



RIVERSIDE PUBLIC UTILITIES

Board Memorandum

BOARD OF PUBLIC UTILITIES

DATE: OCTOBER 27, 2025

SUBJECT: BOARD STANDING RULES AND POLICY GUIDE – UPDATES

ISSUE:

Consider updating the Board of Public Utilities' Standing Rules and Board Policy Guide.

RECOMMENDATION(S):

That the Board of Public Utilities:

1. Review and discuss the Board of Public Utilities Standing Rules and Policy Guide;
2. Request staff return to the Board with a red-line of recommended changes from this meeting for consideration after priority sections and policies of the Board of Public Utilities Standing Rules and Policy Guide have been reviewed.

BACKGROUND:

The Board of Public Utilities Annual 2025 Work Plan Action Item 1 includes the Board's review of the Standing Rules (Rules) and Board Policy Guide (Policy Guide) over the next year. These are two policy documents adopted by the Board that provide guidance related to the activities of the Board. These documents are attached to the staff report for reference (note that associated and referenced RPU policies are not attached to this report).

The City Charter, Article VIII, Section 804. – Organization; meetings; subpoena power state: "Each board or commission may prescribe its own rules and regulations which shall be consistent with the Charter and copies of which shall be kept on file in the Office of the City Clerk where they shall be available for public inspection." For the Board, its Standing Rules represent these rules and regulations. The Board Standing Rules outline the roles and duties of the Board as well as provide guidance on how the Board conducts meetings, advocates, and holds elections (detailed in the discussion). The Board Policy Guide is a much broader and comprehensive document that provides policies related to RPU's business and operations, board conduct, and provides guidance related to customer relations and finance.

Both the Guide and Rules are to be reviewed and updated by the Board every two years, though they can be amended at any time. The Board Policy Guide was first developed in 2000 and, like the Rules, has been amended over the years with the last full review and update having been approved by the Board in 2017. The Guide also incorporates the Rules as part of its first policy,

Policy A-1. While the Rules were last amended on March 10, 2025, the Board has not undertaken a full review since 2016/2017 when the Guide was last reviewed and amended.

Both policies are due for a full Board review and the Board Work Plan identified the review of these documents as a priority for this next year.

On April 14, 2025, the Board received a presentation providing an overview of both documents. After discussion, the Board unanimously took the following actions:

1. Received and ordered filed a presentation on the Board of Public Utilities Standing Rules and Policy Guide;
2. Requested staff to survey the Board of Public Utilities Members to prioritize the top 3 items from the Board Standing Rules, the top 5 items from the Board Policy Guide, and include any additional policy they would like to discuss; and
3. Requested staff present the priorities at a future Board of Public Utilities meeting.

On June 9, 2025, the Board received a presentation providing the results of the priority times for the review of the Standing Rules and the Board Policy Guide. After discussion, the Board decided to review both policy documents at future meetings of the full Board. The Board's priorities are listed below:

Board Standing Rules

The Board Standing Rules are comprised of twelve sections that address the operational rules of the Board and its members. Board members prioritized their top **three** items to be evaluated and updated, as needed. The following table provides the list with the number of members who voted for each. Top priority sections are highlighted.

Table 2: Survey Results for Top Priority Standing Rule Sections

Count	Section #	Section Title
4	1	Powers, Duties and Functions
4	7	Conduct of Meetings
3	9	Appointment to Committees of Outside Organizations
3	12	Advocacy
2	11	Amendment of Standing Rules
1	8	Committees
1	10	Report to the City
0	2	Members
0	3	Term of Office
0	4	Compensation; Vacancies
0	5	Officers
0	6	Meetings

Board Policy Guide

The Board Policy Guide is comprised of three sections and a total of seventeen policies. Additionally, several RPU policy documents (e.g. RPU Fiscal Policy) are attached by reference to individual policies. Some of the policies are similar to the Rules or provide additional guidance to the Rules. Additionally, the Board Policy Guide is divided into three topical sections. Sections A through C are:

A. Utility Business Policies

- B. Board Specific Policies
- C. Customer Relations/Finance

Board members prioritized their top **five** items to be evaluated and updated, as needed. The following table provides the list with the number of members who voted for each. Top priority sections are highlighted.

