



MEETING DATE: December 11, 2024

AGENDA ITEM: 10. City Policy on Communication and Engagement Restrictions for Active Legal Matters

FROM: Ryan Bonk

RE: Resolution No. 2602 - City Policy- Communication and Engagement Restrictions for Active or Threatened Legal Matters

BACKGROUND:

Portola City Council wishes to establish policies to ensure proper communication and engagement restrictions for active or threatened legal matters.

EXECUTIVE SUMMARY:

This policy outlines the procedures and restrictions for elected and appointed City Officials and City staff when interacting with individuals or parties engaged in active or threatened legal claims or matters against the City of Portola. The goal is to protect the integrity of legal proceedings, minimize risk, and ensure compliance with legal requirements.

FISCAL IMPACT:

There is no fiscal impact associated with the adoption of the resolution and policy.

RECOMMENDATION:

Adopt the Communication and Engagement Restrictions for Active or Threatened Legal Matters Policy

ATTACHMENTS:

A. RESOLUTION NO. 2602 FINAL

RESOLUTION NO. 2602

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTOLA
ADOPTING THE COMMUNICATION AND ENGAGEMENT RESTRICTIONS
FOR ACTIVE OR THREATENED LEGAL MATTERS POLICY**

WHEREAS, Portola City Council wishes to establish policies to ensure proper communication and engagement restrictions for active or threatened legal matters; and

WHEREAS, the Policy: Communication and Engagement Restrictions for Active or Threatened Legal Matters was reviewed by the City Council at a regularly scheduled meeting; and

WHEREAS, the City Council took public comment on the communication and engagement restrictions for active or threatened legal matters; and

WHEREAS, the City Council has reviewed and determined that the City should adopt the Communication and Engagement Restrictions for Active or Threatened Legal Matters policy so that it creates clear policies to ensure proper communication and engagement restrictions for active or threatened legal matters that are consistent with the goals of the City and Council; and

NOW THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Portola that the Policy: Communication and Engagement Restrictions for Active or Threatened Legal Matters attached hereto as Exhibit “A”, is hereby adopted and shall take effect as of December 11th, 2024.

PASSED, APPROVED AND ADOPTED this 11th day of December 2024, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

, Mayor


ATTEST:

Malachi Mansfield, Deputy City Clerk

I, Malachi Mansfield, Deputy City Clerk of the City of Portola, do hereby certify that the above and foregoing Resolution was duly passed and adopted by the City Council of the City of Portola at a regular meeting thereof held on December 11, 2024.

Malachi Mansfield, Deputy City Clerk

Exhibit A

	Document Name	<i>Communication and Engagement Restrictions for Active or Threatened Legal Matters</i>		
	Document Number		Revision Letter	A
	Document Location	Server	Revision Date	12/06/2024
	Document Type	Policy	Council Adoption Date	
			Resolution No.	

1. Purpose

This policy outlines the procedures and restrictions for elected and appointed City Officials and City staff when interacting with individuals or parties engaged in active or threatened legal claims or matters against the City of Portola. The goal is to protect the integrity of legal proceedings, minimize risk, and ensure compliance with legal requirements.

2. Policy Statement

City staff shall not communicate, engage, or participate in discussions with any individual or party involved in active or threatened legal claims, lawsuits, or disputes with the City of Portola. This restriction applies to all formal and informal communications, whether verbal, written, electronic, or in-person.

3. Exceptions to this policy include:

- a) Authorized communications through the City Attorney or designated legal representatives.
- b) Situations required by law, such as responding to subpoenas or fulfilling public records requests in compliance with the California Public Records Act (CPRA).

4. Procedures for Interaction with Restricted Individuals or Parties

a) Identifying Restricted Parties

City staff will be informed of relevant restrictions as necessary to perform their duties by the City Manager, City Attorney, or designated legal representatives.


b) Redirecting Communication

If a restricted party attempts to communicate with City staff:

Politely inform the individual that staff members are unable to discuss the matter.

Redirect them to the City Manager. Example language:

"Thank you for reaching out. Unfortunately, I am unable to discuss this matter. Please direct all communication to the City Manager. "

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c) Reporting Unauthorized Contact

Any unauthorized contact or attempts by restricted individuals or parties to bypass this policy must be reported to the City Manager immediately.

5. Training and Awareness

All City staff will receive periodic training to ensure awareness and understanding of this policy.

6. Scope

This policy applies to all the City of Portola’s employees, contractors, and elected and appointed officials during the course of their official duties.

7. Enforcement

Violations of this policy may result in disciplinary action.

8. Contact for Questions

For questions regarding this policy or specific situations, please contact the City Manager.