

SANTA YNEZ COMMUNITY SERVICES DISTRICT
MEMORANDUM

TO: Board of Directors
FROM: Loch Dreizler, General Manager
DATE: March 20, 2024
SUBJECT: Developing a Board Policy relative to receiving public comments and authorizing a corresponding amendment to the existing board policy manual.

Recommendation / Proposed Motion

Adopt Resolution 24-03, Adopting Board Policy relative to receiving public comments and authorizing the corresponding amendment to the board policy manual.

Alternatives Considered

None

Policy Implications

Enhance our existing Board Policy Manual, Section 5 – Public Complaints

Fiscal Implications

None

Discussion

At the previous board meeting, staff, legal counsel, and directors discussed developing or modifying a new policy to determine the best procedures when receiving public comments and possibly authorizing a corresponding amendment to the existing board policy. The board approved a motion to have staff 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.

Attachments:

1. Resolution 23-03
2. Exhibit A – Public Comment Policy

RESOLUTION NO. 24-03

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE SANTA YNEZ COMMUNITY SERVICES DISTRICT
ADOPTING BOARD POLICY RELATIVE TO RECEIPT OF
PUBLIC COMMENTS AND AUTHORIZING CORRESPONDING
AMENDMENT TO BOARD POLICY MANUAL**

WHEREAS, on November 20, 2019, the Board of Directors (“Board”) of the Santa Ynez Community Services District (“SYCSD”) adopted Resolution No. 19-11, approving and adopting an “Amended and Restated Board Policy Manual” (“Policy Manual”); and

WHEREAS the Board desires to adopt a policy governing how oral and written comments to the Board will be received and addressed (“Comment Policy”), consistent with applicable law and what the Board deems best practices to ensure fair consideration of public input better.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Santa Ynez Community Services District as follows:

1. The Board hereby adopts the Comment Policy outlined in Exhibit A, which is attached hereto and incorporated herein by this reference.
2. The Board authorizes the General Manager, or his designee, to take the necessary action to implement the Comment Policy, including, but not limited to, amending the Policy Manual to incorporate such policy.

PASSED AND ADOPTED this 20th day of March 2024 by the following vote of the Board of Directors of the Santa Ynez Community Services District:

AYES:

NOES:

ABSENT:

ABSTAIN:

Frank Redfern, President of the
Board of Directors

ATTEST:

Alicia Marin, Board Secretary

EXHIBIT A
PUBLIC COMMENT POLICY

Section 5. Public Comments to the District

Public comments received by the District shall generally be handled in accordance with the provisions of this Section and applicable law, including, but not limited to, Section 54954.3 of the Ralph M. Brown Act. The procedures for handling comments vary depending on whether the comments are oral or written and whether the comments are received at or outside of a meeting of the Board of Directors or a respective committee and other legislative body.

Oral Comments Received at Agendized Meeting

Time shall be set aside during each meeting of the Board of Directors, during which the public shall have an opportunity to express their views, concerns, and opinions on matters within the subject matter jurisdiction of the Board or District, regardless of whether such items are on the agenda.

The scope of topics that shall be deemed within the board's subject matter jurisdiction shall be at the reasonable discretion of the Board President. The other Board members have the right to appeal such determination upon a motion duly seconded and approved by majority vote.

Board responses to public comments on non-agendized items will generally be limited to:

- Thanking the public for their comments
- Brief clarifying questions, usually without extended discussion
- Direction to staff to follow up with the members of the public or
- A motion duly seconded and passed for an item to appear on a future agenda

This provision shall apply to all legislative bodies of the District that are otherwise subject to the Ralph M. Brown Act.

Comments to the Board Received Outside an Agendized Meeting

All comments to the Board delivered to the District outside of an agendized meeting shall be:

1. Submitted in writing to the General Manager or individual designated by the General Manager and
2. Expressly addressed to the Board or for the attention of the Board.
 - a. Comments so addressed will be distributed by the General Manager or the General Manager's designee to the Board regularly for informational purposes only.
 - b. They shall be available to the public on request. As reasonably feasible, the General Manager, or the General Manager's designee, shall acknowledge receipt of such comments and indicate that such comments will be made available to the Board consistent with existing District policies.

For comments received and distributed to the Board, members may elect to confer individually with the General Manager for any clarifying questions or comments or request that an item be added to a future agenda for discussion.

For any comments received by the District that are not specified as being directed specifically to the Board, the General Manager or the General Manager's designee may, in their sole discretion, determine whether such comment is, in fact, for the Board and distribute such comment in the same manner.

The General Manager will not be required to distribute to the Board comments made generally to the District, such as customer service comments, common inquiries, and other such communications. Instead, such comments will be routed to the appropriate person or department within the District.

Written Comments Received at an Agendized Meeting

Written comments deemed to be within the District's subject matter jurisdiction received at a board meeting shall be received by the General Manager or a designee and distributed to the Board in the same manner set forth above for "Comments to the Board Received Outside an Agendized Meeting," except as provided herein.

At the discretion of the General Manager or Board President, or if requested by the Board, written comments received at a meeting may either be:

1. Distributed to the Board at such meeting or
2. Read into the record during the time designated for receipt of public comments.

In such instances, copies of the received written comments will be made available to the public immediately following the meeting upon request.

Written comments received at an Agendized Meeting but outside the District's subject matter jurisdiction (wastewater and lighting) will follow the policy outlined above under Comments to the Board Received Outside an Agendized Meeting.