

SANTA YNEZ COMMUNITY SERVICES DISTRICT
MEMORANDUM

TO: Board of Directors
FROM: Loch Dreizler, General Manager
DATE: February 21, 2024
SUBJECT: Public Complaints and Communications

Recommendation / Proposed Motion

Develop a District protocol for responding to public communications delivered through the website, email, mail, or other means - not necessarily board meeting public comment.

Proposed Motion #1: Staff to work with legal counsel to revise a portion of the existing policy or develop a new policy section that staff can reference when communicating with public complaints or communications – especially communication beyond the District's subject matter jurisdiction – wastewater and lighting services.

Alternatives Considered

None at this time

Policy Implications

Government Code Section 54954.3 - Opportunity for the public to address a legislative body
Board Policy - Section 5. Public Complaints

Fiscal Implications

No direct fiscal implications

Discussion

A public complaint is defined in our policy manual as an allegation by a member of the public of a violation or misinterpretation of a District policy, ordinance, state or federal statute by which the individual (*making complaint*) has been adversely affected.

The Brown Act and our policy outline how Board members may respond to comments during a noticed meeting but does not necessarily address how written comments received outside of a meeting shall be distributed and responded to by the District, mainly when they involve policy-level comments or comments that may relate to issues other than the District's provision of providing wastewater and lighting services.

From the Government Code Section 54954.3(c) - The legislative body of a local agency shall not prohibit public criticism of the agency's policies, procedures, programs, or services or the acts or omissions of the legislative body. **Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law.**

In recent months, staff received complaints or communications via our website or email that the General Manager and the Board President determined went beyond the District's subject matter jurisdiction – wastewater and lighting services.