



**California**  
**DRIP Collaborative**

**Workgroup Overview**

Drought Resilience Interagency & Partners (DRIP) Collaborative

Tuesday June 4th, 2024

3:00-4:00pm PT

Remote Participation (via Zoom) or  
CNRA 715 P St, Sacramento, Room 08-223

# Meeting Information

1. This meeting is being live streamed and recorded.
2. Members of the public are welcome to listen. A public comment session is included later in the meeting.
3. Workgroup members must keep their cameras on during the meeting. You must notify the group if you turn off your camera and state why
4. Please practice electronics courtesy and mute when not speaking.
5. All viewpoints are welcome; we look forward to engaging, innovative, thoughtful, and respectful discussions!

# Meeting Objectives

**Objective #1:** Provide an overview of the Bagley-Keene Open Meeting Act (BKA) with specific guidance to address BKA compliance for the DRIP Collaborative workgroup meetings.

**Objective #2:** Outline the responsibilities and expectations for DRIP Collaborative workgroups in their refinement of recommendations

**Objective #3:** Invite comments and questions from DRIP members and the public

Erick Soderlund, CA Department of Water Resources

# INFORMATIONAL ITEM

## BAGLEY-KEENE OPEN MEETING ACT ORIENTATION

# Overview

- This general overview will provide an introduction on compliance with the Bagley-Keene Open Meeting Act (Government Code section 11120 et seq.).
  - Policy & Applicability
  - Meetings
  - Notice and Agenda Requirements
  - Public Participation
  - Voting
  - Violations and Remedies

# Policy

“It is the public policy of this state that public agencies exist to aid in the conduct of the people’s business and the proceedings of public agencies be conducted openly so that the public may remain informed.”

- Govt. Code section 11120

# Policy

## General Rule:

"All meetings of a state body shall be open and public and all persons shall be permitted to attend any meeting of a state body except as otherwise provided in this article."

- Govt. Code section 11123(a)

# Applicability – Is this a “State Body?”

- “State Bodies” include:
  - “Every state board, commission, or similar multimember body of the state that is created by statute or required by law to conduct official meetings and every commission created by executive order.”
    - Govt. Code section 11121(a)
- DRIP Collaborative
  - Is a multimember body
  - Created by statute (Water Code section 10609.80(b)(1))
  - The Act also governs any advisory body composed of three or more members that a state body creates. Govt. Code section 11121(c).



# Applicability – What is a “Meeting”

- A meeting occurs when (1) a majority of a state body (2) gathers to hear, discuss or deliberate on (3) an item under its subject matter jurisdiction. Govt. Code section 11122.5(a).
- Not limited to “meetings” where a final decision is made
  - “Hear”
  - “Discuss”
  - “Deliberate”
- Not limited to formally noticed meetings . . .

# Serial Meetings

- “Any use of direct communication, personal intermediaries, or technological devices that is employed by a majority of the members of the state body to develop a collective concurrence as to action to be taken on an item by the members of the state body is prohibited.” (Gov. Code section 11122.5(b))
- Common Types of Serial Meetings:
  - Daisy Chain
  - Hub and Spoke
  - Email

# These are NOT Meetings

- Individual Contacts - But beware of a serial meeting!
- Social or Ceremonial Occasions
  - No “shop talk”
- Conferences and Retreats
  - So long as they are open to the public and involve subject matter of general interest to the public
- Meetings of Another State or Legislative Body
  - The meeting must be open to the public and properly noticed

# Teleconference / Virtual Meetings

- For advisory bodies, remote participation is allowed.
- A physical location must be designated on the agenda and at least one staff member present.
- Must provide 24-hour notice of members participating remotely and the public must be provided the same remote access.
- The state body members must visibly appear on camera at the meeting.

# Public Notice and Agenda Requirements

- Notice of Meeting
  - Posted online at least 10 days in advance
  - Must be provided to individuals who request notice in writing
  - Must include date, time and location of meeting and name, address and telephone number of contact person for more information
- Agenda
  - Brief description of items to be discussed at the meeting in either open or closed session
  - Each item must be sufficiently described to allow public to determine whether to attend the meeting - brief descriptions are sufficient

# Public Participation

- Public access required at all locations
- Opportunity to address the state body on each agenda item before or during discussion of the item and on matter not on the agenda but within the subject matter of the state body

# Voting

- Voting will be conducted by roll call

# Violations and Remedies

- Lawsuits
- Depending on the circumstances, the decision of the state body may be overturned
  - But: the state body is afforded the opportunity to cure and correct violations
- Injunctions (court orders) against future violations – don't do that again
- Criminal misdemeanor penalties – if a member violates the Act with the intent to deprive the public of information that he or she knows, or has reason to know, the public is entitled to receive.