Table 1: Survey Results for Top Priority Board Policies

Count	Section & Policy #	Policy Title
4	B-1	Role of the Chair for Public Meetings
4	A-3	Annual Goal Setting Process
3	C-2	Pricing of Products and Services
3	A-4	Performance Measure Evaluation
3	B-4	Board Training/Education Policy
3	A-11	Fiscal Policies
2	B-2	Board Committee Structure
2	B-3	Communication and Support of Board
2	A-10	Customer Care
1	A-1	Standing Rules (Standing Rules)
1	A-2	Mission Statement (Mission, Vision, Core Values, and Strategic Plan)
1	A-6	Energy Delivery System
1	A-9	Water Resources: Rights, Protection & Development (Water Portfolio Management Policy)
0	C-2	Board Interaction with the General Manager and Staff
0	A-5	Property Ownership (Real Property Financial Management Policy)
0	A-7	Water Delivery System
0	A-8	Electric Resources: Maintain Obligation to Serve Customers

Additional Items for Board Consideration

Board members requested that the survey prioritize policies for discussion and provide the opportunity to identify additional topics for discussion. Not all members provided a response in this section. Of the three who did, they all requested a discussion on customer/community engagement. One member also requested that the following be considered in addition to Board Policy B-1: Role of the Chair for Public Meetings:

1. Collaborates with Management to ensure items requested by Board Members for future meeting discussion are scheduled for discussion on a timely basis.
2. Ensures Management provides the Board with a list of “Items for Future Discussion” that includes a projected date for discussion.
3. If the Board decides to conduct a Workshop on a particular topic, the Chair may choose to expand Public Comment to provide the public the opportunity to comment both after a staff presentation as well as after Board discussion.

DISCUSSION:

This report and presentation will provide information to facilitate a discussion and recommendation for any amendments to the Board Standing Rules and Policy Guide related to the priorities identified by the Board pursuant to the survey.

From the Board Standing Rules, the priorities were Section 1, Powers, Duties and Functions and Section 7, Conduct of Meetings. From the Board Policy Guide, policies B-1: Role of the Chair for Public Meetings and A-3: Annual Goal Setting Process were also identified as priorities. Additionally, amendments recommended by a Board member during the survey process are being presented for consideration.

Board Standing Rules, Section 1: Powers, Duties and Functions

The Board's Standing Rules Section 1: Powers, Duties and Functions incorporates language directly from the City Charter (Charter). References to the relevant section that the Standing Rules draw from are identified. Any amendments to this section of the Standing Rules that would change the Powers, Duties, and Functions of the Board as listed in the Charter will require a Charter amendment. **Board recommendations for Charter amendments will be forwarded to the City Manager for review.**

The Board may add clarifying direction, consistent with the Charter, such as was done for Standing Rules Section 1.D. relating to the requirement that the City Manager provide monthly reports of receipts and expenditures of the Department. The Standing Rules added clarification related to how the information could be conveyed to the Board. This language is highlighted in **blue** in the text below for review.

The only other difference between the Charter language and the Standing Rules is that the charter refers to the Public Utilities General Manager as the Director of Public Utilities. In all but one location in this Section of the Standing Rules, the Director of Public Utilities is referenced as the Public Utilities General Manager. It is believed that the one exception (in Section 1.B.) was inadvertently missed when prior updates were approved.

Staff recommend that the Board review this Section of the Standing Rules. If the Board has any amendments they would like to recommend for consideration, the recommended changes may be submitted to City Manager's Office to consider for a future Charter amendment. Staff also recommend that Section be updated to consistently refer to either the Director of Public Utilities, consistent with the Charter, or Public Utilities General Manager (as the position is now titled). This would simply provide consistency in the references to the position.

Differences from the charter are highlighted in **yellow** below and staff have included the proposed amendment in red underline as a potential change to the language.

