

Resolution No.
Meeting Date:

RESOLUTION AMENDING MEETING MANAGEMENT
RULES IN THE RULES OF PROCEDURE OF THE SAN
DIEGO COUNTY BOARD OF SUPERVISORS

WHEREAS, the Board of Supervisors has adopted the “Rules of Procedure” which define meeting protocol, public access, and public participation at Board of Supervisors meetings, among other aspects; and

WHEREAS, the Board of Supervisors (Board) desires to make several amendments including but not limited to amendments that relate to public participation that protect the Board’s ability to conduct business in an orderly manner while ensuring all have an equal opportunity to observe and participate.

NOW THEREFORE BE IT RESOLVED THAT the following sections of the Rules of Procedure, including any changes thereto that may be approved by the Board at the meeting, shall become effective for the next Board meeting:

1. Rule 4. PUBLIC PARTICIPATION IN MEETINGS OF THE BOARD OF SUPERVISORS; Section (d) is amended to read:

(d) The Board wishes to ensure that business is conducted in an orderly fashion ~~and~~, to encourage public input at its meetings, and to ensure that all have an equal opportunity to observe and participate in the proceedings. Accordingly, the following shall govern the conduct of the meeting:

- (1) All remarks and questions by a speaker shall be addressed to the Board and not to County staff.
- (2) Each person who addresses the Board of Supervisors shall not use loud, shouting, threatening, impertinent, slanderous, profane, or abusive language that disrupts, disturbs to any member of the Board, staff or the general public. The Chairperson may, at the Chairperson’s option, state to the person who has used such language that such language is unwanted, unwelcome, inappropriate, and interferes with the ability of those present to listen and understand. The speaker’s time will be held during the Chairperson’s statement and the speaker will receive their full allotment of time, unless the speaker is sanctioned under Rule 4(h) in a manner that results in the speaker not receiving their full allotment of time.
- (3) No person shall disrupt, disturb, or otherwise impedes impede the orderly conduct of the Board meeting. Any such language or any other disorderly conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of the Board meeting is prohibited, and the Chairperson may impose sanctions for a violation under Rule 4(h).
- (4) Nothing herein shall preclude a member of the public from commenting on, questioning, or criticizing the policies, procedures, programs, or services of the

County, the acts or omissions of the Board, or the positions, statements, votes, actions, or omissions of members of the Board.

2. Rule 4. PUBLIC PARTICIPATION IN MEETINGS OF THE BOARD OF SUPERVISORS; Section (h) is amended to read:

The Chairperson has the authority to ~~issue~~ sanction those who violate the Rules. No sanction will be issued under this rule based on the content of a warning person's speech; rather, a speaker may be sanctioned as described herein if a speaker's speech or conduct disrupts the orderly conduct of the meeting or interferes with the Board's ability to accomplish its business. Any person who disrupts, disturbs, or otherwise impedes the orderly conduct of the meeting by violating the Rules: uttering loud, shouting, threatening, impertinent, slanderous, profane, or abusive language or by engaging in any other disorderly conduct shall, at the discretion of the Chairperson, or a majority of the members, be ruled "out of order" and be given at least one warning. If the person continues to violate the Rules and ~~disrupt~~ disrupts, disturbs or otherwise impedes the orderly conduct of the meeting, the Chairperson may order that person to leave do one or more of the following:

- (1) End their remarks, forfeit their remaining time, and be seated;
- (2) Be prohibited from speaking on any further item on that meeting's agenda; or
- (3) Leave the meeting.

However, a person who engages in behavior that constitutes use of force or a threat of force may be removed immediately, and no warning is required. If the person does not timely leave the meeting, the Chairperson may order the Sheriff to remove the person from the meeting.

3. Rule 4. PUBLIC PARTICIPATION IN MEETINGS OF THE BOARD OF SUPERVISORS; Section (i) is amended to read:

Any person removed from ~~a meeting~~ the Board Chamber shall be excluded from further attendance ~~at and participation in the Board meeting for~~ the remainder of the meeting, including all sessions of the same meeting as defined in Rule 1(a). Attendance may be continued from any of the overflow rooms provided that the person ceases any such disorderly conduct. The exclusion from the meeting shall be enforced by the Sheriff upon being so directed by the Chairperson.

4. Rule 4. PUBLIC PARTICIPATION IN MEETINGS OF THE BOARD OF SUPERVISORS; Section (l) is added, and the existing sections (l) and (m) will be redesignated to become sections (m) and (n), respectively.

New Section (l) is added to read:

Individuals who have been sanctioned and removed from or ordered to leave the Board Chamber in accordance with these Rules three times within a six-month period

may be subject to additional sanctions as ordered by the Chairperson upon the next sanction. In addition to the options provided in Rule 4(h), the Chairperson may also order that the individual:

- a. Be allowed to attend Board meetings in the Board Chamber or in an overflow room, but be prohibited from speaking at any Board meeting (either in person or by teleconference) for the next four Board meetings, or 60 days, whichever is longer; or
- b. Be prohibited from attending any Board meeting session in person (in the Board Chamber or in an overflow room) and be allowed to speak at a Board meeting session only via teleconference for the next four Board meetings, or 60 days, whichever is longer; or
- c. Be prohibited from attending any Board meeting session in person or speaking at a Board meeting session via teleconference for the next four Board meetings, or 60 days, whichever is longer.

Any person subject to these sanctions is not prohibited from communicating with the Board on any matter not on the agenda or on any agenda item in writing, via letter, email or other electronic means.

After a sanction has been issued for three or more violations in six months per this Rule 4(l), the Chairperson may order additional sanctions with periods of increased duration beyond those listed above (e.g., 90, 120, 150 days, etc.) for any additional violations until sanction free for six months.

BE IT FURTHER RESOLVED THAT the Clerk of the Board of Supervisors is directed to finalize the amended Rules of Procedure in accordance with the direction of the Board including creation of a final document without edits or redlines and including any necessary conforming changes, and promulgate the same according to the Clerk of the Board's procedures for the benefit of the County and the public.

APPROVED AS TO FORM AND LEGALITY
CLAUDIA G. SILVA, COUNTY COUNSEL

BY: Randall Sjoblom, Senior Deputy County Counsel