

ARTICLE I – Name and Purpose

Section 1. Name

The name of this Board shall be the Rate Fairness Board, herein designated as the “Board”.

Section 2. Purpose

The Board is established by Article VIII B of the San Francisco Charter. The Board shall review rate matters, advise the San Francisco Public Utilities Commission (SFPUC), and carry out the duties enumerated in Article VIII B, Section 8B.125 of the San Francisco Charter.

The Board may:

1. Review the five-year rate forecast;
2. Hold one or more public hearings on annual rate recommendations before the SFPUC adopts rates;
3. Provide a report and recommendations to the SFPUC on the rate proposal; and
4. In connection with periodic rate studies, submit to the SFPUC rate policy recommendations for the SFPUC’s consideration, including recommendations to reallocate costs among various retail utility customer classifications, subject to any outstanding bond requirements.

Section 3. Compliance with Applicable Laws.

The Board shall comply with all applicable laws, including but not limited to the Ralph M. Brown Act (Cal. Gov’t Code § 4950 et. seq.), the San Francisco Sunshine Ordinance (San Francisco Administrative Code § 67.1), and the San Francisco Charter, Article VIII B. (City attorney review)

ARTICLE II – OFFICERS

Section 1. Officers

The Officers of the Board shall be a Chair and a Vice Chair.

Section 2. Terms of Office

The Officers shall hold offices for one year and until their successors are elected.

Section 3. Election of Officers

The Officers shall be elected at the first regular meeting of the Board held on or before July 1 of each year, or at a subsequent meeting, the date of which shall be fixed by the Board at the first regular meeting on or after July 1 of each year. (City attorney review: Should/can only public members be officers? Does this need stated?)

ARTICLE III – DUTIES OF OFFICERS

Section 1. Duties of the Chair

The Chair shall preside at all meetings of the Board. The Chair, working with members of the Board and the staff, shall oversee the preparation and distribution of the agenda for the Board meetings. The Chair shall appoint any and all Committees and their chairs and shall perform all other duties as prescribed by the Board or by the By-Laws which are necessary or incident to the office. The Chair of the Board shall encourage Board Members to participate on committees and shall ensure broad and diverse representation of Board Members on all committees.

Section 2. Duties of the Vice Chair

In the event of the absence, or inability of the Chair to act, the Vice Chair shall preside at the meetings and perform the duties of the Chair. In the event of the absence of the Chair and the Vice Chair, the remaining Board Members shall appoint one of the members to act temporarily as Chair.

ARTICLE IV – MEMBERSHIP

Section 1. Membership.

Board membership shall be comprised of seven individuals as outlined in Article VIII B, Section 8B.125 consisting of:

1. City Administrator or his or her designee;
2. Controller or his or her designee;
3. Director of the Mayor's (Controller's) Office of Public Finance or his or her designee; (City attorney review: name change of office is not in charter language)
4. two residential City retail customers, consisting of one appointed by the Mayor and one by the Board of Supervisors; and
5. two City retail business customers, consisting of a large business customer appointed by the Mayor and a small business customer appointed by the Board of Supervisors

Current members shall be listed in the minutes of each meeting.

Section 2. Attendance.

Members are required to attend all Board meetings unless excused by the Chair for good reason. Additionally, members are encouraged to participate in subcommittee meetings. The list of attendees shall be recorded as part of the minutes of each meeting.

ARTICLE V – MEETINGS

Section 1. Quorum.

A quorum of fifty percent plus one of the seven members of the Board must be present at any regular or specially scheduled meeting in order for the Board to engage in formal decision-making. A quorum is defined as more than one-half of the total membership, including vacant seats.

Section 2. Proceedings.

Board meetings shall be open to the public, in full accordance with the Sunshine Ordinance. Minutes shall also be kept and adopted in accordance with San Francisco Administrative Code Section 67.16.

Section 3. Parliamentary Procedure.

The rules of parliamentary practice, as set forth in Robert's Rules of Order, shall govern all meetings of the Board and its committees except as otherwise provided herein.

Section 4. Order of Business.

Unless changed as determined by a majority vote of the Board, the order of business of any Regular meeting shall be as follows:

1. Roll call
2. Open Public Comment (Before adjournment, public comment shall be opened for items relevant to the Board, but not on the agenda.)
3. Approval of the Minutes
4. Consideration of Board Business/Action Items. (Public comment specific to each business/action item shall be opened prior to any action being taken.)
5. New Business, Announcements, Comments, Questions (No action if not on agenda.)
6. Adjournment

Section 5. Notice.

Notice of the time and place of every full Board and committee meeting shall be given to members of the Board and the public at least 72 hours before the time of such meeting, in accordance with the Sunshine Ordinance.

Section 6. Public Participation.

Members of the public wishing to speak on an item before the Board shall be permitted to be heard. The total time for public comments may be limited by the Chair in a manner consistent with the San Francisco Sunshine Ordinance.

ARTICLE VI – VOTING

Section 1. Voting.

A quorum of Board Members, as described in Article V, Section 1 of these bylaws, shall be required to take action on any item. While the Board will strive to achieve consensus, an action that requires a vote will be approved by a simple majority vote of Board Members.

ARTICLE VII - BYLAWS

Section 1. Bylaws.

These bylaws shall be reviewed as necessary by the Board.

Section 2. Amendments.

The Bylaws of the Board may be amended at any regular meeting of the Board by a majority vote of those present, provided such proposed amendments are circulated in writing to all Board Members and posted publicly at least ten days prior to such meeting.

These Bylaws were approved at a meeting of the Rate Fairness Board held *month/day/2022*.