Board Standing Rules, Section 1

1. POWERS, DUTIES, AND FUNCTIONS (Charter sections 1200 through 1205)

There shall be a Board of Public Utilities (the "RPU Board") which shall have the power and duty to:

- A. Consider the annual budget for the Department of Public Utilities during the process of its preparation and make recommendations with respect thereto to the City Council and the City Manager. (Charter Section 1202(a).)

Board Standing Rules, Section 1

- B. Authorize, and let public works contracts in compliance with Section 1109, within the limits of the budget of the Department of Public Utilities, any purchase of equipment, materials, supplies, goods or services, or any acquisition, construction, improvement, extension, enlargement, diminution, or curtailment of all or any part of any public utility system when the amount exceeds \$50,000, and authorize the City Manager, or his designee, to execute contracts or issue purchase orders for the same. This amount may be increased in \$1,000 increments by ordinance to account for inflation whenever the cumulative increase in the consumer price index exceeds \$2,000 from the last increase. No such purchase, or acquisition, construction, improvement, extension, enlargement, diminution or curtailment shall be made without such prior authorization.

Notwithstanding the above, such a purchase, or acquisition, construction, extension, enlargement, diminution or curtailment may be made without prior approval (1) for work done at the request of and at the expense of a customer, pursuant to rules established by the Board of Public Utilities and approved by the City Council, or (2) if there is an urgent necessity to preserve life, health or property (i) as determined by the **Public Utilities General Manager (Director of Public Utilities, per charter)** or, (ii) if the amount exceeds \$100,000 by the ~~Director of Public Utilities~~ **Public Utilities General Manager** and the City Manager. As soon as practicable thereafter, the **Public Utilities General Manager (Director of Public Utilities, per charter)** shall take the matter under Section 1202(b)(2) to the Board of Public Utilities for ratification. (Charter Section 1202(b).)

- C. Within the limits of the budget of the Department of Public Utilities, make appropriations from the contingency reserve fund for capital expenditures directly related to the appropriate utility function. (Charter Section 1202(c).)
- D. Require of the City Manager monthly reports of receipts and expenditures of the Department of Public Utilities, segregated as to each separate utility, and monthly statements of the general condition of the department and its facilities. (Charter Section 1202(d).) **This information may be conveyed by the Department of Public Utilities in any manner as directed by the Board, including (i) periodic summaries and (ii) a mid-year and annual comprehensive financial review.**
- E. Establish rates for all utility operations as provided under Section 1200 including but not limited to water and electrical revenue producing utilities owned, controlled or operated by the City, but subject to the approval of the City Council. (Charter Section 1202(e).)
- F. Authorize the **Public Utilities General Manager (Director of Public Utilities, per charter)** to negotiate and execute contracts with individual retail customers for water, electric and any other utility service as provided under Section 1200, consistent with rates for such individualized service established pursuant to Section 1202(e). (Charter Section 1202(f).)
- G. Approve or disapprove the appointment of the **Public Utilities General Manager (Director of Public Utilities, per charter)**, who shall be the department head. (Charter Section 1202(g).)

Board Standing Rules, Section 1

- H. Designate its own secretary. (Charter Section 1202(h).)
- I. Make such reports and recommendations in writing to the City Council regarding the Department of Public Utilities as the City Council shall deem advisable. (Charter Section 1202(i).)
- J. Exercise such other powers and perform such other duties as may be prescribed by ordinance not inconsistent with any of the provisions of this Charter. (Charter Section 1202(j).)

Board Standing Rules, Section 7, Section 5.B and Board Policy B-1

Board Standing Rules Section 7: Conduct of Meetings and Board Policy B-1: Role of the Chair for Public Meetings are presented together for the Board's consideration because the comments received from the survey relate to public comment.

Section 7, unlike Section 1: Powers, Duties and Functions, is wholly established by the Board. Historically, the Board has generally aligned their conduct of meetings with the City Council's Rules of Procedure and Order of Business, Resolution 24255, Section X, Conduct of Meeting.

