



Participation Rules and Guidelines & Brown Act Requirements

Riverside Public Utilities and
City Attorney's Office

Agricultural Water Rates Task Force
April 26, 2018

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OVERVIEW OF GUIDELINES AND PARTICIPATION RULES



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MISSION, DELIVERABLES, AND GOALS

Mission: Develop WA-3 and WA-9 rate recommendations for the Board of Public Utilities (Board) and City Council consideration by July 1, 2019

Deliverables: Monthly updates to Board, Quarterly updates to Land Use Committee, final recommendations to Board then City Council

Goals: Endeavor to reach consensus of fair and equitable distribution of water system costs for all water customers while promoting local agriculture and land use policies consistent with Proposition R, Measure C, California law and the GrowRIVERSIDE movement



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MEETINGS

1. Task Force shall seek and hear input from the public and stakeholders
2. Public comments and Task Force discussions must be within the subject matter purview
3. Subject to Brown Act; quorum is majority of appointed members (9); motions carry on yes vote of majority of those present; members shall not speak until called upon by the Chair
4. Shall exercise the same decorum and enforcement of decorum as set forth in the City Council Rules of Procedure and Order



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OFFICERS AND MEMBERS

1. Andrew Walcker is Chair, Seth Wilson is Vice-Chair, RPU staff will serve as Secretary
2. No compensation, limited absences, nomination of alternates.
3. All members are subject to and must comply with City Code of Ethics.
4. As a temporary, ad-hoc, recommendatory body of stakeholders, conflict-of-interest provision does not apply. Stakeholder input is essential to informational mission and product.



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THE BROWN ACT



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THE BROWN ACT

"...public commissions, boards and councils and other public agencies in this State exist to aid in the conduct of **the people's business**. It is the intent of the law that their actions be **taken openly and** that their deliberations be **conducted openly**."



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MEETINGS

1. Any congregation of a majority of the members at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter of the Board.
2. Except at a meeting, a majority cannot communicate directly, through intermediaries, or technological devices to develop a collective concurrence as to action to be taken on an item.
3. A majority of the Board may not text or e-mail each other to develop a collective concurrence as to action to be taken by the Board.



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SERIAL MEETINGS

1. A series of communications, each less than a quorum, but which taken as a whole involves a majority of the Boards' members
2. Does not require a collective concurrence to occur in order for there to be a violation.
3. Staff may communicate with members outside of a public meeting to answer questions or provide information, but cannot pass communications between members



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AGENDAS

1. The agenda must specify the time and location of the meeting and a "brief general description" of each item of business to be transacted or discussed.
2. If a matter is not on the agenda, it may not be discussed or acted upon.
3. City's Sunshine Ordinance does not apply to this ad-hoc task force.



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AGENDA EXCEPTIONS

1. Brief responses to statements or questions posed by the public.
2. Questions for clarification.
3. References to staff or other resources for factual information.
4. Requests to staff to report back on an issue at a subsequent meeting.
5. Requests to agendize a matter of business for some future meeting.
6. Brief announcement by members of the body or staff and brief reports on their activities.



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CONCLUSION

For more information please see the
“Agricultural Water Rates Task Force
Guidelines and Participation Rules” and
the “Agricultural Water Rates Task Force
Work Plan” adopted by the RPU Board



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