



ACKNOWLEDGEMENT OF RECEIPT

Submission of Measures: Ordinance / Declaration of Policy (CIRCLE ONE)

Initiative Ordinance - Environment Code - Clean Energy Right to Know Act (File No. 150809)

(Unofficial Title of Measure)

1) Board of Supervisors

2) Tails

3) Legislative Digest

4) ELECTRONIC COPY OF TEXT

EMAIL- publications@sfgov.org

5) Contact Person: Supervisor Jane Kim

Address: 1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

Phone: (415) 554-7970

Date: 07 / 31 / 2015

Submitted By: Alisa Somera (print) *Alisa Somera* (sign)

6) COPIES

John Arntz- Director of Elections, in consultation with the City Attorney, shall forward the measure (within two working days after receipt of the petition) to departments that are effected by the measure.

Publications

Public- copy

Office- original

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2015 JUL 31 PM 2:31
DEPARTMENT OF ELECTIONS

Somera, Alisa (BOS)

From: Somera, Alisa (BOS)
Sent: Friday, July 31, 2015 2:26 PM
To: Doe, Publications (REG)
Subject: Submission of Measure: Initiative Ordinance (File No. 150809)
Attachments: 150809-2.docx; 150809 Certified Copy.pdf; 150809-2 Leg Digest.docx; 150809-2 Leg Digest.docx


For the November 3, 2015, Election, attached please find the following documents for the proposed **Initiative Ordinance, Environment Code, Clean Energy Right to Know Act** (File No. 150809):

- Initiative Ordinance (Word)
- Initiative Ordinance, Certified Copy (PDF)
- Legislative Digest (Word)
- Legislative Digest (PDF)

The Board of Supervisors approved the Motion ordering this matter submitted on July 31, 2015.

Alisa Somera

Assistant Clerk
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
415.554.4447 direct | 415.554.5163 fax
alisa.somera@sfgov.org

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The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

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***Disclosures:** Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*



City and County of San Francisco

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

Certified Copy

Motion

150809 [ Initiative Ordinance - Environment Code - Clean Energy Right to Know Act ]

Sponsors: Breed; Avalos, Wiener and Christensen

Motion ordering submitted to the voters an Ordinance amending the Environment Code to define the terms Clean Energy, Green Energy, and Renewable Greenhouse Gas-Free Energy to provide San Francisco residents and businesses accurate information regarding electric power, at an election to be held on November 3, 2015.

7/31/2015 Board of Supervisors - APPROVED

Ayes: 8 - Avalos, Breed, Campos, Christensen, Cohen, Kim, Mar and Wiener

Excused: 3 - Farrell, Tang and Yee

STATE OF CALIFORNIA  
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Motion is a full, true, and correct copy of the original thereof on file in this office.

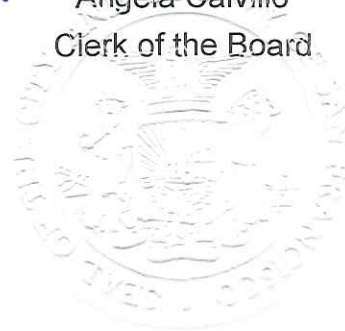
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

July 31, 2015

Date

Angela Calvillo  
Clerk of the Board

SAN FRANCISCO  
FILED  
2015 JUL 31 PM 2:30  
DEPARTMENT OF ELECTIONS



1 [Initiative Ordinance - Environment Code - Clean Energy Right To Know Act]

2  
3 **Motion ordering submitted to the voters an Ordinance amending the Environment Code**  
4 **to define the terms Clean Energy, Green Energy, and Renewable Greenhouse Gas-free**  
5 **Energy to provide San Francisco residents and businesses accurate information**  
6 **regarding electric power, at an election to be held on November 3, 2015.**

7  
8 MOVED, That the Board of Supervisors hereby submits the following ordinance to the  
9 voters of the City and County of San Francisco, at an election to be held on November 3,  
10 2015.

11  
12 **Ordinance amending the Environment Code to define the terms Clean Energy, Green**  
13 **Energy, and Renewable Greenhouse Gas-free Energy to provide San Francisco**  
14 **residents and businesses accurate information regarding electric power.**

15  
16 NOTE: **Unchanged Code text and uncodified text** are in plain font.  
17 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
18 **Deletions to Codes** are in ~~strikethrough italics Times New Roman font~~.  
19 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code subsections or  
20 parts of tables.

