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[Amendments to California State Senate Bill 23x]

Resolution declaring the City and County’s official position on California State Senate Bill 23x (SB 23x) and its support of amending SB 23x to make it apply to Municipal Utility Districts formed after January 1, 2001, and to include a declaration that if the majority of voters in a municipality included in a proposed Municipal Utility District, which includes the City and County, oppose the formation of the district, but the voters within the City and County approve the formation, the Board of Supervisors of the City and County shall order and declare the district created and established only in the City and County .

WHEREAS, The Board of Supervisors has called for a special election to be held in the City and County of San Francisco and the City of Brisbane for the purposes of submitting to the voters a proposal to form a Municipal Utility District; and

WHEREAS, California Senate Bill 23x (SB 23x) currently seeks to clarify language pertaining to the voter requirements needed to form a Municipal Utility District by amending the California Public Utilities Code Section 11652 to state, “If the majority of the votes cast as the election is in favor of forming the district, the board of supervisors shall order and declare the district established.”; and

WHEREAS, The Board of Supervisors would like to not include the City of Brisbane in the proposed Municipal Utility District should a majority of voters in the City of Brisbane oppose the formation of the Municipal Utility District; and

WHEREAS, If SB 23x were to be passed and signed into law, it would likely take effect January 1, 2002, which would not address the aforementioned concern; and

SUPERVISOR MATT GONZALEZ, *Daly*
BOARD OF SUPERVISORS

1 WHEREAS, SB 23x was approved by the California State Senate Local Government
2 Committee, and will be considered next in the California Senate Judiciary Committee; and

3 WHEREAS, The Administrative Code Section 5.10 provides for City and County to
4 retain a State Legislative Representative to advocate on behalf of positions taken by the City
5 and County of San Francisco; now, therefore, be it

6 RESOLVED, That it shall be the policy of the City and County of San Francisco to
7 advocate for amending California State Senate Bill 23x, Section 5 to state, "If the majority of
8 the votes cast in any election held after January 1, 2001, in a city and county is in favor of
9 forming the district, but the majority of votes cast in another municipality proposed to be
10 included within the district is opposed to forming the district, the non-approving municipality
11 shall not be included within the district, and the Board of Supervisors of the city and county
12 shall order and declare the district created and established only in the city and county" or other
13 language that would achieve the same objectives; and be it

14 FURTHER RESOLVED, That the Board of Supervisors requests the State Legislative
15 Representative advocate, with all due haste, for the inclusion of these amendments to
16 California State Senate Bill 23x, and any other Bill of the State Legislature which deals with
17 the formation of Municipal Utility Districts or related matters.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Resolution

File Number: 010457

Date Passed:

Resolution declaring the City and County's official position on California State Senate Bill 23x (SB 23x) and its support of amending SB 23x to make it apply to Municipal Utility Districts formed after January 1, 2001, and to include a declaration that if the majority of voters in a municipality included in a proposed Municipal Utility District, which includes the City and County, oppose the formation of the district, but the voters within the City and County approve the formation, the Board of Supervisors of the City and County shall order and declare the district created and established only in the City and County.

March 19, 2001 Board of Supervisors — SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA

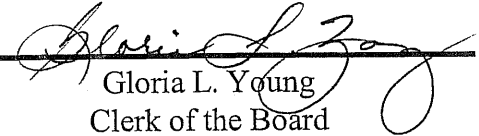
March 19, 2001 Board of Supervisors — ADOPTED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 2 - Newsom, Yee

File No. 010457

I hereby certify that the foregoing Resolution was **ADOPTED** on March 19, 2001 by the Board of Supervisors of the City and County of San Francisco.

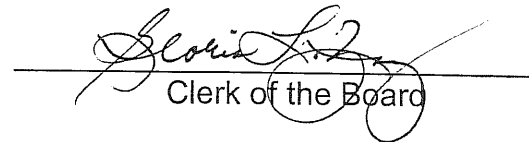

Gloria L. Young
Clerk of the Board

Date Approved

Mayor Willie L. Brown Jr.

March 30, 2001

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.


Clerk of the Board

File No.
010457