

SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM  
3.4  
(ID # 7432)

MEETING DATE:

Tuesday, June 26, 2018

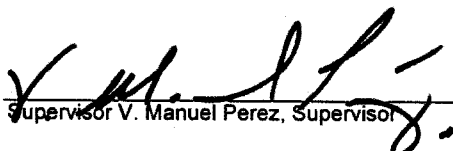
FROM : SUPERVISOR V. MANUEL PEREZ:

SUBJECT: SUPERVISOR V. MANUEL PEREZ: Introduction of Ordinance No. 943 Establishing Regulations and Procedures for Net-Energy Metering by Irrigation Districts, (All Districts).

RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce, read title and waive further reading, and adopt on successive weeks Ordinance No. 943, an ordinance of the County of Riverside establishing regulations and procedures for net-energy metering by irrigation districts.

ACTION: Policy

  
Supervisor V. Manuel Perez, Supervisor 6/20/2018

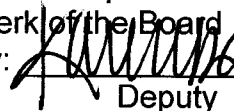
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MINUTES OF THE BOARD OF SUPERVISORS

3)

On motion of Supervisor Perez, seconded by Supervisor Tavaglione and duly carried, IT WAS ORDERED that the above matter is approved as recommended and that the above Ordinance is approved as introduced with a waiver of reading.

Ayes: Jeffries, Tavaglione, Washington and Perez  
Nays: None  
Absent: Ashley  
Date: June 26, 2018  
xc: Supvr. Perez, Co.Co., COB

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

**BACKGROUND:**

**Summary**

Net Energy Metering (NEM) programs allow homeowners and businesses that generate their own energy directly onsite to receive a financial credit on their electric bills for any surplus energy fed back into the grid to their utility. Under NEM, the customer's electric meter keeps track of how much electricity is consumed by the customer, and how much excess electricity is generated by the customer's system and sent back into the electric utility grid. Typically, over a 12-month period, the homeowner only pays for the net amount of electricity used from the utility over-and-above the amount of electricity generated by the customer's onsite energy system. The customer is also responsible for the monthly customer transmission, distribution, and meter service charges incurred by the customer. Net Energy Metering programs are established under State law in the Public Utilities Code.

Southern California Edison ("SCE") is the main electric utility provider in the unincorporated areas of Riverside County. SCE has a NEM program available to its customers. Pursuant to an agreement between SCE and Imperial Irrigation District ("IID"), IID is the electric utility provider in several unincorporated areas of the eastern part of the County. In February 2016, IID closed its net-energy metering program to new applicants which left many of IID's customers in Riverside County in limbo, including customers that had already applied for IID's NEM program and purchased solar panels for their homes. In response to IID's closure of its NEM program, Assembly Bill No. 2163 (2015-2016) was introduced which would have required IID to provide NEM service to all eligible customers. In August 2016, presumably in an attempt to avoid AB 2163 being enacted, IID committed to expanding its NEM program to allow additional customers. However, this expansion was only for individuals that met certain criteria and had submitted interconnection applications to IID by October 1, 2016. AB No. 2163 died in legislative committee and did not move forward.

In an effort to ensure that residents in the unincorporated areas that are served by IID have the same opportunities to join a NEM program as residents in the unincorporated areas that are served by SCE, the Board of Supervisors adopted an order initiating the preparation of a new ordinance that would establish regulations and procedures for NEM by irrigation districts providing electrical power outside their boundaries in the unincorporated areas (agenda item 3.17). Water Code section 22123 states that any irrigation district providing electric power outside of the irrigation district boundaries, as IID does in Riverside County, "shall be subject to reasonable rules, regulations, and orders of the governing body of the city or county area being served, but, in no event, more restrictive than the rules, regulations, and orders of the Public Utilities commission upon utilities providing electric power to cities or counties." The Water Code section further states that the irrigation district may impose rates, rules, regulations or orders in any such area outside its boundaries which are different from rates, rules, regulations, or orders imposed within the district, so long as there is the consent of the governing body of the affected area. In this case, that is the Board of Supervisors for the affected area and attached Ordinance No. 943 reflects that express consent and direction of the Board.

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

Ordinance No. 943 will require irrigation districts providing electric energy in the County to offer an NEM program to County residents that is as expansive but in no event more restrictive than the rules, regulations, and orders of the California Public Utilities Commission applicable to SCE for SCE's NEM customers under NEM Successor Tariff Decision (D). 16-01-044 and any decision of the Commission that supersedes such decision or otherwise governs NEM.

**Impact on Residents and Businesses**

The purpose of this ordinance is to ensure that all residents of the unincorporated areas of Riverside County have the same opportunities to participate in a NEM program.

MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**3.4**  
(MT7432)

(1)

On motion of Supervisor Perez, seconded by Supervisor Washington and duly carried, IT WAS ORDERED that the recommendation from Supervisor V. Manuel Perez regarding the Introduction of Ordinance No. 943 Establishing Regulations and Procedures for Net-Energy Metering by Irrigation Districts, All Districts is approved as recommended.

Roll Call:

Ayes: Jeffries, Tavaglione, Washington and Perez  
Nays: None  
Absent: Ashley

(2)

On Motion of Supervisor Jeffries, seconded by Supervisor Perez and duly carried, IT WAS ORDERED that the above matter be reconsidered.

Roll Call:

Ayes: Jeffries, Tavaglione, Washington and Perez  
Nays: None  
Absent: Ashley

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on June 26, 2018 of Supervisors Minutes.

(seal) WITNESS my hand and the seal of the Board of Supervisors  
Dated: June 26, 2018  
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

By: [Signature] Deputy

AGENDA NO.  
3.4

xc:



1           Section 2.     NET-ENERGY METERING PROGRAM. Within ninety (90) days of the  
2 Effective Date of this Ordinance, pursuant to Section 22123 of the California Water Code, with the  
3 express consent and direction of the governing board of the County of Riverside, Irrigation Districts  
4 providing electric service in the County shall offer a NEM program that is as expansive but in no event  
5 more restrictive than the rules, regulations, and orders of the Commission applicable to SCE for NEM  
6 customers under NEM Successor Tariff Decision (D). 16-01-044 and any decision of the Commission that  
7 supersedes such decision or otherwise governs NEM. As of the Effective Date of this Ordinance, the  
8 Irrigation District shall provide Customer-Generators a credit equal to the fully bundled retail rate for  
9 generation that offsets load (coincident or non-coincident), and covers net excess generation. In addition  
10 to billing credits for net energy exported to the electric grid, participating NEM Customer-Generators  
11 shall also be exempt from standby charges, departing load charge, and costs associated with  
12 interconnection application fees, studies and distribution upgrades. In the event that the Commission-  
13 adopted rules, regulations, and orders applicable to the SCE NEM program are amended by the  
14 Commission and, as a result, this ordinance becomes more restrictive than the Commission-approved SCE  
15 NEM program, this ordinance shall be deemed amended to be consistent with and to mirror the NEM  
16 program approved by the Commission for SCE without further action required of the County governing  
17 Board.