# Violations and Remedies

- The Court of Public Opinion – the public's perception about how our business is conducted is in many ways more important to the reputation of this body.

# In Summary . . .

- Complicated details, but simple General Rule:
  - Do the public's business in public,
  - Give the public notice and an opportunity to participate
- If in doubt, reach out to DWR staff and we can help provide direction
- Thank you!

# EXPECTATIONS FOR WORKGROUPS

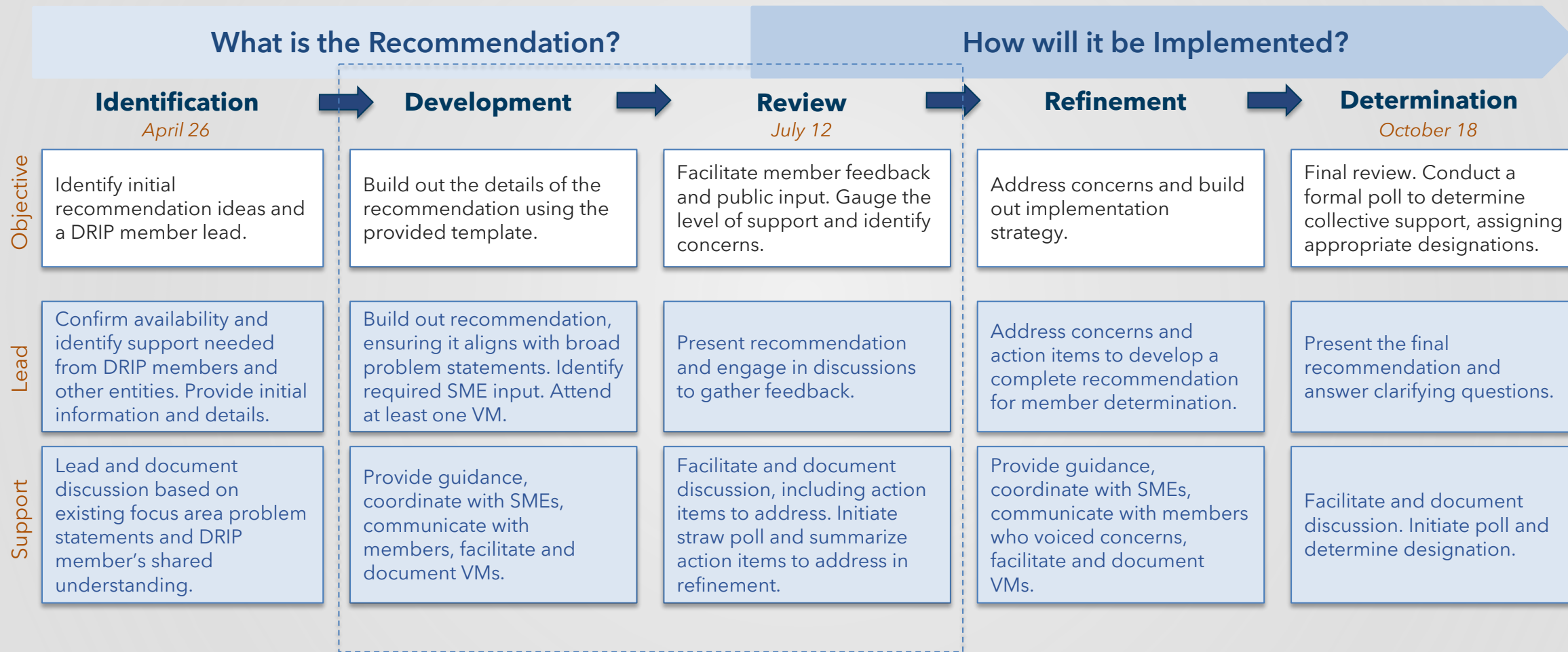
BUILDING OUT RECOMMENDATIONS FOR JULY 12

