



# Santa Clara Valley Water District

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**File No.:** 22-0796

**Agenda Date:** 6/28/2022

**Item No.:** \*4.2.

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## BOARD AGENDA MEMORANDUM

### **SUBJECT:**

Consider the May 11, 2022, Recommendation from the Board Policy and Planning Committee to Adopt an Ordinance of Santa Clara Valley Water District Specifying Rules of Decorum in the Participation of Board and Committee Meetings. (Continued from June 14, 2022)

### **RECOMMENDATION:**

Adopt the Ordinance, AN ORDINANCE OF SANTA CLARA VALLEY WATER DISTRICT SPECIFYING RULES OF DECORUM IN THE PARTICIPATION OF BOARD AND COMMITTEE MEETINGS.

### **SUMMARY:**

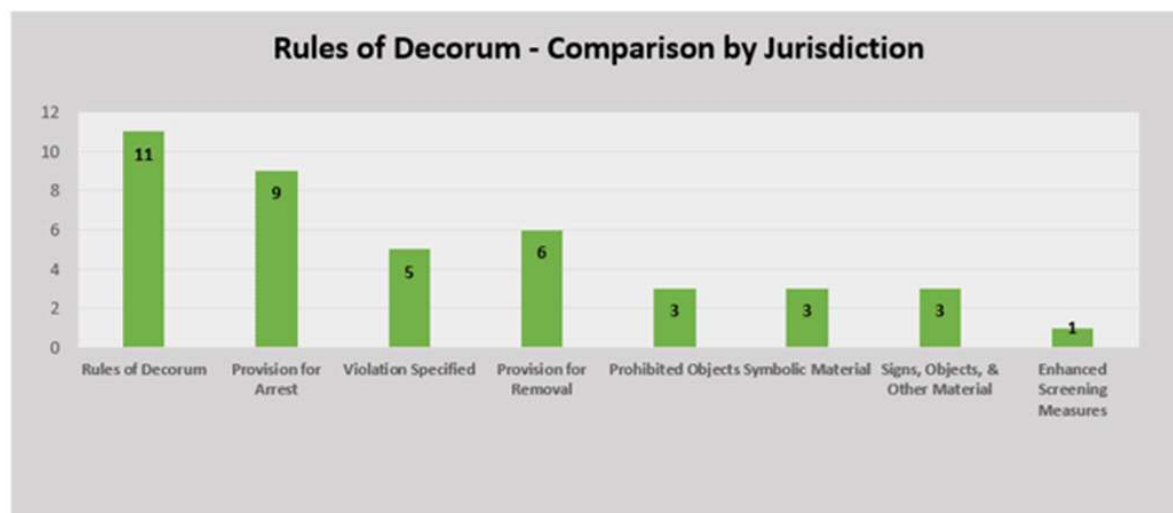
The purpose of the proposed ordinance (Ordinance) to promote the safe and orderly conduct of Santa Clara Valley Water District (Valley Water) Board and Committee meetings by enhancing civility and decorum, and by ensuring the safety of those who participate. Valley Water seeks to avoid an atmosphere in public meetings that: is uncivil, threatening, and disrespectful; stifles public participation and debate; threatens the quality of decision making; or otherwise undermines the democratic process.

On March 22, 2022, staff introduced a proposed Rules of Decorum Ordinance for consideration during the Valley Water Board Meeting. The Board of Directors (Board) referred the ordinance to the Board Policy and Planning Committee (BPPC) for further discussion. Staff met with the BPPC on April 5 and May 11, 2022, to obtain feedback and recommendations regarding revisions and implementation of the Ordinance. The current version of the Ordinance (Attachment 1) and the Ordinance Red-Lined Version (Attachment 2) show the revisions made during this process.

The BPPC recommends that all members of the public, all Valley Water staff, and all Board of Directors are subject to metal detection screening prior to entering the Board Chambers. The Valley Water Security Office will also conduct a review of the implementation of the Ordinance in one year to ensure practices support the defined purpose. The Rules of Decorum and/or Ordinance will be posted for viewing on the outside of the Board Chambers, as well as referenced in the posted agendas for Valley Water Board and Committee Meetings.

The Ordinance is modeled from the City of San Jose Code of Conduct for Public Meetings in The

Council Chambers and Committee Rooms, and the County of Santa Clara Rules of the Board of Supervisors Order and Decorum of Board Meetings. Within Santa Clara County, 11 of 15 jurisdictions have rules of decorum established. Below is a comparison by jurisdiction regarding the different aspects of Rules of Decorum. Valley Water's proposed Ordinance delineates rules of meeting decorum; rules regarding signs, banners, and other materials; prohibited objects; and enforcement mechanisms.



	VW Proposed Ordinance	City of San Jose	SCCD Board of Supervisors	City of Los Altos	City of Los Gatos	City of Palo Alto	City of Milpitas	City of Mountain View	City of Santa Clara	City of San Diego	City of Cupertino	City of Morgan Hill	City of Gilroy	Monte Sereno	Los Altos Hills	Totals Exclude VW
Rules of Decorum	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NO	NO	NO	11
Provision for Arrest	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NO	YES	NO	NO	NO	9
Violation Specified	YES	NO	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	NO	5
Provision for Removal	YES	YES	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	NO	6
Prohibited Objects	YES	YES	YES	NO	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	3
Symbolic Material	NO	YES	YES	NO	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	3
Signs, Objects, & Other Material	YES	YES	YES	NO	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO	3
Enhanced Screening Measures	YES	YES	unknown	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	1

If the Ordinance is adopted by the Board, it will be published in full within 10 days in a general circulation newspaper that is printed, published, and circulated in the County. The Ordinance will then go into effect within 30 days after Board adoption.

#### ENVIRONMENTAL JUSTICE IMPACT:

There is no environmental justice impact in adopting the Ordinance because it only specifies rules of decorum regarding the public's participation in Board and Committee meetings. The rules apply equally to all members of the public participating in these meetings.

**FINANCIAL IMPACT:**

None.

**CEQA:**

The recommended action does not constitute a project under the California Environmental Quality Act (CEQA) because it does not have a potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

**ATTACHMENTS:**

Attachment 1: Ordinance

Attachment 2: Ordinance Red-Lined Version

\*Handout 4.2-A: Muirhead

\*Handout 4.2-B: John Public

\*Handout 4.2-C: John Public

**UNCLASSIFIED MANAGER:**

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