18           Section 3.     SUPERSEDE EXISTING NEM PROGRAM RULES, REGULATIONS  
19 AND ORDERS. This ordinance shall be deemed to occupy the field with regard to NEM programs  
20 offered by Irrigation Districts to Customer-Generators in the County and shall supersede any existing  
21 NEM program rules, regulations, and orders adopted by Irrigation Districts for Customer-Generators in  
22 the County.

23           Section 4.     CREDITS. As a part of its NEM program required pursuant to Section 2 of  
24 this ordinance, the Irrigation District shall provide participating Customer-Generators with a bill credit for  
25 excess generation that is exported to the electric grid during times when it is not serving onsite load. On a  
26 month-to-month basis, bill credits for the excess generation are applied to a Customer-Generator's bill at  
27 the same retail rate (including generation, distribution, and transmission components) that the Customer-  
28 Generator would have paid for energy consumption, according to their otherwise applicable rate structure.

1 At the end of a customer's 12-month billing period, any balance of surplus electricity is trued-up at a  
2 separate fair market value, known as net surplus compensation (NSC). The NSC rate is based on a 12-  
3 month rolling average of the market rate for energy and is currently approximately \$0.04 to \$0.05 per  
4 kilowatt-hour (kWh) pursuant to Commission Decision (D.) 11-06-016.

5 Section 5. NEM AGGREGATION. As a part of its NEM program required pursuant  
6 to Section 2 of this ordinance, the Irrigation District shall also permit NEM aggregation, in which an  
7 eligible Customer-Generator elects to aggregate the electrical load from multiple meters, and NEM credits  
8 are shared among all property that is attached, adjacent, or contiguous to the generation facility. Properties  
9 eligible for NEM aggregation shall be interpreted in the same manner as the Commission has for SCE  
10 customers. A Customer-Generator must be the sole owner, lessee, or renter of the properties in order to  
11 utilize NEM aggregation. For example, an agricultural customer could use a single solar system to  
12 provide NEM bill credits to offset the electrical load from their home as well as from an irrigation pump  
13 located on an adjacent parcel.

14 Section 6. VIRTUAL NET METERING. As a part of its NEM program required  
15 pursuant to Section 2 of this ordinance, the Irrigation District shall also offer, as a part of its NEM  
16 program, Virtual Net Metering (VNM), a tariff available to multi-tenant properties that enables an owner  
17 of such property to allocate a solar system's benefits to tenants across multiple units. The system owner,  
18 including but not limited to owners of affordable multifamily properties, shall be permitted to allocate bill  
19 credits of a percentage of the solar generation between common load areas and tenants along a multiple  
20 service delivery points.

21 Section 7. INTERCONNECTION FEE. As a part of its NEM program required  
22 pursuant to Section 2 of this ordinance, the Irrigation District, consistent with the Commission's rules  
23 relating to the Commission's successor NEM tariff program may assess an one-time interconnection fee,  
24 not to exceed seventy-five dollars (\$75) for projects of less than 1 megawatt (MW), and non-bypassable  
25 charges on each kilowatt-hour (kWh) of electricity they consume from the grid to fund special programs  
26 offered by the Irrigation District, not to exceed 3 cents per kWh. Non-bypassable charges shall be  
27 imposed on the same net interval as determined by the Commission.

28







R. Gaylord Smith  
74-830 Highway 111, Suite 200  
Indian Wells, California 92210  
Bob.Smith@lewisbrisbois.com  
Direct: 619.699.4975

June 25, 2018

Gregory P. Priamos  
County Counsel  
County of Riverside  
3960 Orange Street, Suite 500  
Riverside, CA 92501

Re: Proposed Ordinance No. 943 Seeking to Impose Net Energy Metering on Imperial Irrigation District in Unincorporated Areas of Riverside County (June 26, 2018 Board of Supervisors Item 3.4 [#7432])

Dear Mr. Priamos:

We are writing on behalf of the Imperial Irrigation District (IID) to point out the illegality of the proposed ordinance on net energy metering (NEM) directed against the Imperial Irrigation District in unincorporated areas of Riverside County. In March 2017 a similar ordinance was proposed, and after we wrote your office setting forth the County's lack of authority over utility rates, the matter was dropped. Since that time, the laws precluding County involvement in utility rate-making remain unchanged.

The proposed ordinance is an attempt to require IID to adopt in the unincorporated (but not in the incorporated) areas of Riverside County the same NEM rate provisions as the CPUC provides for investor owned utilities. The proposed ordinance singles out IID, and is not presently directed at any other publicly owned utilities such as the cities of Riverside and Banning. Simply put, Riverside County has no authority over utility rates for any utility, whether investor owned or governmentally owned. The proposed ordinance would seek to impose fines and imprisonment for failure to comply with its rate-making provisions.

The proposed ordinance violates multiple provisions of several state statutes, and constitute an impermissible rate setting activity disallowed by state law. We set forth the applicable statutes to assist in your legal assessment of this ordinance.

34 6/26/18

**1. Public Utility Code § 2827 Authorizes IID's Current NEM Policy and Preludes County Rate-Making Authority in the NEM Program**

PUC Code § 2827 governs the Legislature's net energy metering program, and its provisions are mandatory statewide. PUC § 2827(b)(10) provides that "Rate-making authority' means . . . for a local publicly owned electric utility [such as IID] the local elected body *responsible for setting the rates* of the local publicly owned utility." This exclusive grant of rate-making authority to IID's Board of Directors for the NEM program contains no exceptions, and precludes rate-making activities by the Riverside Board of Supervisors.

Furthermore, state law specifically directs that IID has no obligation to expand its NEM project because it already exceeds 5 percent of IID's aggregate peak demand. The applicable statute (which the proponents of the ordinance have not mentioned) is PUC § 2827(c)(4)(A) which clearly states:

An electric utility that is not a large electrical corporation ***is not obligated to provide net energy metering*** to additional eligible customer-generators in its service area when the combined total peak demand of all electricity used by eligible customer-generators served by all the electric utilities in that service area furnishing net energy metering to eligible customer-generators exceeds 5 percent of the aggregate customer peak demand of those electric utilities.

(Emphasis added.)

