

CITY OF RIVERSIDE

City Council/Board of Public Utilities Ad Hoc Committee

Minutes of: City Council/Board of Public Utilities Ad Hoc Committee

Date of Meeting: November 23, 2020

Time of Meeting: 6:31 p.m.

Place of Meeting: Virtual Meeting – Microsoft Teams

Attendance: Councilmember Ronaldo Fierro
Councilwoman Gaby Plascencia
Public Utilities Board Chair David Crohn
Public Utilities Second Chair Elizabeth Sanchez-Monville
Public Utilities Board Member Dave Austin
Public Utilities General Manager Todd Corbin
Assistant City Attorney Susan Wilson

1. Discuss the process for the selection of voting and alternate City representatives on mutual water company Board of Directors.

Councilmember Ronaldo Fierro convened the Ad Hoc Committee meeting of the City Council and the Board of Public Utilities to open discussion on the process for the selection of voting and alternate City representatives on mutual water company Board of Directors. He explained the purpose and discussion topics of the meeting. General Manager Todd Corbin gave detailed background, history and responsibilities of proxy voting for five mutual water companies which the City owns shares and rights. He addressed the main topic of the meeting: Can/should elected officials sit on Gage Canal Board and how would the Brown Act requirement apply?

Assistant City Attorney Susan Wilson suggested that public comment be taken.

PUBLIC COMMENT

Jason Hunter called regarding Gage Canal Board membership and past voting protocols of a past Council Member.

Board Member Dave Austin commented on Board control via stock ownership. Board Member Dave Austin and Councilwoman Gaby Plascencia commented on the effect of the Brown Act on

the Gage Board. Assistant City Attorney Susan Wilson clarified aspects of the Brown Act as related to this situation. Councilwoman Gaby Plascencia commented favorably on the Brown Act for public transparency and participation. Council Member Ronaldo recognized the significance of the Gage Canal to the City and felt transparency and elected representation on the Board would provide good future planning.

City Manager Al Zelinka inquired if any current Boards include elected and/or City staff. Assistant City Attorney Susan Wilson replied the board of the Trujillo Water Company has appointed members of the Board of Public Utilities .

PUBLIC COMMENT

Seth Wilson called to support elected officials as Gage Canal Board Members.

Richard Moslenko called to dispute the number of members the City has voted to the Gage Canal Board.

Assistant City Attorney Susan Wilson clarified past resolutions and agreements for the number of elected officials represented on the Gage Canal Board. She also explained the Gage Canal Company is a private company and Brown Act compliance is the responsibility of the Gage Canal Company, not the City. General Manager Todd Corbin informed the Committee that three City representatives have been elected to the Gage Board; other board members are private shareholders. Council Member Ronaldo Fierro suggested it would be useful to have an elected official to represent constituents in a capacity on the Gage Canal Board.

Riverside Public Utilities Board Chair David Crohn commented on the effect of the Brown Act on the Gage Board including repercussions and changes but felt this meeting is a good first step to take this item to a City Council Committee for Council recommendation. General Manager Todd Corbin offered further discussion for transparency and appreciated the general collective agreement among all.

Councilwoman Gaby Plascencia suggested this item go to City Finance Committee and inquired next steps. Council Member Ronaldo Fierro suggested a formal recommendation from a City Committee to City Council and next steps. Board Member David Austin suggested the Gage Canal Operating Agreement be reviewed in Committee and Council Member Ronaldo Fierro agreed the Committed would be the most appropriate forum to vet legal issues and other matters. Councilwoman Gaby Plascencia agreed the item should be forwarded to Committee for further review.

Riverside Public Utilities Board Chair David Crohn discussed historical background and his concerns. Board Member Elizabeth Sanchez-Monville recounted her experience on the Gage Board and was in favor of elected officials on the Gage Board. Council Member Ronaldo Fierro felt

the transparency to constituency and public trust is very important and valuable. He then gave the following staff directive:

Motion to bring this item to the Economic Development Committee to vet the idea of issuing shares of the Gage Water Canal to Council Members to enable Board meeting attendance. Councilwoman Gaby Plascencia requested it be agendized at the first Economic Development Committee meeting in January 2021. Council Member Ronaldo Fierro clarified that other mutual companies will be a future discussion item.

2. Oral communications from the public

No further public comment was received.

Council Member Ronald Fierro adjourned the meeting at 7:33 p.m.

By:  2/3/2021
Todd M. Corbin, General Manager
Board of Public Utilities