

**ORDINANCE 2024-0037**

Adopted by the Sacramento City Council

September 24, 2024

**An Ordinance Adding Chapter 2.88, Deleting Chapter 13.02, and Amending Section 3.44.100 of the Sacramento City Code, Relating to the City of Sacramento Utilities Rate Advisory Commission**

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

**SECTION 1.**

Chapter 2.88 is added to the Sacramento City Code to read as follows:

**CHAPTER 2.88 CITY OF SACRAMENTO UTILITIES RATE ADVISORY COMMISSION**

**2.88.010      Commission established.**

The City of Sacramento Utilities Rate Advisory Commission is hereby established.

**2.88.020      Purpose of commission.**

The commission is established for the purpose of providing advice and recommendations to the city council on the city's utility service rates.

**2.88.030      Powers and duties of commission.**

The powers and duties of the commission are as follows:

- A.      Review and comment on proposals made by the department for changes to utility service rates.
- B.      Develop and provide recommendations to the mayor and city council on issues relevant to the setting of the utility service rates, provided that the commission has no authority to review or revise the utility service levels.
- C.      Hold rate hearings on proposals made by the department to increase the utility service rates or establish new utility service rates for property-related services furnished by the department, and, upon conclusion of the hearing, provide recommendations to the city council on such proposals. In the preceding sentence,

"rate hearings" means the public hearings: (1) required when a local government agency proposes to impose or increase any user fee or charge for a property related service, pursuant to subdivision (2) of Section 6 of Article XIII D of the California Constitution; and (2) held pursuant to Section 3.44.100 of this code.

- D. Act as a liaison to encourage community understanding of, and participation in, the utility service rate setting process.
- E. Annually, report to the city council regarding on the activities of the commission.

#### **2.88.040      Appointment of members and qualifications.**

- A. Number of members. The commission has 11 members:
  - 1. Each councilmember shall recommend one member for appointment (eight members total);
  - 2. The mayor shall recommend one member for appointment; and
  - 3. The Personnel and Public Employees Committee shall recommend two members for appointment.

- B. Qualifications.

In addition to the requirements and restrictions in chapter 2.40:

- 1. Members must have demonstrated interest in 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.

#### **2.88.045      Definitions.**

As used in this chapter, the following words and phrases shall have the meaning given them in this section, unless the context clearly requires otherwise:

"Department" means the City of Sacramento department responsible for providing the utility service or utility services for which utility service rates are being proposed to the commission.

"Utility service" or "utility services" means the utility service or utility services provided by the department pursuant to title 13 of this code.

"Utility service levels" means the levels of service established by the city council for the provision of utility services by the department.

"Utility service rates" means the monthly utility service charges established by the city council for utility services provided by the department.

## **2.88.050 General provisions.**

Unless specifically provided otherwise in this chapter, the provisions of chapter 2.40 apply to the commission and its members.

## **SECTION 2.**

Chapter 13.02 of the Sacramento City Code is hereby deleted.

## **SECTION 3.**

A. Subsection B of section 3.44.100 of the Sacramento City Code is hereby amended to read as follows:

B. For any public hearing held pursuant to this section, the following provisions apply:

Not less than 45 days after mailing the notice of the proposed property related fee or charge in accordance with this chapter, the Utilities Rate Advisory Commission established pursuant to chapter 2.88 shall hold a public hearing on the proposed fee or charge. At the public hearing the commission shall consider all protests against the proposed fee or charge. If written protests against the proposed fee or charge are presented by a majority of record owners of each of the parcels that will be subject to the fee or charge, the fee or charge shall not be imposed. In the case of an increase in an existing fee or charge, a successful majority protest shall have no effect upon the existing fee or charge. Any protest that is irregular for any reason, including, but not limited to, those that are made by persons or entities not the record owner of a parcel that will be subject to the fee or charge, may be rejected by the commission.

B. Except as amended by subsection A above, all provisions of section 3.44.100 of the Sacramento City Code remain unchanged and in full effect.

## **SECTION 4.**

No incumbent board or commission member loses their seat solely as a result of the revised appointment process set forth in section 1 of this ordinance.

Adopted by the City of Sacramento City Council on September 24, 2024, by the following vote:

Ayes: Members Guerra, Jennings, Kaplan, Maple, Talamantes, Thao, Valenzuela, Vang, and Mayor Steinberg

Noes: None

Abstain: None

Absent: None

Attest:

 10/02/2024

Mindy Cuppy, City Clerk

*The presence of an electronic signature certifies that the foregoing is a true and correct copy as approved by the Sacramento City Council.*

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