There can be no dispute under PUC § 2827(c)(4) that IID's NEM obligation ends when furnishing NEM to eligible customer-generators exceeds 5 percent of IID's aggregate peak demand. IID's NEM obligation is based on a peak demand of 1004 MW in 2010, and IID reached that level ahead of schedule in early 2016. The program is fully subscribed, and IID is not obligated under this operative state law to provide further net energy metering. The details regarding IID's peak demand for eligible customer-generators exceeding 5 percent of aggregate peak demand are set

forth on its website.<sup>1</sup> In fact, IID in July 2016 voluntarily expanded its NEM program beyond its statutory obligation.

The proposed ordinance fails to mention PUC § 2827(c)(4). However, it is the controlling statute and is plainly inconsistent with the proposed ordinance. The supremacy of state law over local ordinances is rooted in article XI, section 7 of the California Constitution that provides that “[a] county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations *not in conflict with general laws.*” (Italics added.)

It is a basic principle of law that, “‘If otherwise valid local legislation conflicts with state law, it is preempted by such law and is void.’” (*Great Western Shows v. County of Los Angeles* (2002) 27 Cal.4th 853, 860.) “A conflict exists if the local legislation ‘duplicates, contradicts, or enters an area fully occupied by general law, either expressly or by legislative implication.’” (*Ibid.*) “Local legislation is ‘duplicative’ of general law when it is coextensive therewith. [Citation.]” (*Ibid.*) A local ordinance is preempted if it “mandate[s] what state law expressly forbids, [or] forbid[s] what state law expressly mandates.” (*Id.* at p. 866.)

Some proponents of this ordinance have suggested that the Legislature’s decision not to amend PUC § 2827(c)(4) by not passing AB No. 2163 somehow clears the way for the County to conduct such rate-making on its own. This is plainly incorrect; PUC § 2827(c)(4) is still on the books and is the operative law in this state.

Additional provisions in PUC § 2827 also point to the illegality of any ordinance regarding IID’s administration of its NEM program. We have already mentioned the exclusivity of IID’s rate-making authority in PUC § 2827(b)(10). Furthermore, the practice of having different NEM policies for different counties (or worse, within the same county) is proscribed by PUC § 2827(c)(1), which provides:

“every electric utility shall develop a *standard* contract or tariff providing for net energy metering.” (Italics added.)

Different net energy metering tariffs for each local governmental jurisdiction within IID’s service territory is clearly unlawful. Yet that is precisely what the proposed ordinance seeks to accomplish.

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<sup>1</sup> <http://www.iid.com/energy/save-energy-and-money/solar-customer-owned-generation/net-metering>

## **2. Water Code § 22123 Confers on the County No Rating Making Authority**

Proponents of the ordinance are reading into Water Code § 22123 a grant of rate-making to the County that is not authorized by the plain terms of the statute, or its legislative history. When read in its entirety, that statute precludes any local or county rules as to rate-making:

22123. Any district providing electric power to areas outside its boundaries shall be subject to reasonable rules, regulations, and orders of the governing body of the city or county area being served, but, in no event, more restrictive than the rules, regulations, and orders of the Public Utilities Commission upon utilities providing electric power to cities or counties. *No district may impose **rates**, rules, regulations, or orders in any such area outside its boundaries which are different from rates, rules, regulations, or orders imposed within the district, except with the consent of the governing body of the affected area.*

(Emphasis added.)

The second sentence is critical as it evidences the legislature's recognition – as expressed in PUC § 2827(b)(10)) – that IID's Board of Directors alone has the rate-making authority, not Riverside County. Note the omission of the word "rates" in the first sentence of section 22123. The notion that a county and/or other localities could impose their on electrical rates is completely unauthorized by the text of 22123, as well as its legislative history.

Water Code § 22123 has its origins in SB 97 (1969). As the California Department of Water Resources observed at the time the bill was being considered, the "objective of the bill is to require the Imperial Irrigation District to begin a program of putting underground existing electric utility lines in areas served by it outside its own boundaries." (Exhibit 1, enclosed.) The PUC does regulate undergrounding of electrical distribution lines under its Rule 20 as to investor owned utilities. The City of Indio's letter to the Governor indicated that the legislation is aimed at questions of "service quality," not rate-making. (Exhibit 2, enclosed.) Nothing in the legislative history suggests the localities and the county were to have any rate-making authority.

Never since the adoption of this statute in 1969 has it been used as the basis for local adoption of rate-making policies. Such a patch quilt approach to rate-making by a public utility is inherently unreasonable, and is unauthorized. Water Code § 22123 allows only "reasonable" rules, and a rule in violation of PUC § 2827 is clearly unreasonable.

IID considers the County of Riverside an important governmental partner in addressing the important shared needs of our overlapping constituents on issues regarding affordable energy, the Salton Sea, renewable resources and sustainable development. We look forward to discussing this with you at your early convenience, and trust that these legal authorities are persuasive.

Very truly yours,

*/s/ R. Gaylord Smith*

R. Gaylord Smith of  
LEWIS BRISBOIS BISGAARD & SMITH LLP

Enclosure: 1. CA Department of Water Resources report on SD 97  
2. City of Indio letter Legislative History Letters

cc: Antonio Ortega, Govt. Affairs and Communications Officer  
Kevin E. Kelley, General Manager, Imperial Irrigation District  
Frank A. Oswalt, General Counsel, Imperial Irrigation District  
Robert Laure, Assistant General Counsel, Energy, Imperial Irrigation District  
Supervisor Kevin Jeffries [district1@rivco.org](mailto:district1@rivco.org)  
Supervisor John F. Tavaglione [district2@rivco.org](mailto:district2@rivco.org)  
Supervisor Chuck Washington [district3@rivco.org](mailto:district3@rivco.org)  
Supervisor V. Manuel Perez [district4@rivco.org](mailto:district4@rivco.org)  
Supervisor Marion Ashley [district5@rivco.org](mailto:district5@rivco.org)

# ENROLLED BILL REPORT

AGENCY <b>RESOURCES</b>	BILL NUMBER SB 97
DEPARTMENT, BOARD OR COMMISSION Department of Water Resources	AUTHOR Cologne

This bill subjects irrigation districts providing electric service to areas outside their boundaries to reasonable rules, regulations and orders of the governing body of the city and county areas being served but in no event more restrictive than those imposed by the Public Utilities Commission upon utilities providing such service. The bill also prohibits an irrigation district from imposing rates, rules, regulations in any such outside service area different from those imposed within the district except with the consent of the governing body of the area.

We question the justification for singling out irrigation districts, as distinguished from other types of public agencies authorized to render electric service outside their boundaries, for regulation by the governing body in such outside areas. We also question the choice of local governing bodies, rather than the Public Utilities Commission, to exercise regulatory jurisdiction. However these doubts do not appear to be sufficient reasons for vetoing the enrolled bill.

The objective of the bill is to require the Imperial Irrigation District to begin a program of putting underground existing electric utility lines in areas served by it outside its own boundaries. This would be on a gradual basis, in accordance with P.U.C. regulations governing privately-owned utilities.

