

[Qualifications of Public Utilities Commissioners]

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 require each Public Utilities Commissioner to meet specific qualifications for appointment, providing for appointment of new commissioners.

The Board of Supervisors hereby submits to the qualified voters of the City and County at an election to be held on November 5, 2002, 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*.

Section 1. Charter section 4.112 is amended to read as follows:

SEC. 4.112. PUBLIC UTILITIES COMMISSION

The Public Utilities Commission shall consist of five members appointed by the Mayor, pursuant to Section 3.100, for four-year terms. Members may be removed by the Mayor only pursuant to Section 15.105.

During the term of their appointment, each commissioner shall have the qualifications pertaining to the seat to which they are appointed, as follows:

Seat 1: an advanced degree (beyond a B.A.) in economics and/or finance, with 5 years of experience in the field;

Seat 2: an advanced degree (beyond a B.A.) in engineering, with 5 years of experience in the field;

Seat 3: a law degree, with 5 years of active membership in the California Bar;

Seat 4: 7 years of experience as a former employee of the Public Utilities Commission or as an employee of a similar agency or 7 years of experience advocating on issues related to a public utility;

Seat 5: an advanced degree (beyond a B.A.) in environmental science, with 5 years of experience in the field.

Ten years of additional experience in the applicable field may be substituted for the advanced degree requirements for Seats 1, 2, and 5.

These qualifications shall be mandatory for all appointments made after the effective date of this provision to fill vacancies created by expiration of term; resignation; or suspension or removal pursuant to Charter section 15.105.

Commissioners who are in office when this measure takes effect shall continue to serve until three or more new commissioners have been appointed under this section. At 12 o'clock noon on the date that three or more commissioners have been appointed under this section, the terms of office of the members of the Commission who are in office when this measure takes effect shall expire, and the terms of office of the new commissioners shall begin. Initial appointments shall be made by January 8, 2003.

The Clerk of the Board of Supervisors shall determine by lot which two of the new appointees shall serve an initial two-year term, and which three new appointees shall serve an initial four-year term.

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.

Section 2. This measure will not take effect if Proposition , the proposed charter amendment relating to energy self-sufficiency and Public Utilities Commission governance, also on the ballot for the November 5, 2002 general municipal election, is passed by the voters, even if this measure passes with a higher number of votes.

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

By: _____
Deputy City Attorney