

Meeting Date: 11/18/2014

Report Type: Consent

Report ID: 2014-00867

Title: (Pass for Publication) Ordinance Amending Section 13.02.050 of the Sacramento City Code, Relating to the Utilities Rate Advisory Commission

Location: Citywide

Recommendation: 1) Review an Ordinance amending section 13.02.050 of the Sacramento City Code, relating to the Utilities Rate Advisory Commission; and 2) pass for publication the Ordinance title as required by Sacramento City Charter 32(c) to be considered on November 25, 2014.

Contact: Shirley Concolino, City Clerk (916) 808-5442; Wendy Klock-Johnson, Assistant City Clerk, (916) 808-7509, Office of the City Clerk

Presenter: None.

Department: City Clerk

Division: City Clerk

Dept ID: 04001011

Attachments:

- 1-Description/Analysis
- 2-Background
- 3-Ordinance (Clean)
- 4-Ordinance (Redline)

City Attorney Review

Approved as to Form
Joe Robinson
11/12/2014 4:59:10 PM

Approvals/Acknowledgements

Department Director or Designee: Wendy Klock-Johnson - 11/12/2014 1:03:46 PM

Description/Analysis

Issue Detail: A review of all city codes governing the City's boards and commissions identified a need to revise the City Code to modify the Utility Rate Advisory Commission's (Commission) membership requirements to reflect the current customer base for City utility services.

Policy Considerations: Staff from the Office of the City Clerk, the Department of Utilities, and General Services Department have identified revisions to the Commission's membership requirements that are recommended for the composition of the Commission to reflect the current customer base for City utility services. A summary of the ordinance provisions is provided in the Background section of this report.

Economic Impacts: None.

Environmental Considerations: Ongoing administrative activities, including general policy and procedure making such as adoption of the proposed ordinance, do not constitute a "project" under the California Environmental Quality Act (CEQA), and are exempt from CEQA review (see CEQA Guidelines Sections 15378(b)(2)).

Sustainability: Not applicable.

Commission/Committee Action: This item was heard before the Law and Legislation Committee on 11/6/2014 and was unanimously supported.

Rationale for Recommendation: When the Commission was established by ordinance, the City of Sacramento provided water, wastewater, storm drainage, and solid waste services to residential, multi-family, and commercial customers. In 2012 the City discontinued commercial garbage, recycle, and yard waste collection services. While the City still provides water, wastewater, and storm drainage services to all utility customers, the Utilities Department does not specifically identify an industrial customer type. The Utilities Department does not distinguish industrial customers from the more general customer category of commercial. The revision of the code is being requested to update the membership criteria to match the existing utility customer base.

Financial Considerations: It is anticipated that these revisions will have no impacts on revenue and expenses for the Department.

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

Background

The proposed Ordinance updates City Code section of 13.02.050 governing the Utilities Rate Advisory Commission (Commission) membership. These changes are described below.

Revisions to Section 13.02.050

- Existing code requires membership of the Commission to include representation of each of the following four customer categories: single-family residential, multiple-family residential, commercial, and industrial. This ordinance amends the membership criteria to require at least one member to be from each of the following three customer categories: single family residential, multiple-family residential, and commercial (business) use.
- The membership criteria also are reformatted to define the membership criteria by reference to each seat on the Commission, to improve administration of the membership process.

ORDINANCE NO.

Adopted by the Sacramento City Council

Date Adopted

AN ORDINANCE AMENDING SECTION 13.02.050 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.

- A. The commission consists of seven members, nominated by the personnel and public employees committee, appointed by the mayor with the concurrence of a majority of the city council, and meeting the following criteria:
1. Seat 1: A member who is a city resident; resides in, owns, or manages a multi-family residence that receives utility service; and possesses expertise or has 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, recycling, storm water collection and conveyance, water quality, or water supply and distribution.
 2. Seat 2: A member who is a city resident; resides in or owns a single family residence that receives utility service; and possesses expertise or has 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, recycling, storm water collection and conveyance, water quality, or water supply and distribution.
 3. Seat 3: A member who is a city resident; owns, is a principle of, or is employed in a full-time management position for, a business that receives utility service; and possesses expertise or has 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, recycling, storm water collection and conveyance, water quality, or water supply and distribution.

- 4. Seat 4: A member who is a city resident and possesses expertise or has 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, recycling, storm water collection and conveyance, water quality, or water supply and distribution.
 - 5. Seat 5: A member who is a city resident and possesses expertise or has 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, recycling, storm water collection and conveyance, water quality, or water supply and distribution.
 - 6. Seat 6: A member who is a city resident and receives utility service.
 - 7. Seat 7: A member who is a city resident and receives utility service.
- B. A current city employee or elected city official may not serve as a member of the commission.

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

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13.02.050 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.

A. The commission ~~shall be comprised~~ consists of seven members, nominated by the personnel and public employees committee, appointed by the mayor ~~with subject to~~ the concurrence of a majority of the city council, and meeting subject to the following criteria requirements:

1. Seat 1: A member who is a city resident; resides in, owns, or manages a multi-family residence that receives utility service; and possesses expertise or has 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, recycling, storm water collection and conveyance, water quality, or water supply and distribution.
2. Seat 2: A member who is a city resident; resides in or owns a single family residence that receives utility service; and possesses expertise or has 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, recycling, storm water collection and conveyance, water quality, or water supply and distribution.
3. Seat 3: A member who is a city resident; owns, is a principle of, or is employed in a full-time management position for, a business that receives utility service; and possesses expertise or has 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, recycling, storm water collection and conveyance, water quality, or water supply and distribution.

4. Seat 4: A member who is a city resident and possesses expertise or has 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, recycling, storm water collection and conveyance, water quality, or water supply and distribution.

5. Seat 5: A member who is a city resident and possesses expertise or has 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, recycling, storm water collection and conveyance, water quality, or water supply and distribution.

6. Seat 6: A member who is a city resident and receives utility service.

7. Seat 7: A member who is a city resident and receives utility service.

~~A. All members shall be city residents who receive 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 of the following customer categories: (1) single-family residential; (2) multiple-family residential; (3) commercial; and (4) industrial.~~

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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