

DIVISION 7. - UTILITY ADVISORY BOARD^[13]

Footnotes:

Sec. 2-356. - Intent.

It is the intent of the city commission to create, empower, staff, and fund a utility advisory board to study the city's utility and make policy recommendations regarding the utility's management, operations, and finances. The utility advisory board shall issue a Utility Policy for consideration and adoption by the city commission, which shall serve as the guiding document for future decisions regarding the utility, and shall recommend amendments and updates as needed. The board shall also provide ongoing fiscal oversight of the utility and issue semi-annual reports regarding such.~~It is the intent of the city commission to create, empower, staff, and fund a utility advisory board to advise and make recommendations to the city commission regarding all aspects of the governance of the city's electric, gas, telecommunications, water, and wastewater utilities.~~

Sec. 2-357. - Definitions.

[The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Customer means the natural person or legal entity that has a utility services account in his/her/its name and is responsible for payment for utility services at that specific location.

Utility means the city doing business as Gainesville regional utilities.

Utility board means the advisory board created by this division.

Utility governance means the making and administering of the utility's course of action. Governance decisions are those decisions designed to influence and guide management's decisions, actions and other matters of the utility. The responsibilities of utility governance are more specifically described in Subsections 1.04(2), (3), (4), (5), (6), (7), and (8), of the City Charter.

Utility management means the directing, supervising or carrying on of utility business affairs in a manner as directed by the city commission. The responsibility for utility management is more specifically described in Section 3.06 of the City Charter.

Utility services means the electric, gas, telecommunications, water, and wastewater services provided by the city doing business as Gainesville regional utilities.

Sec. 2-358. - Creation.

(a) *Establishment.* The utility board is hereby created as an advisory board to advise the city commission regarding all matters of utility governance as more fully described in section 2-360.

Sec. 2-359. - Utility board; membership; terms; officers; procedural rules.

(a) *Membership.* The utility board shall have seven members. All members shall reside within the utility service area and receive utility service. A minimum of one member shall reside outside the Gainesville city limits. The membership shall be comprised of the following:

- (1) A representative of a utility demand customer~~major business (defined as having 25 or more employees) that is a utility commercial customer;~~
- (2) A person with utility management experience;
- (3) A person with investment banking, financial or certified public accounting experience;
- (4) A licensed attorney with business, contract or corporate law experience;
- (5) A person with engineering experience; and
- (6) Two persons with any qualifications the city commission deems relevant or beneficial to service on the board.

(b) *Term.*

consideration and adoption by the city commission. The Energy and Utility Policy shall evaluate energy and utility issues based on a triple bottom line approach of equity, economy, and environment. The utility board shall update and revise the Energy and Utility policy as necessary. Issues addressed by the Energy and Utility Policy shall include, but not be limited to:

- (1) Delivering safe, reliable, affordable, and environmentally responsible utility service;
- (2) The future energy needs of the city of Gainesville and opportunities to coordinate integrated planning for energy and water supply and demands
- (3) Promoting close cooperation between the utility, city commission, other city boards and committees, city departments, and other individuals, institutions, and agencies in the community so that similar activities within the city can be coordinated. Such activities may include initiatives on energy affordability, affordable housing, economic development, renewable energy, environmental stewardship, and transportation.

~~(b) Rate structure. The utility board shall consider and make recommendations regarding a proposed change to the rate structure for utility services.~~

~~(bc) Budget. The utility board shall consider and make recommendations regarding the utility's budget. In particular, the utility board shall:~~

- (1) Review and track the utility's budget on an ongoing basis, with special attention given to capital and operations/maintenance projects in excess of one million dollars (\$1,000,000)
- (2) Issue quarterly reports to the city commission comparing budget estimates to actuals and noting areas of savings or overruns

~~(cd) Work Plan. The utility board shall determine its goals and priorities each year, and issue such annually in the form of a Work Plan for consideration and approval by the city commission.~~

~~Energy advisory duties. The utility board shall provide recommendations on energy including but not limited to:~~

- ~~(1) Promoting public access to information regarding the city facilities, services, policies, and programs concerning energy;~~
- ~~(2) Considering the future energy needs of the community with respect to the electric and gas utilities; and~~
- ~~(3) Assisting utility staff by suggesting and reviewing policies, programs and services that affect acquisition, delivery, or utilization of energy resources within the community.~~

~~(e) Water and wastewater advisory duties. The utility board shall serve as a water and wastewater advisory board to provide information and make recommendations regarding trending issues with the provision of water and wastewater collection services; including the need to conserve water resources, the need for capital infrastructure improvements and the funding thereof; and the cost of additional regulations by local, state and federal agencies.~~

~~(f) Telecommunications advisory duties. The utility board shall serve as a telecommunications advisory board to provide recommendations on the expansion, reduction or sale of telecommunication services.~~

~~(dg) City commission referrals. The city commission may refer issues, questions of interests, or areas of study to the utility board. Upon receipt of the referral, the utility board shall meet, review, and study the referred issue and shall subsequently provide a recommendation to the city commission within six months (or sooner if so specified by the city commission) of the referral.~~

- (h) *General manager for utilities items.* The utility board shall review and make a recommendation on all items the general manager of utilities intends to place on a city commission agenda. Where such items would appear on the consent agenda of the city commission, the utility board may also address such items on consent.

Sec. 2-361. - Utility board guidelines.

- (a) In carrying out its functions, powers, and duties, the utility board shall foremost consider the need to operate the utility in a manner that provides safe and reliable utility services, at fair, just and reasonable rates, which includes a reasonable return on the City of Gainesville's investment.
- (b) Utility board members are expected to actively engage in the collection and evaluation of information related to utility management and governance. The utility board members shall conduct research, gather information and learn from the experiences of industry experts and board members from throughout the state in order to make informed and independent recommendations to the city commission. The utility board members may consider information from sources such as, but not limited to, the American Public Power Association, the Florida Municipal Power Association, the Warrington School of Business's Public Utility Research Center, National Association of Regulatory Utility Commissioners' Rate School and other public utilities in the state and throughout the United States.

Sec. 2-362. - City resources.

- (a) The utility board may request information and assistance from the general manager for utilities and such other city charter officers as the utility board finds necessary. At the direction of the city charter officers, city staff shall prepare such reports, analysis, and recommendations as the utility board deems necessary to remain fully informed and to carry out its responsibilities as set forth in this division. Charter officers shall make staff available to the utility board for drafting and issuing reports required under this ordinance.
- (b) The utility board may make requests to the city auditor for specified audits of utility services.
- (c) The city attorney, or designee, shall serve as legal advisor to the utility board.
- (d) The ~~city~~general manager ~~for utilities~~ shall designate a staff member to serve as clerk to the utility board. The clerk shall prepare notices of meetings, shall prepare an agenda and shall record and keep minutes of each utility board meeting.

Secs. 2-363—2-375. - Reserved.