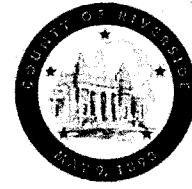


SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM  
3.10  
(ID # 10203)

**MEETING DATE:**

Tuesday, June 25, 2019

**FROM :** COUNTY COUNSEL:

**SUBJECT:** COUNTY COUNSEL: ADOPTION OF ORDINANCE NO. 943.1 REPEALING  
ORDINANCE NO. 943 ESTABLISHING REGULATIONS AND PROCEDURES  
FOR NET-ENERGY METERING BY IRRIGATION DISTRICTS (All Districts) [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Adopt Ordinance No. 943.1, an ordinance of the County of Riverside repealing Ordinance No. 943 establishing regulations and procedures for net-energy metering by irrigation districts.

**ACTION:**Policy

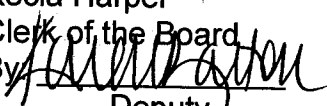
  
Gregory V. Priamos, Director County Counsel 6/13/2019

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Perez, seconded by Supervisor Hewitt and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and that Ordinance 943.1 is adopted with waiver of the reading.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None  
Date: June 25, 2019  
xc: Co.Co., MC, COB

Kecia Harper  
Clerk of the Board  
By   
Deputy

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS: N/A</b>			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	19/20

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

On July 17, 2018 (agenda item 3.4), the Board of Supervisors adopted Ordinance No. 943, an ordinance of the County of Riverside establishing regulations and procedures for Net-Energy Metering (NEM) by Irrigation Districts. The ordinance became effective on August 16, 2018. However, enforcement of the ordinance was stayed as a result of litigation filed by Imperial Irrigation District against the County in *Imperial Irrigation District vs. Riverside County Board of Supervisors, et al.*, Los Angeles Superior Court Case No. BS175175. After considered deliberation, it is recommended that the Board of Supervisors repeal Ordinance No. 943 in the best interest of the County. Ordinance No. 943.1 repealing Ordinance No. 943 was introduced by the Board on June 18, 2019 (agenda item 3.8). Action on today's agenda item will finalize the Board's adoption of the repeal. The repeal will be effective 30 days after adoption.

**Impact on Residents and Businesses**

Ordinance No. 943 was initially adopted in hopes of ensuring that all residents of the unincorporated areas of Riverside County had the same opportunities to participate in a NEM program. However, the ordinance has been tied up in litigation since adoption. It is in the best interests of the County to repeal the challenged ordinance at this time.

**ATTACHMENT:**

1. Ordinance No. 943.1

  
 Gregory V. Priaplos, Director County Counsel      6/13/2019

ORDINANCE NO. 943.1

AN ORDINANCE OF THE COUNTY OF RIVERSIDE  
REPEALING ORDINANCE NO. 943 ESTABLISHING  
REGULATIONS AND PROCEDURES FOR  
NET-ENERGY METERING BY IRRIGATION DISTRICTS

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. Ordinance No. 943 entitled "An Ordinance of the County of Riverside Establishing Regulations and Procedures for Net-Energy Metering by Irrigation Districts" is repealed in its entirety.

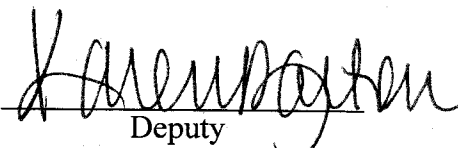
Section 2. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

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

By:   
Chairman


ATTEST:

CLERK OF THE BOARD:

By:   
Deputy

(SEAL)

APPROVED AS TO FORM  
June 11, 2019

By:   
TIFFANY N. NORTH  
Assistant County Counsel

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10  
11 STATE OF CALIFORNIA )

12 COUNTY OF RIVERSIDE )

ss

13  
14 I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county  
15 held on June 25, 2019, the foregoing ordinance consisting of 2 Sections was adopted by  
16 the following vote:

17 AYES: Jeffries, Spiegel, Washington, Perez and Hewitt

18 NAYS: None

19 ABSENT: None

20  
21 DATE: June 25, 2019

22 KECIA R. HARPER  
Clerk of the Board

23 BY:

24 Deputy

25 SEAL

26  
27 Item 3.10  
28



OFFICE OF  
CLERK OF THE BOARD OF SUPERVISORS  
1st FLOOR, COUNTY ADMINISTRATIVE CENTER  
P.O. BOX 1147, 4080 LEMON STREET  
RIVERSIDE, CA 92502-1147  
PHONE: (951) 955-1060  
FAX: (951) 955-1071

KECIA R. HARPER  
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR  
Assistant Clerk of the Board

