Ordinance amending the Administrative Code to extend the sunset date of the Public Utilities Revenue Bond Oversight Committee, suspend provisions of Board Rule 2.21, for an additional six years to January 1, 2025.

NOTE: Unchanged Code text and uncoded text are in plain Arial font. Additions to Codes are in single-underline italics Times New Roman font. Deletions to Codes are in strikethrough italics Times New Roman font. Board amendment additions are in double-underlined Arial font. Board amendment deletions are in strikethrough Arial font. Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings. The Board of Supervisors hereby finds and declares as follows:

(a) Proposition P, a 2002 initiative ordinance (now codified at San Francisco Administrative Code, Sections 5A.30 et. seq.) created the Public Utilities Revenue Bond Oversight Committee ("RBOC") to provide independent oversight of the San Francisco Public Utilities Commission's ("SFPUC") expenditure of revenue bond proceeds on the repair, replacement, and expansion of the City's water, power, and wastewater facilities.

(b) The RBOC monitors and reports publicly about the SFPUC's expenditure of revenue bond proceeds on the repair, replacement, upgrading and expansion of the City's water collection, power generation, water distribution, and wastewater treatment facilities.

(c) The RBOC is required to provide oversight to ensure that: (1) revenue bond proceeds are expended only in accordance with the authorizing bond resolution and applicable law; (2) revenue bond proceeds are expended solely for uses, purposes and projects authorized in the bond resolution; and (3) revenue bond proceeds are appropriately
1 expended for authorized capital improvements so that an uninterrupted supply of water and
2 power continues to flow to the City and the SFPUC's customers.
3 (d) The RBOC has conducted monthly public hearings about SFPUC activities and
4 provides annual reports of its findings to this Board and to members of the public.
5 (e) In accordance with Administrative Code Section 5A.36(a), the provisions of
6 Proposition P would have expired on January 1, 2013, unless extended by ordinance.
7 Ordinance No. 236-12 extended the sunset date of the RBOC to January 1, 2016, and
8 Ordinance No. 189-15 again extended the sunset date, to January 1, 2019.
9 (f) This Board adopted Ordinance No. 236-12 on December 4, 2012, signed by the
10 Mayor on December 7, 2012, to extend the sunset date of the RBOC to January 1, 2016.
11 (g) This Board adopted Ordinance No. 189-15 on October 27, 2015,
12 signed by the Mayor on November 4, 2015, to extend the sunset date of the RBOC to January
13 1, 2019.
14 (hf) The SFPUC will continue to incur bonded indebtedness to finance capital
15 improvements for the repair, replacement, and expansion of its water enterprise, and will from
16 time to time issue its revenue bonds to finance the cost of such improvements.
17 (ig) The SFPUC also expects to initiate a multi-billion dollar capital improvement
18 program for the wastewater enterprise, and bonding for this program is expected to continue
19 through 2025.
20 (h) In addition, the SFPUC expects to incur bonded indebtedness to finance capital
21 improvements for the repair, replacement, and expansion of its power enterprise, and will from
22 time to time issue its revenue bonds to finance the cost of such improvements.
23 (jih) In order to ensure that revenue bonds of the SFPUC are used for their intended
24 purposes, and to ensure that the SFPUC continues to employ the best management
25 practices, it is necessary and desirable that the RBOC continue to provide oversight of the
SFPUC expenditure of revenue bond proceeds.

Section 2. Article V of Chapter 5 of the San Francisco Administrative Code is hereby amended by revising Section 5A.36 to read as follows:

SEC. 5A.36. SUNSET AND SEVERABILITY.

(a) Unless the Board by ordinance reauthorizes the provisions of this Ordinance for a specified period of years, the provisions of this Ordinance shall expire on January 1, 2025.

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Section 3. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor’s veto of the ordinance. Notwithstanding the Effective Date of this Ordinance, it is the intent of this Board that the authority conferred on the RBOC under Proposition P (codified at San Francisco Administrative Code, Sections 5A.30 et. seq.) shall be without interruption, and that the incumbent members of the RBOC shall continue to hold their seats without reappointment until the expiration of their respective terms.

Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the “Note” that appears under the official title of the ordinance. Notwithstanding Rule 2.21 of the Board of Supervisors Rules of Order, which provides that advisory bodies created by the Board should sunset within three years, the RBOC, along with Administrative Code Sections 5A.30 et seq, this Article XXV shall
expire on January 1, 2025 unless the Board of Supervisors adopts an ordinance continuing its existence, reauthorizing those provisions, as stated in Section 5A.30.6(c). In the event this Article expires, the City Attorney shall cause it to be removed from the Administrative Code.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: MARK D. BLAKE
Deputy City Attorney
Ordinance amending the Administrative Code to extend the sunset date of the Public Utilities Revenue Bond Oversight Committee to extend the Committee for an additional six years to January 1, 2025.

December 03, 2018 Rules Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

December 03, 2018 Rules Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

December 04, 2018 Board of Supervisors - PASSED ON FIRST READING

Ayes: 10 - Brown, Cohen, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang and Yee

Excused: 1 - Fewer

December 11, 2018 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Brown, Cohen, Fewer, Kim, Mandelman, Peskin, Ronen, Safai, Stefani, Tang and Yee

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 12/11/2018 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

Date Approved