

Ordinance No. 123032

Council Bill No. 116573

AN ORDINANCE relating to the City Light Department, repealing Ordinance 122335, and establishing a Rates Advisory Committee and defining its role and composition.

Related Legislation File:

Date Introduced and Referred:	To: (committee):
<u>6-29-09</u>	<u>Energy and Technology</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action:	Date Presented to Mayor:
<u>7-6-09</u>	<u>7-6-09</u>
Date Signed by Mayor:	Date Returned to City Clerk:
<u>7.14.09</u>	<u>7.14.09</u>
Published by Title Only <u>✓</u>	Date Vetoed by Mayor:
Published in Full Text <u>4</u>	
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

The City of Seattle – Legislative Department

Council Bill/Ordinance sponsored by: Bruce A. Hunsell

Committee Action:

Date	Recommendation	Vote
<u>7/1/09</u>	<u>BH, RC</u>	<u>Aye</u>
		<u>Pass as amended</u>
		<u>(21)</u>

This file is complete and ready for presentation to Full Council. 5

Full Council Action:

Date	Decision	Vote
<u>7-6-09</u>	<u>Passed</u>	<u>9-0</u>

LAW DEPARTMENT

ORDINANCE 123032

AN ORDINANCE relating to the City Light Department, repealing Ordinance 122335, and establishing a Rates Advisory Committee and defining its role and composition.

WHEREAS, recommendations of Rates Advisory Committees established under previous City Council Resolutions have provided valuable policy direction for the City of Seattle; and

WHEREAS, the Mayor and the City Council are committed to ensuring that electric ratepayers have multiple opportunities to participate in each review of City Light Department rates;  
NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. Repeal. Ordinance 122335 is repealed and the Rates Advisory Committee established by that Ordinance and any currently active appointments are terminated.

Section 2. Establishment. An ad hoc City Light Department (Department) Rates Advisory Committee (RAC) is established that will be convened each time the Mayor proposes changes to the Department's base rates, unless that change is the result of an automatic pass through provided for in Section 21.49 of the Seattle Municipal Code.

The RAC shall consist of nine members drawn from among the Department's customers, five of whom shall be nominated by the Mayor and four by the chair of the City Council Committee responsible for oversight of the Department (Chair), all of whom shall be confirmed by the City Council.



1 The Chair shall nominate at least one member from each of the residential and small  
2 commercial customer groups. The Mayor shall nominate at least one member each from the  
3 large commercial or industrial, network, and suburban customer groups.

4 The Mayor, in anticipation of proposing rates, will initiate the process of convening a  
5 RAC timely enough to allow confirmation of a RAC by the City Council at least 180 days prior  
6 to the formal action by the City Council on the rates. The appointments shall end upon adoption  
7 of rates by the City Council.  
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9 Members will serve without pay, but may be reimbursed for legitimate expenses incurred  
10 to attend meetings. Members may be dismissed by the Chair, after consultation with the other  
11 members of the responsible Council Committee, for three consecutive unexcused absences or for  
12 other cause.  
13

14 Upon the resignation, dismissal, or incapacity of a RAC member, the nominating  
15 authority may appoint a replacement to serve the remainder of the member's term.

16 Section 3. Organization. The RAC may adopt rules for its own procedures, including  
17 quorum requirements and the frequency of meetings. The RAC shall select a member to act as  
18 the principle liaison with the Mayor and the City Council. Meetings of the RAC will be open to  
19 the public, unless, had the RAC been subject to Chapter 42.30 Revised Code of Washington, that  
20 law would not have required that the meeting or portion thereof be open to the public.  
21

22 The Department shall provide staffing and logistical support to the RAC for the duration  
23 of its tenure, and shall within reason make available to it all information deemed by a majority of  
24 the RAC to be necessary for its deliberations.  
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1           Section 4. Mission. The RAC shall provide advice to the Mayor and the City Council  
2 solely on issues relating to the adequacy and appropriateness of the Department's revenue  
3 requirements and rate design proposals, and other rate-related issues identified by the Mayor or  
4 the City Council during the RAC's tenure.