June 26, 2019

THE PRESS ENTERPRISE  
ATTN: LEGALS  
P.O. BOX 792  
RIVERSIDE, CA 92501

TEL: (951) 368-9225  
E-MAIL: [legals@pe.com](mailto:legals@pe.com)

RE: ADOPTION OF ORDINANCE NO. 943.1

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Tuesday, July 2, 2019.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **WITH TWO CLIPPINGS OF THE PUBLICATION.**

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

*Karen Barton*

Board Assistant to:  
KECIA R. HARPER, CLERK OF THE BOARD

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

ORDINANCE NO. 943.1

AN ORDINANCE OF THE COUNTY OF RIVERSIDE  
REPEALING ORDINANCE NO. 943 ESTABLISHING  
REGULATIONS AND PROCEDURES FOR  
NET-ENERGY METERING BY IRRIGATION DISTRICTS

The Board of Supervisors of the County of Riverside ordains as follows:

**Section 1.** Ordinance No. 943 entitled "An Ordinance of the County of Riverside Establishing Regulations and Procedures for Net-Energy Metering by Irrigation Districts" is repealed in its entirety.

**Section 2.** EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

Kevin Jeffries, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **June 25, 2019**, the foregoing Ordinance consisting of two (2) sections was adopted by said Board by the following vote:

AYES: Jeffries, Spiegel, Washington, Perez and Hewitt  
NAYS: None  
ABSENT: None

Kecia R. Harper, Clerk of the Board  
By: Karen Barton, Board Assistant

# THE PRESS-ENTERPRISE

DATE	ORDER NUMBER	PO Number	PRODUCT	SIZE	Amount
7/2/19	0011287483		PE Riverside	4 x 34 Li	176.80

Invoice text: Adoption of Ord. No. 943.1

Co. Co.

6/25/19 3.10

Placed by: Karen Lynn Barton

## Legal Advertising Memo Invoice

**BALANCE DUE**

176.80

SALES/CONTACT INFORMATION		ADVERTISER INFORMATION		
Nick Eller	BILLING DATE	BILLED ACCOUNT NUMBER	ADVERTISER/CLIENT NUMBER	ADVERTISER/CLIENT NAME
951-368-9229	07/02/2019	5209148	5209148	BOARD OF SUPERVISORS



**THE PRESS-ENTERPRISE**

Legal Advertising Memo Invoice

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR REMITTANCE

ADVERTISER/CLIENT NAME		
BOARD OF SUPERVISORS		
BILLING DATE	BILLED ACCOUNT NUMBER	ADVERTISER/CLIENT NUMBER
07/02/2019	5209148	5209148
BALANCE DUE	ORDER NUMBER	TERMS OF PAYMENT
176.80	0011287483	DUE UPON RECEIPT

BILLING ACCOUNT NAME AND ADDRESS

REMITTANCE ADDRESS

BOARD OF SUPERVISORS  
 COUNTY OF RIVERSIDE  
 'PO BOX 1147'  
 RIVERSIDE, CA 92502

CALIFORNIA NEWSPAPER PARTNERSHIP  
 dba The Press-Enterprise  
 PO Box 65210  
 Colorado Springs, CO 80962-5210

# THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100  
Riverside, CA 92507  
951-684-1200  
951-368-9018 FAX

## PROOF OF PUBLICATION (2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

### PROOF OF PUBLICATION OF

Ad Desc.: Adoption of Ord. No. 943.1 /

I am a citizen of the United States. I am over the age of eighteen years and not a party to, or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

07/02/2019

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: July 02, 2019  
At: Riverside, California

  
Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE  
PO BOX 1147  
RIVERSIDE, CA 92502

Ad Number: 0011287483-01

P.O. Number:

### Ad Copy:

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

ORDINANCE NO. 943.1

### AN ORDINANCE OF THE COUNTY OF RIVERSIDE REPEALING ORDINANCE NO. 943 ESTABLISHING REGULATIONS AND PROCEDURES FOR NET-ENERGY METERING BY IRRIGATION DISTRICTS

The Board of Supervisors of the County of Riverside ordains as follows:

**Section 1.** Ordinance No. 943 entitled "An Ordinance of the County of Riverside Establishing Regulations and Procedures for Net-Energy Metering by Irrigation Districts" is repealed in its entirety.

**Section 2.** EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

Kevin Jeffries, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on June 25, 2019, the foregoing Ordinance consisting of two (2) sections was adopted by said Board by the following vote:

AYES: Jeffries, Spiegel, Washington, Perez and Hewitt  
NAYS: None  
ABSENT: None

Kecia R. Harper, Clerk of the Board  
By: Karen Barton, Board Assistant

7/02