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5.6 *Non-agendized Requests (from the public)*

This policy does not prevent the Board from taking testimony at regular meetings of the Board on matters that are not on the agenda that a member of the public may wish to bring before the Board. However, the Board shall not discuss or take action on such matters at that meeting. The Board may ask clarifying questions of the member of the public providing the public comment, or refer the issue to staff for future investigation.

5.7 *Director Comments*

Each Board Meeting agenda shall include a time allocated for Director Comments. This affords an opportunity for each Director to present information within the District's subject matter jurisdiction to the Board that he or she has acquired, which would be of interest to the entire Board.

5.7.1 *Appropriate Content*

Directors may make brief comments on any topic that lies within the jurisdiction of the Board of Directors, whether or not related to an item on the agenda for that meeting.

5.7.2 *Excluded Content*

The following are not appropriate for inclusion in Director Comments:

1. Confidential information.
2. Subjects appropriate for Closed Session, and comments revealing the content of Closed Sessions.
3. Charges or complaints against a District Employee.
4. Personal, impertinent, or slanderous remarks.

5.7.3 *Time Limits*

At the commencement of the Director Comments agenda item, the Presiding

Officer may, unless a majority of the Board objects, allot a maximum amount of time for each Director, and a maximum amount of time for each topic. The Board has discretion to act to extend such time limitations by majority vote.

5.7.4 *Discussion*

Since Director comments are not agendized as to content, no public input or Board discussion of Director comments will be allowed.

5.8 *Conspicuous Agenda Posting*

At least seventy-two (72) hours prior to the time of all regular meetings, an agenda, which includes but is not limited to all matters on which there may be discussion and/or action by the Board, shall be posted conspicuously for public review to include the following places:

- (a) On the front door of the District office.
- (b) On the District Website.

5.8.1 *Conspicuous Agenda Posting (special meetings)*

The agenda for a special meeting shall be posted at least twenty-four (24) hours before the meeting in the same manner and at the same locations noted above in section 5.8, Conspicuous Agenda Posting (see also Chapter 4 BOARD MEETING PROCEDURES).

6 **BOARD MEETING CONDUCT**

The Chairperson shall conduct meetings of the Board of Directors in an orderly and respectful manner, as prescribed within these policies in a manner that is consistent with the policies of the District.

6.1 *Conduct Objective*

The conduct of meetings shall, to the fullest possible extent, enable Directors

to consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems, and to receive, consider and take any needed action with respect to reports of accomplishment of District operations.

6.2 *Respect for Schedule*

All Board meetings shall commence at the time stated on the agenda and shall be guided by the desire to complete the Board's business within a reasonable period of time either by intent or by time allotted.

6.2.1 *Recess*

Schedule notwithstanding, the chairperson may declare a short recess during any meeting.

6.3 *Meeting Table*

Only Directors, the District's legal Counsel, and authorized staff members shall be seated at the meeting table.

6.4 *Public Input*

Provisions for permitting any individual or group to address the Board concerning any item on the agenda of a special meeting, or to address the Board at a regular meeting on any subject that lies within the jurisdiction of the Board of Directors, shall be as follows:

6.4.1 *Time Limits*

The Presiding Officer, unless a majority of the Board objects, may allot a maximum amount of time for each speaker and a maximum amount of time to each subject matter. If no such time limit was or is specified prior to the commencement of a speaker's presentation or the discussion of an agenda item, the Presiding Officer may intervene at any time to impose a reasonable time

limit for concluding the presentation or discussion.

6.4.2 *Actions Taken*

No action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by section 4.8 Board Agenda Actions or by §54954.2 of the Government Code.

6.4.3 *Boisterous Conduct*

No boisterous conduct shall be permitted at any Board meeting. Persistence in boisterous conduct shall be grounds for summary termination, by the Chairperson, of that person's privilege of address to the Board and immediate ejection from the meeting.

6.4.4 *Charges or Complaints Against District Employees*

The Board of Directors desires that public complaints be resolved through administrative processes, and that the method for resolution of complaints be logical and systematic. Public complaints covered by this policy are allegations by a member of the public of a violation or misrepresentation of a District policy, state or federal statute, or regulation of which the individual has been adversely affected.

6.4.4.1 *Right to Redirect Oral Charges or Complaints*

The public is asked to not make oral presentation that include charges or complaints against any District employee, regardless of whether or not the employee is identified in the presentation by name or by another reference that tends to identify. All charges or complaints against employees should be submitted to the Board of Directors under provisions contained in the District's policy on Public Complaints

This policy is not intended to limit the public from presenting charges or complaints related to the performance of Directors and employees in relation to their duties as public service providers.