PASSED SENATE 4/14  
Ayes 24  
Noes 6

PASSED ASSEMBLY 8/4  
Ayes 57  
Noes 0

*J.M. Earl*  
*8-7-69* *Town*  
*8-7*

**RECOMMENDATION:**

I recommend that S.B. 97 be approved.

DEPARTMENT HEAD <i>W. S. ...</i>	DATE AUG 8 1969	AGENCY HEAD <i>[Signature]</i>
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LEGISLATIVE INTENT SERVICE (800) 666-1917





**CITY OF Indio CALIFORNIA**  
 45-250 TOWNE STREET • P. O. DRAWER 1788 • INDIO, CALIFORNIA 92201

Phone: (714) 347-2351

**24 HR. ACK. NECESSARY**

RECEIVED  
 AUG 15 1969 11:50 AM

August 12, 1969

Honorable Ronald Reagan  
 Governor of California  
 State Capitol Building  
 Sacramento, California 92227

Re: SB 97

Dear Governor Reagan:

SB 97 which is awaiting your signature will offer, for the first time in twenty-five years, an opportunity for the citizens of Indio to be represented on matters relative to electrical power service.

Imperial Irrigation District, a political subdivision, serves electrical power in Riverside County outside its electoral boundaries. Since the California Public Utilities Commission does not have jurisdiction, the citizens of Indio are deprived of adequate recourse on questions of service quality and policies.

SB 97 will provide representation equal to that of all electrical power customers within the State.

I respectfully urge you to sign SB 97 into law.

Sincerely yours

*T. W. Overhulse*

DR. T. W. OVERHULSE, MAYOR

TWO:eb.

cc: Senator Gordon Cologne  
 City Council Members  
 Mr. Bud Carpenter, League of California Cities  
 League of California Cities, Sacramento

LEGISLATIVE INTENT SERVICE (800) 666-1917



SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY  
1160 NICOLE COURT  
GLENORA, CA 91740  
(626) 793-9364 – FAX: (626) 793-9461  
www.scppa.org

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RIVERSIDE • VERNON • IMPERIAL IRRIGATION DISTRICT

June 25, 2018 | Submitted Electronically

The Honorable Chuck Washington  
Riverside County Board of Supervisors, Chairman  
4080 Lemon Street  
Riverside, CA 92501

**Re: Comments on Ordinance No. 943 Establishing Regulations & Procedures for Net-Energy Metering by Irrigation Districts**

Dear Chairman Washington,

On behalf of the Southern California Public Power Authority, I write to express strong concerns regarding Riverside County's newly-introduced ordinance to establish regulations and procedures for net-energy metering (NEM) by irrigation districts. The underlying intent of which would attempt to override a publicly-vetted policy decision regarding a NEM program made by the Imperial Irrigation District. This would set a dangerous public policy precedent.

SCPPA is a joint powers authority consisting of eleven municipal utilities and one of the nation's largest irrigation districts. SCPPA Members deliver electricity to approximately 4.8 million people across Southern California. Three SCPPA Members are located in and/or serve electricity to Riverside County residents.

Publicly-owned utilities are heavily regulated at the local, regional, state, and federal levels. SCPPA Members are working diligently to implement a wide range of mandatory programs towards reducing greenhouse gas emissions to meet California's Renewables Portfolio Standard and climate change goals, and are on target to meet or exceed these requirements. It is their fiduciary responsibility to act in the best interest of their community-owners as they work towards achieving a more sustainable future for California – while also maintaining affordable and reliable electricity for local communities.

While we appreciate the County's goal to afford residents an opportunity to join NEM programs, we believe the proposed ordinance would weaken fundamental community choice preferences for those areas served by publicly-owned utilities which – through their local governing boards – have a fiduciary responsibility to act in the best interest of all of their customers. We would encourage discussions with the Imperial Irrigation District to better understand the policy rationale behind their NEM program and its successor program. SCPPA also notes that Imperial County is one of the most disadvantaged areas in the entire state – so shifting costs from one set of customers to the benefit of another is a far more critical consideration than for utilities in wealthier areas of the state. Unfortunately, it would appear that the proposed ordinance would better benefit for-profit solar corporate interests and customers who can afford solar by overriding a locally-adopted public policy decision.

SCPPA appreciates the opportunity to provide these comments. Thank you for your time and consideration.

Respectfully submitted,

Michael S. Webster  
Executive Director

Cc: The Honorable Kevin Jeffries, Riverside County Board of Supervisors, Vice-Chairman  
The Honorable Marion Ashley, Riverside County Board of Supervisors  
The Honorable John F. Tavaglione, Riverside County Board of Supervisors  
The Honorable V. Manuel Perez, Riverside County Board of Supervisors  
Ms. Kecia Harper-Ihem, Clerk of the Board

6/26/18 3.4  
2018-6-139939



Mail Stop #1010

[smaxwell@rivco.org](mailto:smaxwell@rivco.org)

<http://rivcocob.org/>

<https://www.facebook.com/RivCoCOB/>



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**From:** Tanya DeRivi [<mailto:tderivi@scppa.org>]

**Sent:** Monday, June 25, 2018 12:39 PM

**To:** COB <[COB@RIVCO.ORG](mailto:COB@RIVCO.ORG)>

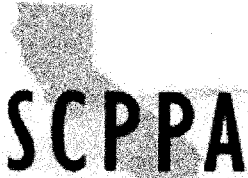
**Subject:** SCPPA Comment Letter on Agenda Item #3.4 / NEM Ordinance No. 943

To Whom It May Concern,

Please find attached a letter of concern regarding Item #3.4 on the Riverside County Board of Supervisor's agenda for consideration tomorrow, which would establish regulations and procedures for net-energy metering (NEM) by irrigation districts.

Please feel free to contact me with any questions, and thank you for the consideration.

Sincerely,



**Tanya DeRivi | Director of Government Affairs**

**Southern California Public Power Authority**

915 L Street Suite 1410, Sacramento, CA 95814

O: (916) 440-0870 | C: (916) 216-5145 | [tderivi@scppa.org](mailto:tderivi@scppa.org)

[www.scppa.org](http://www.scppa.org)

Maxwell, Sue

**From:** Maxwell, Sue  
**Sent:** Monday, June 25, 2018 2:36 PM  
**To:** George Johnson (GAJohnson@RIVCO.ORG); Young, Alisa; COB-Agenda (COB-Agenda@rivco.org); District 4 Supervisor V. Manuel Perez (District4@RIVCO.ORG); District2; District3; District5; Supervisor Jeffries - 1st District (district1@rivco.org)  
**Subject:** Agenda Item #3.4 / NEM Ordinance No. 943 - Opposition Comment Letter (SCPPA)  
**Attachments:** SCPPA Riverside County NEM Letter.pdf

Good afternoon,

The attached opposition letter from Southern California Public Power Authority (SCPPA) was received via email and is being forwarded to you for review.

