in Chula Vista was referred to the newly formed Human Relations Commission (HRC). At the July 26<sup>th</sup> HRC meeting the NCRC presented its Code to the HRC and the HRC voted 8-1 to present the Code to the City Council for its consideration. This item implements the HRC recommendation that the City Council adopt a Code of Civil Discoursed based on the NCRC version.

The HRC considered first whether or not to adopt the Code itself as a model of good conduct. Ultimately it was decided that it was more appropriate for the City Council to adopt the Code, with provisions to encourage its adoption by other Boards and Commissions. There was also a desire to incorporate the Code's concepts into guidelines for City employees in how they engage with one another and the community.

The key provisions of the Code of Civil Discourse are as follows:

- We will promote an inclusive environment where diverse perspectives are shared and considered;
- We will listen attentively and ask questions to understand others' positions;
- We will show respect for ideas and views presented, even where we disagree;
- We will explain our positions by fairly presenting the reason for them; and
- We will avoid personal attacks or other tactics that distract attention from the salient issues.

The full version of the City's Code is contained in the Resolution attached hereto for your consideration with this item. If approved, the Code would immediately apply as a guideline for City Council conduct. It would also be referred to other City Boards and Commissions for their consideration and adoption. The City Manager would be directed to engage City Staff and to explore ways that the precepts of the Code could be included as guidelines for employee conduct as well.

City Council adoption of the Code of Civil Discourse would promote the stated purpose and intent of the HRC to "enhance peace and good order" and to provide "good will toward all people" as provided in CVMC Section 2.36.020.A.8. It would also advance the express function and duty of the HRC to "foster mutual understanding, respect and good will" as provided in CVMC Section 2.36.030.A.

Within the County, the City of Del Mar has already adopted a version of the Code. The NCRC is actively working with other cities in the County to consider embracing the Code, and expects more formal adoptions to follow.

It is important to note that this item is not presented as a criticism of the City Council, but rather to support and reinforce the kind of constructive and civil dialogue that the Mayor and Council are currently demonstrating. The Human Relations Commission feels that the promotion of civil discourse at the community level is more important than ever, especially with the divisive and uncivil tone being struck at the national level.

### **DECISION-MAKER CONFLICT**

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the 500-foot rule found in California Code of Regulations Title 2, section 18702.2(a)(11), is not applicable to this decision for purposes of determining a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.).

Staff is not independently aware, nor been informed by any City Council member, of any other fact that may constitute a basis for a decision maker conflict of interest in this matter.

### **LINK TO STRATEGIC GOALS**

Adopting the Code of Civil Discourse will promote the City's strategic goal of having a Healthy and Connected Community. City Council adoption of the Code of Civil Discourse would also (1) promote the stated purpose and intent of the HRC to "enhance peace and good order" and to provide "good will toward all people" as provided in CVMC Section 2.36.020.A.8; and (2) advance the express function and duty of the HRC to "foster mutual understanding, respect and good will" as provided in CVMC Section 2.36.030.A.

### **CURRENT-YEAR FISCAL IMPACT**

City Council adoption of the Resolution is expected to have nominal current-year fiscal impact.

### **ONGOING FISCAL IMPACT**

City Council adoption of the Resolution is expected to have nominal ongoing fiscal impact.

### **ATTACHMENTS**

1. Code of Civil Discourse

*Staff Contact: Glen R. Googins, City Attorney*