

ORDINANCE NO. 05-19

AN ORDINANCE of the City of Richland amending Chapter 2.10 of the Richland Municipal Code related to the Utility Advisory Committee.

WHEREAS, the City has need, from time to time, to update the Richland Municipal Code to bring it into alignment with current practices and to eliminate conflict and ambiguity; and

WHEREAS, over time, disparate regulations have been codified for the City's various boards, commissions and committees which make consistent and clear administration difficult; and

WHEREAS, on May 15, 2018, Council approved Ordinance No. 21-18, which amended RMC 2.04.110 to lend consistency to the overall administration of the City's boards, commissions and committees, and to bring the Richland Municipal Code into alignment with current practices; and

WHEREAS, in the process of adopting Ordinance No. 21-18, the City created temporary conflicts in existing individual board, commission and committee code sections that now require amendment; and

WHEREAS, an element of the City's strategic plan is to ensure that proper foundational authorities are in place to allow for successful government.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Richland Municipal Code Chapter 2.10, entitled Utility Advisory Committee, as first enacted by Ordinance No. 57-77, and last amended by Ordinance No. 14-03, is hereby amended as follows:

**Chapter 2.10
UTILITY ADVISORY COMMITTEE**

Sections:

- 2.10.005 Purpose.**
- 2.10.010 Utility advisory committee created – Membership.**
- ~~**2.10.020 Removal – Vacancies.**~~
- ~~**2.10.030 Meetings, officers, records and quorum.**~~
- ~~**2.10.040 Duties of the committee.**~~
- ~~**2.10.050 Severability. Expenditures – Budget.**~~
- ~~**2.10.060 Staff assistance.**~~

2.10.005 Purpose.

The purpose and intent of this chapter is to make available to the city council additional expertise relative to the operation and management policies of city-owned utilities, specifically the electric, water, sewer, ~~and solid waste,~~ stormwater and ambulance utilities and to policies associated with other utilities in the city. The utility advisory committee, herein created, shall not supplant administrative input to the city council, but shall complement staff input through utilization and application of the special expertise possessed by its members. It is not the purpose nor the intent of this chapter to in any way interfere with the administrative staff functions involving the day-to-day operation of the city utilities except insofar as policy decisions by the city council may have a direct or indirect bearing on the day-to-day operations of the utilities.

2.10.010 Utility advisory committee created – Membership.

There is created within the city of Richland a utility advisory committee, to be composed of seven members appointed by the city council. Members shall serve for staggered three-year terms and until their successors are appointed and confirmed.

~~The members of the committee shall be selected without regard to political affiliation and shall serve without compensation.~~ Members of the committee may be broadly representative of the community; provided, however, that in making appointments to the committee, the city council shall consider any expertise the potential appointee may have with regard to the subject of utility operation and management; provided further, that at any one time there shall be at least one member of the committee possessing skill and expertise in the area of utility operation and capital improvement financing. ~~Selection of members shall follow established procedures as set forth in RMC 2.04.120.~~

~~2.10.020 Removal – Vacancies.~~

~~The committee may, by majority vote, recommend to the city council removal of an appointed member upon such grounds as may be deemed appropriate by the committee. The city council, by majority vote, may remove any appointed member of the committee and declare the position vacant. Workshops shall be excluded from the definition of “meetings” for purposes of this section. Vacancies shall be filled in the manner used for regular appointments to the committee.~~

~~2.10.030 Meetings, officers, records and quorum.~~

~~A. The committee shall elect its own chairperson and vice chairperson and create and fill such other offices it may determine it requires. The committee shall hold regular meetings at least once during each quarter of each calendar year. It shall adopt rules for transaction of business, and it shall keep a record of its meetings, resolutions, transactions, findings and determinations, which records shall be open to public inspection.~~

~~B. Four members of the committee shall constitute a quorum for the transaction of business.~~

~~2.10.040 Duties of the committee.~~

The committee shall perform the following duties:

A. The committee shall serve as an advisor to the city council relative to policy and planning for the managing, financing and operation of the utilities owned and operated by the city of Richland.

B. The committee shall advise the city council on all matters relating to utility system expansion, extension, additions and betterments.

C. The committee shall advise the city council on all matters relating to the incurring of indebtedness for or by city-owned utilities and the issuance of utility bonds.

D. The committee shall advise the city council relative to rates and charges for utility services and shall, when authorized by the city council, conduct surveys, analyses, studies and reports relating to city-owned utilities.

E. The committee shall perform such other duties and provide such additional advice and assistance to the city council as the city council may request or direct.

F. The committee shall advise the city council on policies related to utilities not owned by the city.

2.10.050 Severability.~~Expenditures – Budget.~~

~~The expenditures of the committee, exclusive of donations, shall be limited to appropriations made to the various utility departments of the city of Richland by the city council for the utility advisory committee function. The services and facilities of the various utility departments of the city, as approved by the city manager, shall be utilized by the committee in performing its duties, except that services of outside consultants may be obtained for a temporary period of time when authorized by the city council. All services requiring appropriations shall be submitted through the budgets of the various utility departments within the city.~~
If any one or more sections, subsections or sentences of this chapter are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this chapter, and the same shall remain in full force and effect.

~~2.10.060 Staff assistance.~~

~~The staff of the various utility departments of the city, as assigned by the city manager, shall provide staff assistance and shall also serve to facilitate communications by the utility advisory committee to the city council. The committee and its members shall deal with employees of the various utility departments and city-employed consultants, contractors, customers and other city staff only through the city manager or administrative staff assigned by the city manager.~~

Section 2. This ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 15th day of January, 2019.



ROBERT J. THOMPSON
Mayor

ATTEST:



MARCIA HOPKINS, City Clerk

APPROVED AS TO FORM:



HEATHER KINTZLEY, City Attorney

Date Published: January 20, 2019