# DRIP Workgroup Expectations

- 1. Purpose.** The workgroups exist for the sole reason to prepare the Part I and Part II templates for each recommendation.
- 2. Effort Required.** The level of effort will likely vary for each Focus Area. Ultimately, DRIP members decide how much time is needed for each workgroup.
  - Although this process is new, it is believed that the biggest driver will be depth of details for each recommendation.
  - It will be a gut call on what details are sufficient to get a recommendation approved (in the Oct meeting).
  - The time needed for each workgroup member will likely be measured in hours (not in days) and mainly consistent of public workgroup calls among DRIP members and respective subject matter experts (SMEs).
- 3. Participation Commitment.** Please continue participating in the workgroup until at least July, given we need a quorum at any workgroup meeting. At public DRIP meetings in July or Oct, members can leave or join a workgroup as they like.
- 4. Non-Workgroup Input.** All DRIP members will be able to review each recommendation again in July and October.
- 5. Assistance.** Workgroups will be aided by the DRIP support team, who will help handle logistics and coordination. We will also help synthesize discussions (from June 12/14/17), as requested by DRIP members

# Recommendation Process

## Timeline



**Workgroup meetings on June 12/14/17. Other work before the July 12 group meeting**

# Recommendation Process

## Template

What is the Recommendation?

### Part I: Overview

- Title
- Description
- Impacts
- Implementing Parties & Partners
- Alignment with Other Initiatives

**Part I for each recommendation will be reviewed on July 12. Written comments will also ask for member input for Part II**

How will it be Implemented?

### Part II: Implementation

- Implementation Process & Measuring Success
- Implementation Challenges
- Funding
- Equity & Outreach

**Part II for each recommendation will be reviewed on October 18.**

# DRIP Workgroup Agenda

Agenda for June 12 (identical for June 14 and 17)

Wed June 12<sup>th</sup>, 1 - 2:30pm PT

## Drought Preparedness for Domestic Wells

- SB 552 Language update (1:10pm PT)
- Community Based Well Monitoring Program (1:30pm PT)
- Roles and Responsibilities (1:50pm PT)

### Meeting Agenda

Meeting Purpose: Further refine recommendations using a DRIP Recommendation Template.

Desired meeting outcome: Complete draft Template Part I for DRIP input at the July meeting.

#### 1:00pm Welcome and Process Review

*DRIP Collaborative members will review the process and template to be used for refining a set of three recommendations related to the Drought Preparedness Domestic Wells Focus Area. Each recommendation discussion will include:*

- Validate title and recommendation description
- Identify anticipated impacts
- Consider related implementing parties & partners
- Describe potential alignment with other initiatives
- Identify of SME for additional input

- Discuss each of the 3 recommendations (20 minutes each)

#### 2:10pm Reflections and Next Steps

*DRIP Collaborative members will discuss next steps to further develop the recommendations and to present at the July DRIP Collaborative meeting.*

- Identify opportunities to leverage connections among the recommendations
- Resources needed to further develop the recommendations. (part II discussion will focus on implementation issues – what do we need to know to address this)
- Approach to presenting to DRIP at the July meeting – remaining questions.

#### 2:20pm Public Comment

#### 2:30pm Adjourn

# Workgroup Timeline

## Practical tips for ensuring a clear and efficient process

### During June 12/14/17

- Be focused. The 20 minutes for each rec will go by quickly
- Use the April 26<sup>th</sup> written feedback and pre-populate your Part I template. Have it ready for sharing on June 12/14/17
- If you would like to invite a subject matter expert (SME) to June 12/14/17, please do so immediately
- If you have thoughts on how recs relate to each other, please share during the “reflections” portion of the workgroup meeting

### Before June 26

- Workgroup should coordinate (consistent with BKA) to complete the Part I template
- Any other content you would like input on for July 12 (i.e., specific rec details beyond the template), please prepare that
- Further engage with subject matter experts (SMEs) as needed
- Send your completed Part I template to the DRIP Support Team by Wed June 26
- Support Team will review and ensure ready for sharing

### During July 12

- On Mon July 1 the Part I templates for all 8 recs will be sent as a Pre-Read to the DRIP Collaborative
- During July 12, each rec will be discussed. First, it will be reactions to Part I. Second, as time permits, rec leads can ask for input on Part II template questions and other rec details



# PUBLIC COMMENT

# Public Comment

## Participants:

- a) Raise your hand with the "Raise Hand" feature in Zoom and you will be asked to unmute and speak.
- b) Send a Zoom chat to the webinar manager if you need technical assistance.
- c) If you are dialing in by phone, dial \*9 to raise your hand and dial \*6 when it you are called on to speak.

# Closing Comments



**California**  
**DRIP Collaborative**

**Adjourn**

**Thank you!**