

Meeting Date: 9/23/2014

Report Type: Consent

Report ID: 2014-00649

Title: Ordinance Amending Sections 13.02.050 and 13.02.060 of the Sacramento City Code, Relating to the Membership Composition of the Utilities Rate Advisory Commission (Passed for Publication 09/16/14; Published 09/19/2014)

Location: Citywide

Recommendation: Pass an Ordinance amending sections 13.02.050 and 13.02.060 of the Sacramento City Code, relating to the membership composition of the Utilities Rate Advisory Commission.

Contact: Jamille Moens, Business Services Manager, (916) 808-5988, Department of Utilities; Steve Harriman, Integrated Waste Manager, (916) 808-4949, Department of General Services

Presenter: None

Department: Department Of Utilities

Division: Integrated Planning & Asst Man

Dept ID: 14001641

Attachments:

- 1-Description/Analysis
- 2-Ordinance Amending 13.02.05, etc. (Redline)
- 3-Ordinance Amending 13.02.050, etc. (Clean)

City Attorney Review

Approved as to Form
Joe Robinson
9/5/2014 5:07:29 PM

Approvals/Acknowledgements

Department Director or Designee: Dave Brent - 8/29/2014 3:28:47 PM

Description/Analysis

Issue: A review of City Code governing the Utilities Rate Advisory Commission (Commission) membership identified a need to revise the City Code to modify the Commission's membership requirements to better reflect the current customer base for City utility services.

Policy Considerations: Staff from the Departments of Utilities and General Services have identified revisions to the Commission's membership requirements that are recommended for the composition of the Commission to better reflect the current customer base for City utility services, which is predominantly single-family residential. The proposed Ordinance updates City Code sections 13.02.050 and 13.02.060 governing Commission membership.

Existing code requires that three out of the seven Commission members represent multiple-family residential, commercial, and industrial customers. The proposed amendments would require that only one member of the commission be from one of these categories and adds a provision for a member to hold office until his or her successor has been appointed.

Economic Impacts: None

Environmental Considerations: The Community Development Department, Environmental Planning Services Manager has determined that the proposed revision of City Code provisions governing the Utilities Rate Advisory Commission membership does not constitute a "project" under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(2)). The project is an administrative activity.

Sustainability: Not applicable.

Commission/Committee Action: None. The City Manager authorized presentation of the proposed ordinance to City Council without Law and Legislation Committee review as an urgent matter (under Council Rule of Procedure 13.B.1.b(i)), so that changes to the membership criteria, if adopted by the City Council, can take effect before any additional appointments are made to the Commission, which currently has one empty seat.

Rationale for Recommendation: The City of Sacramento provided water, wastewater, storm drainage, and solid waste services to residential, multi-family, and commercial customers until 2012 when the City discontinued commercial garbage and recyclable collection services. While the City still provides water, wastewater, and storm drainage services to all utility customers, only residential, multi-family and mixed use properties

receive garbage and recyclable collection services. Since the entire customer base for garbage and recyclable collection and the overwhelming majority of water, wastewater, and storm drainage customers are residential (and predominantly single-family residential), the configuration of the Commission's representation should reflect this. The proposed amendments are intended to better align Commission membership with the majority of the current City utility service customer base.

Financial Considerations: The proposed City Code revisions are administrative in nature and any costs associated with implementing the changes will be absorbed in the Departments of Utilities and General Services existing budgets.

Local Business Enterprise (LBE): No goods or services are being purchased under this report.

ORDINANCE NO.

Adopted by the Sacramento City Council

Date Adopted

AN ORDINANCE AMENDING SECTIONS 13.02.050 AND 13.02.060 OF THE SACRAMENTO CITY CODE, RELATING TO THE UTILITIES RATE ADVISORY COMMISSION

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Section 13.02.050 of the Sacramento City Code is amended to read as follows:

13.02.050 Commission membership.

The commission shall be comprised of seven members, appointed by the mayor subject to the concurrence of a majority of the city council, and subject to the following requirements:

- A. All members shall be city residents who receive a city utility service ~~from the department.~~
- B. Five members shall possess expertise or have demonstrated leadership in one or more of the following areas: accounting, auditing, construction management, engineering, finance, law, sewage collection and treatment, solid waste collection and disposal, stormwater collection and conveyance, water quality or water supply and distribution.
- C. Two members shall not be required to meet the qualifications specified in subsection B of this section.
- D. A current city employee or elected city official may not serve as a member of the commission.
- E. ~~The membership of the commission shall include representation of each~~ At least one member shall be from one of the following customer categories: (1) ~~single-family residential;~~ (2) ~~multiple-family residential;~~ ~~(23)~~ commercial; ~~and or~~ (34) industrial.

SECTION 2.

- A. Subsection A of Section 13.02.060 of the Sacramento City Code is amended to read as follows:

- A. Except as otherwise provided in this section, members shall serve a term of two years. No member shall serve for more than three consecutive terms. A member shall hold office until his or her successor has been appointed. The provisions of Section 2.40.120(A) of this code shall not apply to members of the commission.

- B. Except as amended in subsection A above, section 13.02.060 of the Sacramento City Code remains unchanged and in full force and effect.

Adopted by the City of Sacramento City Council on _____ by the following vote:

Ayes:

Noes:

Abstain:

Absent:

MAYOR

Attest:

City Clerk

Passed for Publication:

Published:

Effective:

ORDINANCE NO.

Adopted by the Sacramento City Council

Date Adopted

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AND 13.02.060 OF THE SACRAMENTO CITY CODE,
RELATING TO THE UTILITIES RATE ADVISORY COMMISSION**

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SECTION 1.

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13.02.050 Commission membership.

The commission shall be comprised of seven members, appointed by the mayor subject to the concurrence of a majority of the city council, and subject to the following requirements:

- A. All members shall be city residents who receive a city utility service.
- B. Five members shall possess expertise or have demonstrated leadership in one or more of the following areas: accounting, auditing, construction management, engineering, finance, law, sewage collection and treatment, solid waste collection and disposal, stormwater collection and conveyance, water quality or water supply and distribution.
- C. Two members shall not be required to meet the qualifications specified in subsection B of this section.
- D. A current city employee or elected city official may not serve as a member of the commission.
- E. At least one member shall be from one of the following customer categories: (1) multiple-family residential; (2) commercial; or (3) industrial.

SECTION 2.

A. Subsection A of Section 13.02.060 of the Sacramento City Code is amended to read as follows:

A. Except as otherwise provided in this section, members shall serve a term of two years. No member shall serve for more than three consecutive terms. A member shall hold office until his or her successor has been appointed. The provisions of Section 2.40.120(A) of this code shall not apply to members of the commission.

B. Except as amended in subsection A above, section 13.02.060 of the Sacramento City Code remains unchanged and in full force and effect.

Adopted by the City of Sacramento City Council on _____ by the following vote:

Ayes:

Noes:

Abstain:

Absent:

MAYOR

Attest:

City Clerk

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