This is related to June 26, 2018 Item 3.4 (MT 7432) Board Meeting on the Introduction of Ordinance No 943 - Establishing Regulations and Procedures for Net Energy Metering by Irrigation Districts (in all Districts).

Please note this email may have already been received by all District Supervisors. The original has been printed and filed with Agenda back-up.

Thank you kindly,

*Sue Maxwell*

Board Assistant  
Clerk of the Board of Supervisors  
4080 Lemon Street, 1<sup>st</sup> Floor, Room 127  
Riverside, CA 92501  
(951) 955-1069 Fax (951) 955-1071  
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[smaxwell@rivco.org](mailto:smaxwell@rivco.org)  
<http://rivcocob.org/>  
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**From:** Maxwell, Sue  
**Sent:** Monday, June 25, 2018 1:32 PM  
**To:** 'Tanya DeRivi' <tderivi@scppa.org>  
**Subject:** SCPPA Comment Letter on Agenda Item #3.4 / NEM Ordinance No. 943

Good afternoon Ms. DeRivi,

The Clerk of the Board of Supervisors is in receipt of your letter sent via email regarding Ordinance No 943 and has included it in the record for June 26, 2018.

Sincerely,

*Sue Maxwell*

Board Assistant  
Clerk of the Board of Supervisors  
4080 Lemon Street, 1<sup>st</sup> Floor, Room 127  
Riverside, CA 92501  
(951) 955-1069 Fax (951) 955-1071



SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY  
1160 NICOLE COURT  
GLENORA, CA 91740  
(626) 793-9364 – FAX: (626) 793-9461  
www.scppa.org

ANAHEIM • AZUSA • BANNING • BURBANK • CERRITOS  
COLTON • GLENDALE • LOS ANGELES • PASADENA  
RIVERSIDE • VERNON • IMPERIAL IRRIGATION DISTRICT

June 25, 2018 | Submitted Electronically

The Honorable Chuck Washington  
Riverside County Board of Supervisors, Chairman  
4080 Lemon Street  
Riverside, CA 92501

**Re: Comments on Ordinance No. 943 Establishing Regulations & Procedures for Net-Energy Metering by Irrigation Districts**

Dear Chairman Washington,

On behalf of the Southern California Public Power Authority, I write to express strong concerns regarding Riverside County's newly-introduced ordinance to establish regulations and procedures for net-energy metering (NEM) by irrigation districts. The underlying intent of which would attempt to override a publicly-vetted policy decision regarding a NEM program made by the Imperial Irrigation District. This would set a dangerous public policy precedent.

SCPPA is a joint powers authority consisting of eleven municipal utilities and one of the nation's largest irrigation districts. SCPPA Members deliver electricity to approximately 4.8 million people across Southern California. Three SCPPA Members are located in and/or serve electricity to Riverside County residents.

Publicly-owned utilities are heavily regulated at the local, regional, state, and federal levels. SCPPA Members are working diligently to implement a wide range of mandatory programs towards reducing greenhouse gas emissions to meet California's Renewables Portfolio Standard and climate change goals, and are on target to meet or exceed these requirements. It is their fiduciary responsibility to act in the best interest of their community-owners as they work towards achieving a more sustainable future for California – while also maintaining affordable and reliable electricity for local communities.

While we appreciate the County's goal to afford residents an opportunity to join NEM programs, we believe the proposed ordinance would weaken fundamental community choice preferences for those areas served by publicly-owned utilities which – through their local governing boards – have a fiduciary responsibility to act in the best interest of all of their customers. We would encourage discussions with the Imperial Irrigation District to better understand the policy rationale behind their NEM program and its successor program. SCPPA also notes that Imperial County is one of the most disadvantaged areas in the entire state – so shifting costs from one set of customers to the benefit of another is a far more critical consideration than for utilities in wealthier areas of the state. Unfortunately, it would appear that the proposed ordinance would better benefit for-profit solar corporate interests and customers who can afford solar by overriding a locally-adopted public policy decision.

SCPPA appreciates the opportunity to provide these comments. Thank you for your time and consideration.

Respectfully submitted,

Michael S. Webster  
Executive Director

Cc: The Honorable Kevin Jeffries, Riverside County Board of Supervisors, Vice-Chairman  
The Honorable Marion Ashley, Riverside County Board of Supervisors  
The Honorable John F. Tavaglione, Riverside County Board of Supervisors  
The Honorable V. Manuel Perez, Riverside County Board of Supervisors  
Ms. Kecia Harper-Ihem, Clerk of the Board

6/26/18 3.4

Maxwell, Sue

---

**From:** COB  
**Sent:** Monday, June 25, 2018 4:49 PM  
**To:** 'Martinez, Emmanuel'  
**Cc:** Harper-Ihem, Kecia  
**Subject:** Duplicate: SCPPA Riverside County ordinance 943 NEM Letter.pdf  
**Attachments:** SCPPA Riverside County NEM Letter.pdf  
  
**Importance:** High

Good afternoon Mr. Martinez,

The Clerk of the Board of Supervisors received your letter via email from Mr. Michael Webster with SCPPA; however, this same letter has already been submitted and processed for the June 26, 2018 Board Meeting Agenda Item No 3.4 (7432).

Sincerely,

*Sue Maxwell*

Board Assistant  
Clerk of the Board of Supervisors  
4080 Lemon Street, 1<sup>st</sup> Floor, Room 127  
Riverside, CA 92501  
(951) 955-1069 Fax (951) 955-1071  
Mail Stop #1010  
[smaxwell@rivco.org](mailto:smaxwell@rivco.org)  
<http://rivcocob.org/>  
<https://www.facebook.com/RivCoCOB/>



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**From:** Martinez, Emmanuel [mailto:[emmartinez@IID.com](mailto:emmartinez@IID.com)]  
**Sent:** Monday, June 25, 2018 4:34 PM  
**To:** COB <[COB@RIVCO.ORG](mailto:COB@RIVCO.ORG)>  
**Cc:** Harper-Ihem, Kecia <[KHARPER-IHEM@RIVCO.ORG](mailto:KHARPER-IHEM@RIVCO.ORG)>  
**Subject:** Fwd: SCPPA Riverside County ordinance 943 NEM Letter.pdf

Hi - here is another letter from Southern California Public Power for tomorrow's proposed ordinance 943.

