

Chester Public Utility District

**Manual of Policies**

**POLICY TITLE: Board Meeting Agenda (Amendments proposed)**  
**POLICY NUMBER: 5020**

**5020.10 Agenda Preparation.**

The Administrative Manager, in cooperation with the Board Chair and the General Manager, shall prepare an agenda for each regular and special meeting of the Board of Directors. Any Director may call the General Manager and request any item to be placed on the agenda no later than 9:00 o'clock A.M. on the seventh day prior to the meeting date.

**5020.20 Public Requests.**

Any member of the public may request that a matter directly related to District business be placed on the agenda of a regularly scheduled meeting of the Board of Directors, subject to the following conditions:

**5020.21** The request must be in writing and be submitted to the General Manager, a Board Member or the Administrative Manager together with supporting documents and information, if any, no later than 9:00 o'clock A.M. on the seventh day prior to the meeting date;

**5020.22** The General Manager ~~or a Board Member~~ shall be the judge of whether the public request is or is not a "matter directly related to District business."

**5020.23** The General Manager shall determine the timing of when the item will be placed on the agenda.

**5020.24** The public member requesting the agenda item may appeal the General Manager's decision at the next regular meeting of the Board of Directors. Any Director may request that the item be placed on the agenda of the Board's next regular meeting subject to the conditions listed above.

**5020.25** No matter which is a subject for consideration by the Board in closed session will be accepted under this policy;

**5020.26** The Board of Directors may place limitations on the total time to be devoted to a public request issue at any meeting, and may limit the time allowed for any one person to speak on the issue at the meeting.

**5050.30 Agenda Descriptions.**

All Board agendas shall include a clear and unambiguous description of each item on the agenda to be discussed, including closed session items. The General Manager shall ensure that the description gives notice to the public of the essential nature of business to be considered.

**5020.40 Public Comment.**

This policy does not prevent the Board from taking public comment testimony at regular and special meetings of the Board, ~~on matters which are not on the agenda which a member of the public may~~

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wish to bring before the Board. However, the Board shall not discuss or take action on such matters at that meeting.

**5020.41** For regular meetings the Board shall provide the public with an opportunity to address not only any item on the agenda but any item within the subject matter jurisdiction of the District.

**5050.42** For special meetings, the Board shall provide the public with an opportunity to address any item on the agenda.

**5020.43** The Board may not prohibit public criticism, but shall control the order of the proceedings, including placing reasonable time limits on public comment.

**5020.44** The Board may not require members of the public to give names or sign a register as a condition of attendance or speaking.

**5020.45** The Board may require public comment specific to items on the agenda be made at the time when the agenda item is considered.

**5020.50** **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 **in a place that is freely accessible to the public and on the District's website.** ~~within the District office.~~

**5020.51** The agenda for a special meeting shall be posted at least twenty-four (24) hours before the meeting in the same locations **as the regular meeting agendas**

**5020.60** **Agenda Packets.**

When distributing agenda packages and other materials to members of the Board of Directors, those materials should be provided to all Board members at the same time. Agenda packages, except for closed session materials, should also be made available to the public once distributed to the Board.

**50205.61** When a closed session item is agendized on the grounds of anticipated litigation based on either: (1) a written threat of litigation; (2) an oral threat received outside of the public meeting setting; or (3) an issue of potential litigation where the facts and circumstances giving rise to the closed session are known to the potential plaintiff, a copy of the written record must be included in the agenda pack-age or public announcement of same

**5020.70** **Closed sessions.** The Board may conduct a closed session during a noticed meeting for certain matters, as identified on the agenda, where it is necessary to conduct business in private. Major reasons for permissible closed sessions, as authorized by the Brown Act, include real property transactions, labor negotiations, and pending litigation. The Board shall allow public comment on any closed session item before going into closed session.

**5020.80** **Items not on the agenda.** The Board shall not discuss or take action on any item that does not appear on the posted agenda except that the Board may act on items not on the agenda to address emergency situations, subsequent need items, and hold-over items from a continued

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previous meeting held within the prior five days. The Board may also respond to public comments and make announcements.

**5020.90 Consent Calendar.**

**5020.91** A consent calendar may or may not be used at the discretion of the General Manager and Board Chair.

**5020.92** The Board Chair and/or General Manager identifies routine, non-controversial items and prepares them for the consent calendar on the agenda.

**5020.93** At the beginning of the meeting, the Board Chair introduces the consent calendar on the agenda and asks if any members have any questions or wishes to move an item for separate approval.

**5020.94** A motion is made and seconded to approve the items on the consent agenda. The board then votes on the single motion, which, if passed by a 3/5 majority vote, approves all items included on the consent agenda.

**5020.95** Any items that were moved from the consent calendar are discussed and voted on separately, after the consent calendar is approved