5           Section 5. Reporting. The RAC shall keep a written record of its proceedings which  
6 shall be a public record. The RAC shall report its findings and recommendations in writing to  
7 the Mayor and the Council at least two weeks prior to action on the rate legislation by the  
8 responsible Council Committee. The RAC shall endeavor to find consensus, but significant  
9 disagreements on findings or recommendations should be noted in its written report.  
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11           Section 6. Ratification. Any act consistent with the authority of this ordinance and taken  
12 after its passage but prior to its effective date is ratified and confirmed.  
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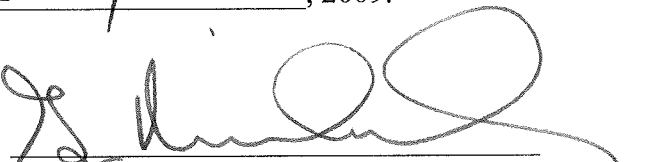


Section 7. Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

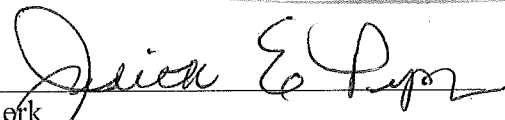
Passed by the City Council the 6<sup>th</sup> day of July, 2009, and signed by me in open session in authentication of its passage this 6<sup>th</sup> day of July, 2009.

  
President \_\_\_\_\_ of the City Council

Approved by me this 14<sup>th</sup> day of July, 2009.

  
Gregory J. Nickels, Mayor

Filed by me this 14<sup>th</sup> day of July, 2009.

  
City Clerk

(Seal)



### **FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>DOF Analyst/Phone:</b>
Legislative	Tony Kilduff / 684-3580	Karl Stickel / 684-8085

**Legislation Title:** AN ORDINANCE relating to the City Light Department, repealing Ordinance 122335, and establishing a Rates Advisory Committee, and defining its role and composition.

- **Summary of the Legislation:** This legislation repeals Ordinance 122335 previously establishing a Rates Advisory Committee and establishes a new one.
- **Background:** This legislation codifies a long tradition of public engagement on rate setting.

**X** **This legislation does not have any financial implications.** City Light will realize some small costs—parking, photocopying, refreshments etc., related to committee meetings—associated with this legislation, but has agreed to absorb these within its existing appropriation authority.

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**STATE OF WASHINGTON – KING COUNTY**

--SS.

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242295  
CITY OF SEATTLE, CLERKS OFFICE

No.

**Affidavit of Publication**

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

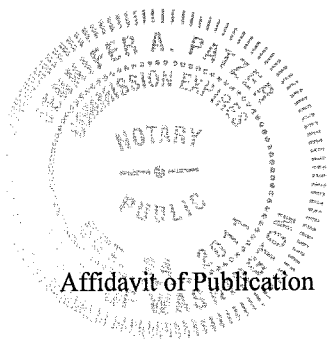
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:123031-123033 TITLE

was published on

07/24/09


The amount of the fee charged for the foregoing publication is the sum of \$ 49.53, which amount has been paid in full.



Affidavit of Publication

  
Subscribed and sworn to before me on

07/24/09

  
Notary public for the State of Washington,  
residing in Seattle

## State of Washington, King County

### City of Seattle

#### TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on July 6, 2009, and published here by title only, will be mailed upon request, or can be accessed at <http://clerk.ci.seattle.wa.us>. For further

information, contact the Seattle City Clerk at 684-8344.

#### ORDINANCE NO. 123033

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

#### ORDINANCE NO. 123032

AN ORDINANCE relating to the City Light Department, repealing Ordinance 122336, and establishing a Rates Advisory Committee and defining its role and composition.

#### ORDINANCE NO. 123031

AN ORDINANCE related to the City's computer software; removing a budget proviso that restricts an appropriation in the 2009 Adopted Budget of the Department of Information Technology (DoIT); authorizing expenditure of the appropriation for software licenses and related expenses for an e-mail archiving system; and establishing principles for system operations.

Publication ordered by JUDITH PIPPIN,  
City Clerk

Date of publication in the Seattle Daily  
Journal of Commerce, July 24, 2009.

7/24(242295)

**ORDINANCE \_\_\_\_\_**

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3 within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section  
4 1.04.020.

5  
6 Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2009, and  
7 signed by me in open session in authentication of its passage this  
8 \_\_\_\_ day of \_\_\_\_\_, 2009.

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13 President \_\_\_\_\_ of the City Council

14 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2009.

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16 \_\_\_\_\_  
17 Gregory J. Nickels, Mayor

18 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2009.

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21 \_\_\_\_\_  
22 City Clerk

23 (Seal)