Sent from my iPhone

Begin forwarded message:

**From:** "Ortega, Antonio" <[AOrtega@IID.com](mailto:AOrtega@IID.com)>  
**Date:** June 25, 2018 at 1:02:22 PM PDT  
**To:** "Kelley, Kevin E" <[kekelley@IID.com](mailto:kekelley@IID.com)>, "Oswalt, Frank" <[faoswalt@IID.com](mailto:faoswalt@IID.com)>, "Martinez, Enrique B" <[ebmartinez@IID.com](mailto:ebmartinez@IID.com)>, Bob Smith <[Bob.Smith@lewisbrisbois.com](mailto:Bob.Smith@lewisbrisbois.com)>  
**Cc:** "Martinez, Emmanuel" <[emmartinez@IID.com](mailto:emmartinez@IID.com)>  
**Subject:** SCPPA Riverside County NEM Letter.pdf



**California Special  
Districts Association**

*Districts Stronger Together*

RECEIVED AFTER  
11:00 AM 6/26/18

June 25, 2018

The Honorable Chuck Washington  
Riverside County Board of Supervisors, Chairman  
4080 Lemon Street  
Riverside, CA 92501

**RE: Comments on Ordinance No. 943 Establishing Regulations & Procedures for Net-Energy  
Metering by Irrigation Districts**

Dear Chairman Washington:

The California Special Districts Association (CSDA), representing over 1,000 special districts and affiliate organizations throughout the state, must share our concerns regarding Riverside County's newly-introduced ordinance to establish regulations and procedures for net-energy metering (NEM) by irrigation districts. Special districts provide millions of Californians with essential local services, such as water service, fire protection, sanitation, and parks and recreation.

Imperial Irrigation District (IID), as a publicly owned utility and special district, provides electrical services to some of the most disadvantaged communities in the state. It is their fiduciary responsibility to act in the best interest of their community-owners as they work towards achieving a more sustainable future for California – while also maintaining affordable and reliable electricity for local communities.

The ordinance attempts to thwart the ratemaking authority of IID as it relates to net-energy metering. We believe the proposed ordinance would weaken fundamental community choice preferences for those areas served by publicly-owned utilities which have a fiduciary responsibility to act in the best interest of all their customers. IID serves one of the most disadvantaged areas in the entire state – so shifting costs from one set of customers to the benefit of another is a far more critical consideration for IID than for utilities in wealthier areas of the state. Unfortunately, the proposed ordinance would shift costs to disadvantaged communities that cannot afford solar by overriding a locally-adopted public policy decision.

CSDA appreciates the opportunity to provide these comments. If you have any questions, please feel free to contact me.

Sincerely,

Rylan Gervase  
Legislative Representative

CC: The Honorable Kevin Jeffries, Riverside County Board of Supervisors, Vice-Chairman  
The Honorable Marion Ashley, Riverside County Board of Supervisors  
The Honorable John F. Tavaglione, Riverside County Board of Supervisors  
The Honorable V. Manuel Perez, Riverside County Board of Supervisors  
Ms. Kecia Harper-Ihem, Clerk of the Board

**California Special Districts Association**

1112 I Street, Suite 200  
Sacramento, CA 95814  
toll-free: 877.924.2732  
t: 916.442.7887  
f: 916.442.7889  
www.csda.net

*A proud California Special Districts Alliance partner*

Special District Risk Management Authority  
1112 I Street, Suite 300  
Sacramento, CA 95814  
toll-free: 800.537.7790  
f: 916.231.4111

CSDA Finance Corporation  
1112 I Street, Suite 200  
Sacramento, CA 95814  
toll-free: 877.924.2732  
f: 916.442.7889

6/26/18 3.4  
2018-6-139945

Located in Building D of the Lakeland Village Community Center

**From:** Marcus Detwiler [mailto:[marcusd@csla.net](mailto:marcusd@csla.net)]

**Sent:** Tuesday, June 26, 2018 10:06 AM

**To:** Supervisor Jeffries - 1st District <[district1@RIVCO.ORG](mailto:district1@RIVCO.ORG)>

**Cc:** District2 <[District2@Rivco.org](mailto:District2@Rivco.org)>; District3 <[District3@Rivco.org](mailto:District3@Rivco.org)>; District 4 Supervisor V. Manuel Perez <[District4@RIVCO.ORG](mailto:District4@RIVCO.ORG)>; District5 <[District5@Rivco.org](mailto:District5@Rivco.org)>

**Subject:** California Special Districts Association (CSDA) Comments on Ordinance No. 943

Good morning,

For your review, please see the attached California Special Districts Association (CSDA) Comment Letter regarding Ordinance No. 943.

If you have any questions about this letter, please do not hesitate to contact me.

**Marcus Detwiler**

*Legislative Assistant*

Join us for CSDA's Annual Conference & Exhibitor Showcase  
September 24-27 in Indian Wells

California Special Districts Association  
1112 I Street, Suite 200  
Sacramento, CA 95814  
877.924.2732, 916.442.7889 fax  
[www.csla.net](http://www.csla.net)

*A Proud California Special Districts Alliance Partner.*  
California Special Districts Association  
Special District Risk Management Authority  
CSDA Finance Corporation



Maxwell, Sue

**From:** Maxwell, Sue  
**Sent:** Tuesday, June 26, 2018 10:44 AM  
**To:** Supervisor Jeffries - 1st District  
**Cc:** COB-Agenda  
**Subject:** California Special Districts Association (CSDA) Comments on Ordinance No. 943 (Marcus Detwiler) - Received After Hearing Closed 06-26-2018 Item 3.4  
**Attachments:** California Special Districts Association Comment Letter on Ordinance No.....pdf

Good morning Kerstin,

The June 26, 2018 Agenda Item 3.4 this Public Comment pertains to has already been discussed, but I will log, print, and add to the Agenda back-up.

Have you acknowledged receipt to Mr. Detwiler?

Thank you kindly,

*Sue Maxwell*

Board Assistant  
Clerk of the Board of Supervisors  
4080 Lemon Street, 1<sup>st</sup> Floor, Room 127  
Riverside, CA 92501  
(951) 955-1069 Fax (951) 955-1071  
Mail Stop #1010  
[smaxwell@rivco.org](mailto:smaxwell@rivco.org)  
<http://rivcocob.org/>  
<https://www.facebook.com/RivCoCOB/>



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**From:** Supervisor Jeffries - 1st District  
**Sent:** Tuesday, June 26, 2018 10:21 AM  
**To:** Maxwell, Sue <smaxwell@RIVCO.ORG>  
**Subject:** FW: California Special Districts Association (CSDA) Comments on Ordinance No. 943

Just received this one- not sure if it is too late to add

Kerstin Justus  
Supervisor Kevin Jeffries  
Riverside County Board of Supervisors, 1st District [KJustus@RivCo.org](mailto:KJustus@RivCo.org)

Please Note that my Email address has changed effective 12/14/16.