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

22 Section 1. The Environment Code is hereby amended by adding Chapter 21,  
23 consisting of Sections 2101, 2102, 2103, and 2104, to read as follows:

24 **CHAPTER 21: CLEAN ENERGY FULL DISCLOSURE ORDINANCE**

25 **SEC. 2101. FINDINGS.**

1           (a) All entities that provide electric power to end-use consumers in the state are required to  
2 comply with the California Renewable Portfolio Standard ("RPS"), which was established in 2002  
3 under Senate Bill 1078, accelerated in 2006 under Senate Bill 107 and expanded in 2011 under Senate  
4 Bill 2. The RPS mandates that 33% of electricity sold to consumers must be generated by eligible  
5 renewable energy resources by 2020.

6           (b) All public and private utilities and retail electricity providers are allowed under State  
7 law to use unbundled renewable energy credits for a certain portion of their compliance requirement  
8 for the RPS.

9           (c) There is no uniform standard for what constitutes Clean Energy, Green Energy, or  
10 Renewable Greenhouse Gas-free Energy, which can lead to customer confusion, misunderstanding of  
11 the definition of renewable energy, and conflicting claims regarding the source or environmental  
12 impacts of the electricity provided to San Franciscans.

13           (d) San Francisco residents and businesses deserve to have accurate information regarding  
14 the sources and environmental impacts of the energy provided to them.

15           (e) In response to interest from City leaders and community members, the San Francisco  
16 Public Utilities Commission ("SFPUC") is developing a Community Choice Aggregation ("CCA")  
17 program, CleanPowerSF, that will enable City residents and businesses to purchase electric energy  
18 that has a higher renewable energy content than is required under the RPS, and is substantially  
19 greenhouse gas-free. CleanPowerSF plans to commence service in early 2016.

20  
21           **SEC. 2102. CLEAN, GREEN, AND RENEWABLE GREENHOUSE GAS-FREE ENERGY;**  
22 **DEFINITION.**

23           (a) For all City programs and expenditures, the terms Clean Energy, Green Energy,  
24 Renewable Greenhouse Gas-free Energy or similar terms used to describe the source or environmental  
25

1 impact of electric energy means energy from eligible renewable energy resources as defined in State  
2 law, and resources set forth in the RPS under Public Utilities Code § 399.30(j).

3 (b) It is the City's policy that the use of unbundled renewable energy credits for  
4 CleanPowerSF customers shall be limited to the extent deemed feasible by the SFPUC, consistent with  
5 the goals of the program. CleanPowerSF will follow the limitations of state law regarding the use of  
6 unbundled renewable energy credits to satisfy the applicable renewable portfolio standard. For  
7 renewable energy provided by CleanPowerSF that exceeds the minimum requirements of state law, the  
8 voters urge the SFPUC to apply the same limitations on the use of unbundled renewable energy credits,  
9 to the extent feasible. For unbundled renewable energy credits associated with facilities located within  
10 San Francisco, the limitation set forth in the preceding sentence shall not apply.

11  
12 **SEC. 2103. DISCLOSURE OF ENERGY RESOURCES.**

13 (a) The voters urge the SFPUC to inform customers and potential customers of the planned  
14 percentage of Clean Energy, Green Energy, or Renewable Greenhouse Gas-free Energy in each  
15 communication regarding the CCA program required by state law.

16  
17 **SEC. 2104. GENERAL PROVISIONS.**

18 (a) Consistent with the Charter and applicable State and federal law, this Chapter 21 shall  
19 not apply to the extent its requirements would conflict with those laws or otherwise interfere with the  
20 discharge of functions placed under the direct jurisdiction of a department by the Charter. Nothing in  
21 this Chapter shall be interpreted or applied so as to create any requirement, power, or duty in conflict  
22 with any State or federal law.

23 (b) If any section, subsection, sentence, clause, phrase, or word of this Chapter 21, or any  
24 application thereof to any person or circumstance, is held to be invalid or unconstitutional by a  
25 decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining

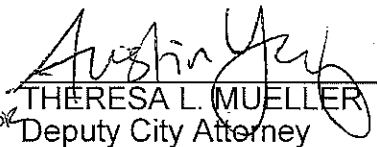
1 portions or applications of this Chapter. The People of San Francisco hereby declare that they would  
2 have adopted this Chapter and each and every section, subsection, sentence, clause, phrase, and word  
3 not declared invalid or unconstitutional without regard to whether any other portion of this Chapter or  
4 application thereof would be subsequently declared invalid or unconstitutional.