The comment received from the survey included reference to oral communications from the audience and time limitations for public testimony. The following request was submitted by a Board member in response to the survey for Board Policy B-1: Role of the Chair for Public Meetings; however, portions could also amend Section 7 of the Standing Rules. Specifically, the Board member requested that the Role of the Board Chair also include the following.

1. Collaborates with Management to ensure items requested by Board Members for future meeting discussion are scheduled for discussion on a timely basis.
2. Ensures Management provides the Board with a list of "Items for Future Discussion" that includes a projected date for discussion.
3. If the Board decides to conduct a Workshop on a particular topic, the Chair may choose to expand Public Comment to provide the public the opportunity to comment both after a staff presentation as well as after Board discussion.

The requested amendments can be amended into either the Standing Rules and/or the Policy Guide and are presented here for discussion by the Board. Comment 3, if added Policy B-1, would grant the Chair the ability to expand public comment during Workshops. Staff notes that the Board has at its discretion the right, by majority vote, to change the allotted time for public comment (See Sections 7.B. and 7.C, shown below). Public comment is closed, based on Section 7.A when the Board moves to the question, discussion, motion and action portion of the order of discussion. A change to Board Policy B-1 to grant this right, even when limited to workshops, solely to the discretion of the Board Chair (as suggested in the comment), should also trigger an amendment of the Board Standing Rules for consistency and to avoid confusion. While not required, this change would also not be consistent with the practice of the City Council.

Staff additionally recommend amendments to the language of Section 7.B. Oral Communications from the Audience to reflect the current practices of the Board and that is standard practice of the City Council. At this time, members of the public are permitted to submit public speaker cards to

request to speak at any time prior to an item being presented or during the public comment period for the item. This facilitates public comments from community members who call into the meeting. The staff recommended amendments are shown in red for added language and with red strikeout for recommended deletions

Please note that Board Policy B-1 also references Standing Rules Section 5.B which can be found in the attachment.

Board Standing Rules, Section 7

7. CONDUCT OF MEETINGS

A. Order of Discussion

The order of discussion after introduction of an item by the presiding Officer will be as follows:

1. Generally

- Staff presentation, information and reports
- Public comments
- RPU Board members, including questions, discussion motion and action

2. Public Hearings

- Opening of public hearing
- Staff presentation, information and reports
- Public comments
- Closure of public hearing
- RPU Board members, including questions, discussion, motion and action

3. Appeals

- Staff presentation, information and reports
- Appellant presentation, comments and information
- Public comments
- Closing statements by appellant
- Closure of public testimony
- RPU Board members, including questions, discussion, motion and action

Once the agenda item is placed before the RPU Board for questions, discussion, motion and action, no member of the public shall be allowed to address the RPU Board without the consent of the RPU Board

B. Oral Communications from the Audience

A portion of each agenda of a regular meeting of the RPU Board shall provide an opportunity to members of the public to address the RPU Board on any issue concerning Riverside Public Utilities business, including consent calendar items. Each person desiring to address the RPU Board shall fill out and file a form with the RPU Board Secretary. Requests to be heard **may be submitted to the RPU Board Secretary any time prior to the conclusion of public comment on the agenda item**

Board Standing Rules, Section 7

~~must be submitted to the RPU Board Secretary before the scheduled meeting time. Requests will not be accepted during the meeting so as not to disrupt the meeting.~~

Each person speaking shall limit his/her remarks to three minutes. For each and every public speaker, the RPU Board Secretary shall be required to utilize the timing system which provides the speakers with notice of their remaining time to complete their presentations.

In the further interest of time, speakers may be asked to limit their comments to new materials and not repeat what a prior speaker said. Organized groups may choose a single spokesperson who may speak for the group. Speakers may not concede any part of their time to another speaker.

The RPU Board retains the right, by majority vote, to alter the time allotted for public remarks.

C. Time Limitation for Public Testimony at Public Hearings and Public Discussion

The RPU Board reserves the right to determine the total amount of time for testimony on any particular hearing matter and/or for each individual speaker.

