

[Dividing the power to nominate members of the Public Utilities Commission between the Mayor and the President of the Board of Supervisors, subject to confirmation by the Board.]

CHARTER AMENDMENT

PROPOSITION ____

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by amending Section 4.112 to divide the power to nominate members of the Public Utilities Commission between the Mayor and the President of the Board of Supervisors, subject to confirmation of all nominations by the Board of Supervisors.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on June 3, 2008, a proposal to amend the Charter of the City and County by amending Section 4.112 to read as follows:

Note: Additions are *single-underline italics Times New Roman*.
Deletions are ~~*strikethrough italics Times New Roman*~~.

SEC. 4.112. PUBLIC UTILITIES COMMISSION.

(a) The Public Utilities Commission shall consist of five members nominated and appointed pursuant to this Section. Three of the members shall be nominated by the Mayor. Two of the members shall be nominated by the President of the Board of Supervisors. Each nomination shall be subject to confirmation by the Board of Supervisors, and the Board shall hold a public meeting and vote on the nomination within 60 days of its transmittal to the Clerk of the Board of Supervisors. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted, the nominee shall be deemed approved. The appointment shall become effective on the date the Board adopts a motion approving the nomination or after 60 days of the date the nomination is transmitted. ~~appointed by the Mayor, pursuant to Section~~

~~3.100, for four year terms.~~ Members may be removed by the nominating authority ~~Mayor~~ only pursuant to Section 15.105.

(b) The respective terms of office of members of the Public Utilities Commission who hold office on the effective date of the charter amendment providing for division of the appointing power shall expire at noon on that date, and the three members nominated by the Mayor and the two members nominated by the President of the Board of Supervisors shall succeed to said office at that time. In order to provide for staggered terms, one of the members nominated by the Mayor and one of the members nominated by the President of the Board shall be nominated for an initial term of two years from the effective date of the amendment. The remaining two members nominated by the Mayor and one member nominated by the President of the Board shall serve for an initial term of four years from the effective date of the amendment, and thereafter the terms of all members shall be four years.

(c) The Commission shall have charge of the construction, management, supervision, maintenance, extension, operation, use and control of all water and energy supplies and utilities of the City as well as the real, personal and financial assets, which are under the Commission's jurisdiction on the operative date of this Charter, or assigned pursuant to Section 4.132.

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

By: _____
THOMAS J. OWEN
Deputy City Attorney