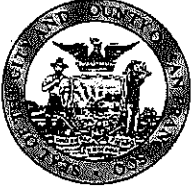
5 (c) The Board of Supervisors may amend this Chapter 21 by ordinance if the amendment  
6 furtheres the purposes of this Chapter and to reflect changes in state law.

7  
8 Section 2. In the event that this initiative ordinance and another measure or measures  
9 regarding the definitions of the terms Clean Energy, Green Energy, or Renewable  
10 Greenhouse Gas-free Energy in any respect shall appear on the same Citywide election  
11 ballot, the provisions of such other measures shall be deemed to be in conflict with this  
12 ordinance. In the event that this initiative ordinance shall receive a greater number of  
13 affirmative votes, the provisions of this ordinance shall prevail in their entirety and each and  
14 every provision of the other measure or measures shall be null and void in their entirety. In  
15 the event that the other measure or measures shall receive a greater number of votes, the  
16 provisions of this initiative ordinance shall take effect to the extent permitted by law.

17  
18  
19 APPROVED AS TO FORM:

20 DENNIS J. HERRERA, City Attorney

21 By:   
22 THERESA L. MUELLER  
23 For Deputy City Attorney



City and County of San Francisco

Tails

Motion: M15-125

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

File Number: 150809

Date Passed: July 31, 2015

Motion ordering submitted to the voters an Ordinance amending the Environment Code to define the terms Clean Energy, Green Energy, and Renewable Greenhouse Gas-Free Energy to provide San Francisco residents and businesses accurate information regarding electric power, at an election to be held on November 3, 2015.

July 27, 2015 Rules Committee - AMENDED

July 27, 2015 Rules Committee - CONTINUED AS AMENDED

July 31, 2015 Rules Committee - RECOMMENDED AS COMMITTEE REPORT

July 31, 2015 Board of Supervisors - APPROVED

Ayes: 8 - Avalos, Breed, Campos, Christensen, Cohen, Kim, Mar and Wiener

Excused: 3 - Farrell, Tang and Yee

File No. 150809

I hereby certify that the foregoing Motion was APPROVED on 7/31/2015 by the Board of Supervisors of the City and County of San Francisco.

A handwritten signature in black ink, appearing to read "Angela Calvillo", written over a horizontal line.

Angela Calvillo  
Clerk of the Board



SAN FRANCISCO  
FILED

2015 JUL 31 PM 2:31

DEPARTMENT OF ELECTIONS

**REVISED LEGISLATIVE DIGEST**

(7/27/2015, Amended in Committee)

[Initiative Ordinance - Environment Code - Clean Energy Right To Know Act]

**Motion ordering submitted to the voters an Ordinance amending the Environment Code to define the terms Clean Energy, Green Energy, and Renewable Greenhouse Gas-free Energy to provide San Francisco residents and businesses accurate information regarding electric power, at an election to be held on November 3, 2015.**

Existing Law

N/A

Amendments to Current Law

This motion proposes to place on the November 3, 2015 ballot an initiative ordinance that would define the terms Clean Energy, Green Energy and Renewable Greenhouse Gas-free Energy for use by City programs and City expenditures to be consistent with state law. The initiative ordinance also adopts a policy regarding the use of unbundled renewable energy credits by the Community Choice Aggregation (CCA) program, to the extent the San Francisco Public Utilities Commission (SFPUC) determines the policy is feasible and consistent with the CCA program. The initiative ordinance would also urge the SFPUC to inform customers of the planned percentage of Clean Energy, Green Energy, or Renewable Greenhouse Gas-free Energy to be used by the CCA program in each communication regarding the CCA program required by state law.

Background Information

There is no uniform standard for what constitutes Clean Energy, Green Energy, or Renewable Greenhouse Gas-free Energy, which can lead to customer confusion, misunderstanding of the definition of renewable energy, and conflicting claims regarding the source or environmental impacts of the electricity provided to San Franciscans. San Francisco residents and businesses deserve to have accurate information regarding the sources and environmental impacts of the energy provided to them