For each and every public speaker, the RPU Board Secretary shall be required to utilize the timing system which provides the public with notice of their remaining time to complete their presentations. In the further interest of time, speakers may be asked to limit their comments to new materials and not repeat what a prior speaker said. Organized groups may choose a single spokesperson who may speak for the group. Speakers may not concede any part of their time to another speaker.

Board Policy Guide, Policy B-1

BOARD POLICY GUIDE: POLICY B-1. ROLE OF THE CHAIR FOR PUBLIC MEETINGS

Standing Rule 5.B (attached to Policy A-1) outlines the role of the Chair of the Riverside Public Utility Board. This board policy provides additional detail.

The Chair assures the integrity of the Board's public meeting process.

Accordingly, the Chair shall perform his or her role such that:

1. The Board conducts business consistent with its own rules and those legitimately imposed upon it from outside the organization. The Chair will recognize absences by Board members for inclusion in the minutes and initiate the discussion when Board absences impact the ability of the Board to hear adequate opinions and conduct business.
2. The content of the Board meeting discussions is limited to those issues on the agenda which are within the Board's subject matter jurisdiction.
3. Board meeting deliberations will be fair, open and thorough, but also timely, orderly, and kept to the point. Public comment should be kept on track and within appropriate time constraints.

4. Each Board member has a right to voice his or her opinion about each issue. The Chair has an obligation to call for closure to each topic when adequate time to address concerns has been provided.

Board Policy Guide: Policy A-3. Annual Goal Setting Process

Board members also prioritized Policy A-3 of the Policy Guide for review. Policy A-3 addresses the Board's annual goal setting process and outlines recommendations for how the goal setting should be conducted. For the last two years, the annual goal setting was aligned with the City Council's request for an Annual Work Plan from each board and commission in the City. Staff does not have recommended changes to Policy A-3.

Board Policy Guide, Policy A-3

BOARD POLICY GUIDE: POLICY A-3. ANNUAL GOAL SETTING PROCESS

At least annually, the RPU Board shall formally evaluate efforts towards meeting goals and objectives for the upcoming year as conducted through a formal goal setting process by staff and/or board members. Goals and objectives may be multi-year in nature. Goals and objectives shall be set forth for specific sections and divisions of the utility and for the utility as a whole. Quantifiable measurements shall be designated to measure the attainment of the goals and objectives adopted. Goal setting will normally be performed as part of a strategic planning process and may utilize the services of a facilitator.

The incorporation of goals and objectives shall be included in the annual budgeting process as appropriate.

The General Manager shall be responsible for providing updates to the Board. Goals and objectives shall be open for review and adjustment by the General Manager as needed, but any changes after initial adoption by the Board shall be described and discussed at a Board meeting.

Next Steps

The following is the anticipated schedule for the Board's review of the prioritized Standing Rules and Board Policy items:

November 17, 2025	- Board Policies C-2: Pricing of Products and Services and A-4: Performance Measure Evaluation - Standing Rules Sections 9: Appointment to Committees of Outside Organizations and 12: Advocacy
December 8, 2025	- Board Policies B-2: Board and Committee Structure, B-3: Communication and Support of the Board and B-4: Board Training and Education - Standing Rules Sections 11: Amendment of Standing Rules and 8: Committees
January 2026	- Board Policies A-11: Fiscal Policies and A-10: Customer Care - Standing Rules Section 10: Report to the City

Review of the Standing Rules and Board Policy items not prioritized will be presented at future

Board meetings in 2026.

FISCAL IMPACT:

There is no fiscal impact from this item.

Prepared by:	Tracy Sato, Utilities Assistant General Manager/Strategic Initiatives
Approved by:	David A. Garcia, Utilities General Manager
Certified as to availability of funds:	Kristie Thomas, Finance Director/Assistant Chief Financial Officer
Approved by:	Rafael Guzman, Assistant City Manager
Approved as to form:	Rebecca Mckee-Reimbold, Interim City Attorney

Attachments:

1. Board Standing Rules, Amended March 10, 2025
2. Board Policy Guide, Amended May 22, 2017
3. City Council Resolution 24255 Rules of Procedure and Order of Business
4. Presentation