SWEETWATER SPRINGS WATER DISTRICT

TO: Board of Directors **AGENDA NO. V-E**

FROM: Steve Mack, General Manager

Meeting Date: May 7, 2009

SUBJECT: MEETING MANAGEMENT PROCESS

RECOMMENDED ACTION: Discuss the meeting management process specifically with respect to public comment on items not on the meeting agenda and public comment for items on the agenda.

FISCAL IMPACT: none

DISCUSSION:

At the April Board meeting, President Wikle suggested a process for comment on Board Agenda items whereby staff would give a report, Directors could ask questions of staff, public comment would be invited and then Directors would discuss the action on the item. A related issue is how to respond, if at all, to questions raised during public comment on items not on the agenda and to questions raised by the public during public comment on items on the agenda. At the meeting Directors requested that this item be put on the May meeting agenda for discussion.

To develop a consistent approach to handling public comments which ask questions on topics which have not been placed on the agenda, and to questions raised by the public during public comment on items on the agenda, the Board may wish to adopt a formal policy. Response to the public on items that are raised during the public comment period (for items which are not on the agenda) may be addressed by the Board in any one or by all of the following manners.

1. A designated Board member may respond directly to the requestor or request further clarification.
2. A designated Board member may request that a fellow Board member possessing relevant information respond to the requestor.
3. A designated Board member may direct staff to respond to the requestor either immediately or at a later time.
4. A designated Board member may direct staff to agendize the issue for a later Board meeting where the Board will be able to discuss, deliberate and possibly take action.

The only situation where not providing an answer to a request from the public on an item not on the agenda would be appropriate would be during a special meeting. That situation is addressed specifically through California Government Code 54956.

While the Board can not discuss, deliberate or take action on the requestor's question during a meeting where the item raised has not been placed on the agenda, (except in limited situations such as emergencies), the Board can adopt a policy for addressing these comments in order to facilitate open communication between the respective interests. The Board can decide to adopt all methods of responding to such public comments or it may limit its responses to one or more of the specific means identified above.

Also at issue is how to respond to questions raised by the public during public comment for items on the agenda. An approach similar to options 1-3 above for public comment for items not on the agenda could be used. An important difference is that this is comment on an agendized item and fuller discussion is permissible.

The District Policies and Procedures do not include a policy on rules of order for Board meetings. The California Special Districts Association sample policy handbook does have a sample policy, but this sample policy does not have a section on public comment and it may have content on other rules of procedure that this Board does not care to address. Staff can use the CSDA sample policy as a starting point, and include the procedures decided upon for public comment for Board review. Upon agreement with the approach, the proposed policy can be considered for inclusion in the District’s Policies and Procedures.