Riverside office  
951-955-1010 (micro 51010)  
4080 Lemon Street, 5th floor, Riverside  
Lake Elsinore office  
951-471-4500 (micro 74500)  
\*Please note our new office location:  
16275 Grand Avenue, Lake Elsinore 92530

Maxwell, Sue

**From:** Maxwell, Sue  
**Sent:** Wednesday, June 27, 2018 8:50 AM  
**To:** George Johnson (GAJohnson@RIVCO.ORG); Young, Alisa; District 4 Supervisor V. Manuel Perez (District4@RIVCO.ORG); District2; District3; District5; Supervisor Jeffries - 1st District (district1@rivco.org)  
**Subject:** June 26, 2018 Item 3.4 (Received After Hearing) - Public Comment Opposing Ordinance No 943 (CSDA - Marcus Detwiler for Rylan Gervase)  
**Attachments:** California Special Districts Association Comment Letter on Ordinance No.....pdf

Good morning,

The attached opposition letter to Ordinance No 943 was received during the Board Meeting on June 26, 2018, after Item 3.4 was discussed and approved.

This is for your information only, and will be kept with the Agenda Back-Up.

With thanks and warm regards,

*Sue Maxwell*

Board Assistant  
Riverside County Clerk of the Board of Supervisors  
(951) 955-1069 Fax (951) 955-1071  
Mail Stop #1010  
[smaxwell@rivco.org](mailto:smaxwell@rivco.org)  
<http://rivcocob.org/>  
<https://www.facebook.com/RivCoCOB/>



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**From:** Maxwell, Sue  
**Sent:** Wednesday, June 27, 2018 8:26 AM  
**To:** 'marcusd@csda.net' <marcusd@csda.net>  
**Cc:** Justus, Kerstin <KJustus@RIVCO.ORG>  
**Subject:** California Special Districts Association (CSDA) Comments Opposing Ordinance No. 943 (Marcus Detwiler) - Received After Hearing Closed 06-26-2018 Item 3.4

Good morning Mr. Detwiler,

The Clerk of the Board of Supervisors is in receipt of your email to Supervisor Jeffries regarding Ordinance No 943 - Establishing Regulations & Procedures for Net-Energy Metering by Irrigation Districts in Riverside County, and will keep it on file, although not include it in the official Board record for June 26, 2018, Item 3.4 (7432) due to being received after the meeting.

Sincerely,

*Sue Maxwell*

Board Assistant  
Clerk of the Board of Supervisors  
4080 Lemon Street, 1<sup>st</sup> Floor, Room 127  
Riverside, CA 92501  
(951) 955-1069 Fax (951) 955-1071  
Mail Stop #1010  
[smaxwell@rivco.org](mailto:smaxwell@rivco.org)



**IID - Top 10 Excuses for NO SOLAR**

Excuse #	Imperial Irrigation District Excuse:	The Truth Is:
1	"THOSE WHO CAN'T AFFORD SOLAR WILL HAVE TO SUBSIDIZE THE PROGRAM FOR THOSE WHO CAN AFFORD IT."	A 2017 DEPARTMENT OF ENERGY / LAWRENCE BERKELEY NATIONAL LABS STUDY DETERMINED THAT THE AVOIDED COSTS OF <u>NOT</u> HAVING TO BUILD NEW CENTRALIZED POWER PLANTS, AS WELL AS REQUIRING THE UTILITY TO SHIFT THEIR FOCUS FROM PROVIDING ENERGY TO MANAGING THE GRID, WHILE IMPLEMENTING EFFICIENCIES, WOULD ACTUALLY <u>LOWER</u> COSTS TO ALL RATEPAYERS.
2	"IID ELECTRIC PRICES ARE SO LOW AND SOLAR BRINGS NO ADDED BENEFIT TO HOMEOWNERS, NONPROFITS, BUSINESSES OR FARMERS."	OUR MEMBER INSTALLERS BUILD CLEAN, DEPENDABLE SOLAR AT .02 / KILOWATT HOUR LOWER THAN THE IID TODAY AND, IN FACT, IID'S ELECTRIC COST PER KILOWATT HOUR IS ON PAR WITH THE AVERAGE COST OF ELECTRICITY ACROSS THE COUNTRY AND NOTHING SPECIAL. SOLAR IS THE FIRST STEP TO BATTERY STORAGE MICROGRID COMBINATIONS WHICH GIVE AMERICANS THE ENERGY INDEPENDENCE THAT THEY ARE DEMANDING TODAY.
3	"WE'LL NEED TO DO A WHITE PAPER TO CONSIDER HOW TO RETURN TO THE PREVIOUS SOLAR PROGRAM."	THERE WAS NEVER A WHITE PAPER STUDY DONE WHEN IT WAS DECIDED TO REMOVE THE NET METERING PROGRAM, AND NO STUDIES WERE DONE DURING THE PAST YEAR TO CHALLENGE THE ORDINANCE WE ARE REQUESTING APPROVAL ON TODAY.
4	"A VIABLE SOLAR PROGRAM WILL ONLY INCREASE THE COST OF ELECTRICITY FOR ALL."	A SOLAR PROGRAM CAN BE CREATED TO PAY FOR ITSELF WITH REASONABLE FIXED MONTHLY CHARGES AND INITIAL CONNECTION FEES PAID BY SOLAR COMPANIES. IN ADDITION, THE NEW POWER IS BEING GENERATED AT NO COST TO IID - THE CONSUMERS ARE PAYING TO INSTALL SMALL POWER PLANTS ON THEIR ROOFS THAT WILL BENEFIT ALL CUSTOMERS ALONG THE GRID LINES.
5	"SOLAR COMPANIES JUST WANT TO SELL MORE SOLAR."	THERE IS REAL DEMAND FROM CUSTOMERS IN IID - CALLS AND REQUESTS COME FROM RESIDENTS, NON PROFITS, BUSINESSES, FARMERS - ALL FRUSTRATED BECAUSE THEY CAN'T PARTICIPATE IN THE NEW ENERGY ECONOMY AND SAVE MONEY BY GENERATING THEIR OWN POWER.



