



The Municipal League of King County

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June 27, 2006

The Hon. Jean Godden
Chair, Energy & Technology Committee
Seattle City Council
P.O. Box 34025
Seattle City Hall
600 4th Ave., 2nd Floor
Seattle Washington 98124-4025

Re: Proposed Ordinance regarding City Light Advisory Committee

Dear Chairperson Godden;

We are writing to express our concerns regarding draft ordinance #10 dated 5/30/06 that would continue some aspects of the expert City Light Advisory Board that expired on January 31 of this year. The draft ordinance would impair the independent function exercised by the pre-existing Board by placing inappropriate limitations their authority to identify and assess important issues and would significantly limit their ability to communicate publicly critical findings and recommendations. We would not recommend that anyone serve on the Advisory Board with the restrictions in the proposed ordinance because we believe that the Advisory Board would likely become nothing more than window dressing.

The Municipal League has been monitoring the affairs of Seattle City Light since the energy crisis of 2000-2001. In our March 2002 study entitled "Seattle City Light and the Storm", the League recommended the selection of an outside consultant to review management's performance in the crisis. We later supported leadership change and the creation of the City Light Advisory Board to offer independent expert advice to the Mayor, the City Council, and the new Superintendent.

In our view, City Light is more than just another City department. It is a business enterprise whose financial health and stability are essential to the economic vitality of Seattle and its citizens.

The utility operates in a volatile marketplace where short-term shifts in weather, energy prices or regional energy politics can have a profound effect on ratepayers. Our concept, in recommending the formation of the City Light Advisory Board, is to have the Board's experts maintain a steady gaze on the long-term health of the utility. Elected officials need independent advice to be able to identify problems which need immediate attention and remedy.

Accordingly, we recommend the following changes to paragraph 2 of the proposal in ordinance to preclude any confusion about appropriate advocacy by Board members.

Section 2. Mission of the Advisory Committee. The mission of the Advisory Committee is to provide expert advice to the Mayor, City Council, and City Light Superintendent in accordance with Section 3. No member of the Advisory Committee shall advocate [deleting (on any issues or serve as a voice)] for any special interest groups when functioning as an Advisory Board member. To help ensure that the Advisory Committee will fulfill its mission, the Advisory Committee shall (i) hold regular public meetings and keep a written record of proceedings which shall be a public record and (ii) select a Chair from among its members and adopt rules and procedures necessary to accomplish its purpose, including quorum requirements and the frequency of meetings.

We recommend continuation of Section 3 of Ordinance 121059 which provides as follows:

Section 3. Scope of Work and Reporting Requirements. The Advisory Board shall develop its annual scope of work in consultation with the Mayor, City Council and City Light Superintendent. The annual scope of work of the Board should include an emphasis on items included in the City Light and City Council Energy and [Technology] Committee work program

We are concerned that the language in Section 3 of the proposed ordinance would allow for an elected official to control the Advisory Board's agenda by barring certain important policy concerns from the advisory agenda. If the Council or Mayor wishes to preclude the Advisory Board from addressing governance issues, the ordinance could explicitly provide that governance issues will not be included in the agenda unless inclusion is requested by the appropriate Council committee or the Mayor.

We would also recommend continuation of Section 5 of the prior ordinance which provides for staff support as follows:

Section 5. Staff Support for Advisory [Committee]. The Executive will provide logistical support, including scheduling of meetings, preparation of agendas, organization of meeting materials and recording of meeting minutes. Within the time constraints imposed by their other responsibilities, both Executive and Council staff will be available at the discretion of the [Committee] to assist them in their analysis and deliberations.

We want to assure that the Advisory Board has sufficient independence to attract the best talent possible to provide expert advice on how to ensure the long term health of the utility.

We hope you will keep this larger goal in mind as you work through the various details of the ordinance which would reinstate a City Light advisory committee.

If you or other councilmembers would like to discuss this in further detail, please contact our City Light Chair, Bruce Carter, at (206)-285-5556 or via e-mail at brucedcarter@hotmail.com.

Sincerely yours,



Steve Marshall
Chair, Municipal League of King County



Bruce D. Carter
Chair, Municipal League Seattle City Light Subcommittee

Cc: Seattle City Council Members, Mayor, Municipal League Board Members