

1 [Administrative Code - Extension of the Public Utilities Revenue Bond Oversight Committee-]

2
3 **Ordinance amending the Administrative Code to extend the sunset date of the Public**
4 **Utilities Revenue Bond Oversight Committee**, ~~suspend provisions of Board Rule 2.21,~~ **for**
5 **an additional six years to January 1, 2025.**

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

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

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

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

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

23 (c) The RBOC is required to provide oversight to ensure that: (1) revenue bond
24 proceeds are expended only in accordance with the authorizing bond resolution and
25 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 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 ~~4, 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 (jhi) 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

1 SFPUC expenditure of revenue bond proceeds.

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

4
5 **SEC. 5A.36. SUNSET AND SEVERABILITY.**

6 (a) Unless the Board by ordinance reauthorizes the provisions of this Ordinance for
7 a specified period of years, the provisions of this Ordinance shall expire on January 1, ~~2019~~
8 2025.

9 * * * *

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

18 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
19 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
20 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
21 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
22 additions, and Board amendment deletions in accordance with the "Note" that appears under
23 the official title of the ordinance. Notwithstanding Rule 2.21 of the Board of Supervisors Rules
24 of Order, which provides that advisory bodies created by the Board should sunset within three
25 years, the RBOC, along with Administrative Code Sections 5A.30 et seq.~~this Article XXV~~ shall

1 expire on January 1, 2025 unless the Board of Supervisors adopts an ordinance continuing its
2 existence reauthorizing those provisions, as stated in Section 5A.30.6(c). In the event this
3 Article expires, the City Attorney shall cause it to be removed from the Administrative Code.

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

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8 By: _____
9 MARK D. BLAKE
10 Deputy City Attorney
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