6	<p>"WE'VE INSTALLED LOTS OF SYSTEMS UNDER THE CURRENT SOLAR PROGRAM."</p>	<p>PERMIT DATA SHOWS YOU HAVE INSTALLED LESS THAN 100 SOLAR SYSTEMS SINCE YOU REMOVED THE VIABLE PROGRAM A COUPLE OF YEARS BACK – THAT PALES TO THE NEARLY 3,000 SYSTEMS THAT WERE INSTALLED IN THE YEAR LEADING UP TO YOUR UNILATERAL DECISION TO CANCEL THE NET METERING PROGRAM. WITH NO SOLAR BEING INSTALLED YOUR TERRITORY, ACCORDING TO THE DEPARTMENT OF LABOR HAS A TOTAL OF 69 SOLAR-RELATED JOBS VERSUS OVER 4,000 IN THE NEIGHBORING RIVERSIDE COUNTY TERRITORY WHERE SCE OPERATES AND OVER 8,000 SOLAR JOBS IN THE SAN DIEGO GAS AND ELECTRIC TERRITORY.</p>
7	<p>"ONLY THE RICH CAN AFFORD SOLAR SO MOST OF OUR CUSTOMERS WON'T TAKE ADVANTAGE OF GOING SOLAR."</p>	<p>OVER 50% OF SOLAR INSTALLED IN THE US ARE LEASED OR FINANCED AND SINCE IT ONLY REQUIRES A 650 CREDIT SCORE TO LEASE SOLAR WITH NO MONEY DOWN, OR TO BE CURRENT ON YOUR HOME PAYMENT WITH NO FICO SCORE REQUIRED TO FINANCE TO OWN, SOLAR AND SOLAR SAVINGS ARE WITHIN REACH OF EVERY HOMEOWNER.</p>
8	<p>"WE WILL HAVE TO INCREASE OUR ELECTRIC RATES."</p>	<p>WHEN THE MASSIVE AMOUNTS OF CAPITAL THAT IID HAS BORROWED NEEDS TO BE PAID BACK TO LENDERS, RATHER THAN JUST CONTINUING TO SERVICE THE INTEREST, IID WILL HAVE TO RAISE RATES ANYWAY. IT'S A HOUSE OF CARDS WAITING TO FALL, AND SOLAR WILL PROTECT RATEPAYERS FROM THOSE INCREASES.</p>
9	<p>"WATER CODE 22123, WHICH IS THE BASIS OF THE ORDINANCE, DOESN'T COVER UTILITY RATES."</p>	<p>WHEN GOVERNOR REAGAN SIGNED IT INTO LAW OVER 50 YEARS AGO HE ANTICIPATED SITUATIONS LIKE THIS, AND INCLUDED SPECIFIC LANGUAGE TO ADDRESS THE KINDS OF POLICIES YOU'RE TRYING TO CONTROL – AND RATES AND SOLAR PROGRAMS ARE POLICY.</p>
10	<p>"YOU CAN'T TELL US WHAT TO DO - WE'RE GOING TO SUE."</p>	<p>THEN BRING IT. THE WILL OF THE PEOPLE IS TO HAVE SOLAR AND WE WILL DEFEND THAT WILL.</p>
BONUS	<p>"WE ARE REPRESENTING THE WISHES OF OUR RATEPAYERS."</p>	<p>THAT WILL ONLY BE TRUE WHEN YOUR BOARD REPRESENTS ALL YOUR RATEPAYERS – CURRENTLY THERE IS NO REPRESENTATION IN RIVERSIDE COUNTY. IT'S TIME TO ALLOW ALL CUSTOMERS TO VOTE FOR BOARD MEMBERS IN IID TERRITORY.</p>

**Riverside County Board of Supervisors  
Request to Speak**

Submit request to Clerk of Board (right of podium),  
Speakers are entitled to three (3) minutes, subject  
Board Rules listed on the reverse side of this form.

**SPEAKER'S NAME:** Vincent Battaglia

**Address:** \_\_\_\_\_  
(only if follow-up mail response requested)

**City:** Palm Desert **Zip:** 92211

**Phone #:** 760-401-2345

**Date:** 6/26/2018 **Agenda #** 3.4

**PLEASE STATE YOUR POSITION BELOW:**

**Position on "Regular" (non-appealed) Agenda Item:**  
 **Support**       **Oppose**       **Neutral**

**Note:** If you are here for an agenda item that is filed  
for "Appeal", please state separately your position on  
the appeal below:

**Support**       **Oppose**       **Neutral**

**I give my 3 minutes to:** \_\_\_\_\_

24

## **BOARD RULES**

### **Requests to Address Board on "Agenda" Items:**

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

### **Requests to Address Board on items that are "NOT" on the Agenda:**

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. **YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.**

### **Power Point Presentations/Printed Material:**

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

### **Individual Speaker Limits:**

**Individual speakers are limited to a maximum of three (3) minutes.** Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. ***Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.***

### **Group/Organized Presentations:**

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

### **Addressing the Board & Acknowledgement by Chairman:**

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.



**Riverside County Board of Supervisors  
Request to Speak**

Submit request to Clerk of Board (right of podium),  
Speakers are entitled to three (3) minutes, subject  
Board Rules listed on the reverse side of this form.

**SPEAKER'S NAME:** Antonio Ortega

**Address:** \_\_\_\_\_  
(only if follow-up mail response requested)

**City:** Imperial **Zip:** 92251

**Phone #:** 760-339-9041

**Date:** 6/26 **Agenda #** 3.4

**PLEASE STATE YOUR POSITION BELOW:**

**Position on "Regular" (non-appealed) Agenda Item:**

**Support**       **Oppose**       **Neutral**

**Note:** If you are here for an agenda item that is filed  
for "Appeal", please state separately your position on  
the appeal below:

**Support**       **Oppose**       **Neutral**

**I give my 3 minutes to:** \_\_\_\_\_



## **BOARD RULES**

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### **Group/Organized Presentations:**

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### **Addressing the Board & Acknowledgement by Chairman:**

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**Riverside County Board of Supervisors  
Request to Speak**

Submit request to Clerk of Board (right of podium),  
Speakers are entitled to three (3) minutes, subject  
Board Rules listed on the reverse side of this form.

**SPEAKER'S NAME:** Bob Smith

**Address:** 74-830 Highway 111 So. 200  
(only if follow-up mail response requested)

**City:** Indian Wells **zip:** 92210

**Phone #:** 619 980 0626

**Date:** 6/26/18 **Agenda #** 3.4

**PLEASE STATE YOUR POSITION BELOW:**

**Position on "Regular" (non-appealed) Agenda Item:**

**Support**       **Oppose**       **Neutral**

**Note:** If you are here for an agenda item that is filed  
for "Appeal", please state separately your position on  
the appeal below:

**Support**       **Oppose**       **Neutral**

**I give my 3 minutes to:** \_\_\_\_\_



## **BOARD RULES**

### **Requests to Address Board on "Agenda" Items:**

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

### **Requests to Address Board on items that are "NOT" on the Agenda:**

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. **YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.**

### **Power Point Presentations/Printed Material:**

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

### **Individual Speaker Limits:**

**Individual speakers are limited to a maximum of three (3) minutes.** Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. ***Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.***

### **Group/Organized Presentations:**

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

### **Addressing the Board & Acknowledgement by Chairman:**

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.