

1 [Administrative Code – Water Enterprise Environmental Enhancement Surcharge Fund]

2
3 **Ordinance amending the San Francisco Administrative Code, Chapter 10, Article XIII, to**
4 **create the Public Utilities Water Enterprise Environmental Enhancement Surcharge**
5 **Fund.**

6 NOTE: Additions are *single-underline italics Times New Roman*;
7 deletions are ~~*strike-through italics Times New Roman*~~.
8 Board amendment additions are double-underlined;
9 Board amendment deletions are ~~strike through normal~~.

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

10 Section 1. The San Francisco Administrative Code is hereby amended by adding
11 Section 10.100-224, to read as follows:

12 *(a) Establishment of Fund. The Water Enterprise Environmental Enhancement Surcharge*
13 *Fund is established as a category eight fund for the purpose of receiving environmental enhancement*
14 *surcharge proceeds collected from water sales to retail and wholesale water customers by the San*
15 *Francisco Public Utilities Commission. Section 4.04.D of the July, 2009 “Water Supply Agreement*
16 *Between the City and County of San Francisco and Wholesale Customers in Alameda County, San*
17 *Mateo County and Santa Clara County” approved in San Francisco Public Utilities Commission*
18 *Resolution Number 09-0069 adopted on April 28, 2009 required the creation of a restricted reserve*
19 *fund for the use and administration of environmental enhancement surcharge proceeds as set forth in*
20 *subsections (b) and (c).*

21 *(b) Use of the Fund. Money received into the fund shall be used exclusively for specific*
22 *environmental restoration and enhancement measures for the Sierra and local watersheds. Specific*
23 *uses of Environmental Enhancement Surcharge Fund proceeds will be decided by consensus of the*
24 *General Managers of the San Francisco Public Utilities Commission and the Bay Area Water Supply*
25

1 and Conservation Agency following input from environmental stakeholders and other interested
2 members of the public.

3 (c) Administration of Fund. The fund shall be maintained from July 1, 2011 through
4 December 31, 2018. Any proceeds that remain in the fund as of December 31, 2018 shall be used to
5 complete projects previously approved under subsection (b). Upon completion of the identified
6 projects, the balance of any unexpended sums in the fund shall be distributed by the San Francisco
7 Public Utilities Commission to its retail water customers and to the Bay Area Water Supply and
8 Conservation Agency in proportion to the total amount of environmental enhancement surcharges
9 assessed to retail and wholesale water customers, respectively.

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

12 By: _____
13 JOSHUA MILSTEIN
14 Deputy City Attorney