6.5 Decorum

The Chairperson shall take whatever actions are necessary and appropriate to preserve order and decorum during board meetings, including public hearings. The chairperson may eject any person or persons making personal, impertinent or slanderous remarks, refusing to abide by a lawful request from the chairperson, or otherwise disrupting the meeting or hearing.

6.5.1 Willful Disruption, Disturbances or Interruptions

Willful disruption, disturbances or interruptions (hereafter disruption) of any of the meetings of the Board of Directors shall not be permitted. If the Chairperson finds that there is in fact willful disruption of any meeting of the Board, he/she may order the room cleared and subsequently conduct the Board's business without the audience present.

6.5.2 Use of Law Enforcement at Meetings

The Board by majority opinion may direct the use of law enforcement to insure the safety and well being of all present at Board meetings. Use of law enforcement at Board of Director meetings will be considered appropriate by majority opinion of the Board members if repeated orders by the Chairperson to clear the room are not adhered to or if, in the opinion of the Board, one or more individuals attending the meeting are physical threatened or abused.

6.5.3 Continuation of Business

In the event that the room has been cleared for willful disruption, only matters appearing on the agenda may be considered in such a session.

6.5.4 Re-admittance

After clearing the room, the Chairperson should and may permit those persons who, in her/his opinion, were not responsible for the willful disruption to re-enter the meeting room before any further business is conducted.

6.5.5 Media

Duly accredited representatives of the news media, whom the Chairperson finds not to have participated in the disruption, shall be admitted to the remainder of the meeting.

6.6 Quorum and Majority

Action can only be taken by the vote of the majority of the Board of Directors. Three (3) Directors represent a quorum for the conduct of business. Actions taken at a meeting where only a minimum quorum is present, therefore, require all three (3) votes to be effective.

6.7 Abstentions

When a Director abstains in a vote with respect to a potential conflict of interest, the Director shall be considered to be absent. When a Director abstains in a vote for any other reason than a potential conflict of interest (see paragraph 4.12, Conflict of Interest), the abstention will be recorded as an abstention, which has the same effect as a "NO" vote. Thus, if only three Directors are present and one abstains, then no action can be taken on the item because a "Majority of the Board" did not vote "YES".

6.8 *Staff Direction*

The Board may give directions to the General Manager that are not formal action and do not exceed the scope of their authority as stipulated in Section 2.2. Such directions include the Board's directives and instructions to the General Manager (or their acting counterparts). The Presiding Officer shall determine by consensus a Board directive and shall state it for clarification. Should any two Directors challenge the statement of the Presiding Officer, a voice vote may be requested. A formal motion may be made to place a disputed directive on a future agenda for Board consideration, or to take some other action (such as to refer the matter to the General Manager or his/her designee, for review and recommendation, etc.).

7 PARLIAMENTARY PROCEDURE

Action items shall be brought before and considered by the Board by motion in accordance with this policy. These rules of order are intended to be informal and applied flexibly. The Board prefers a flexible form of meeting and, therefore, does not conduct its meetings under formalized rules – i.e., Robert's Rules of Order.

7.1 Parliamentary Determinations

The Presiding Officer (Chairperson) shall preserve order and decorum and shall decide questions of order subject to appeal to the Board.

If a Director believes order is not being maintained or procedures are not adequate, then he/she may raise a point of order - not requiring a second - to the Chairperson. If the ruling of the Chairperson is not satisfactory to the Director, then it may be appealed to the Board. A

majority of the Board will govern and determine the point of order.

7.2 Authority of Presiding Officer

The Presiding Officer may make motions or second motions and he/she may debate and vote on any matter under consideration. Where the Presiding Officer wishes to make or second a motion that he or she may have a personal interest in, he/she should vacate the role of Presiding Officer until that item is resolved. Where the Presiding Officer has vacated the role of Presiding Officer for a particular agenda item, the Vice President (or another director) shall become the presiding officer until all action on that agenda item is completed.

7.3 Obtaining the Floor

Any Director desiring to speak should address the Chairperson and, upon recognition by the Chairperson, may address the subject under discussion.

7.4 Motions

Any Director, including the Chairperson, may make or second a motion. A motion shall be brought and considered as follows:

- (1) A Director makes a motion
- (2) Another Director seconds the motion
- (3) The Chairperson states the motion

7.5 Call for the Vote

Once the Chairperson has stated the motion, it is open to discussion and debate. After the matter has been fully debated, and after the public in attendance has had an opportunity to comment, the Chairperson will call for the vote.