File No.	171308	Committee Item No	3
	,	Board Item No.	

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

	•
Committee: Rules Committee	Date <u>January 24, 2018</u>
Board of Supervisors Meeting	Date
Cmte Board	and/or Report
OTHER (Use back side if additional space	e is needed)
Charter Amendment CEQA Determination	
Completed by: Alisa Somera Completed by:	Date <u>January 19, 2018</u> Date

[Charter Amendment - Revenue Bonds for Public Utilities Commission Facilities Needed to Produce and Deliver Clean Power]

Describing and setting forth a proposal to the voters at an election to be held on June 5, 2018, to amend the Charter of the City and County of San Francisco to authorize the Public Utilities Commission to issue revenue bonds for facilities needed to produce and deliver clean power when approved by ordinance receiving a two-thirds vote of the Board of Supervisors.

Section 1. Findings.

- (a) The Public Utilities Commission (PUC) has been producing clean, greenhouse-gasfree electricity at facilities in the Hetch Hetchy system for delivery to San Francisco facilities
 since shortly after the passage of the Raker Act in 1913. The PUC provides clean, affordable
 electric power to all City departments including the Fire Department and Airport, public agencies
 like the San Francisco Unified School District, and for other purposes such as affordable housing
 developments. New facilities will enable the PUC to provide clean, affordable energy to new
 neighborhood developments such as Treasure Island, Hunters Point Shipyard, Pier 70, and
 Mission Rock.
- (b) The PUC's provision of electric service saves the City approximately \$40 million every year.
- (c) The PUC's provision of electric service also provides revenue that it reinvests into the City's clean and renewable energy facilities.
- (d) The PUC's provision of clean, greenhouse-gas-free electricity supports the City's sustainability goals, including the goal, adopted in Board of Supervisors Resolution No. 349-11, of meeting 100% of electricity demand in San Francisco with renewable and/or greenhouse-gas-

free sources of supply by 2030. Currently, the PUC's greenhouse-gas-free electricity reduces the City's carbon footprint by approximately 387 million pounds per year.

- (e) The City's use of this clean electricity also reduces emissions of particulate matter 2.5 and nitrogen oxide, as compared to the electricity the City would otherwise receive. These chemicals, emitted primarily from motor vehicles, power plants, and refineries, significantly harm air quality and human health.
- (f) The new facilities financed with the bonds authorized by this Charter amendment will increase the use of the PUC's clean power and further reduce harmful emissions. These new facilities will also increase sustainability by incorporating technologies like energy storage and electric vehicle charging stations.
- (g) The new facilities financed with these bonds will support reliable electric service, earthquake resilience, and disaster recovery by including, by way of illustration but not limitation, grid and grid-connected technologies, like electronic control systems and distributed energy resources, and emerging "smart grid" innovations.
- (h) From 1945 to 2015, the PUC provided service under a series of contracts that were approved by federal regulators. On expiration of the final contract in June 2015, the City was required by federal law and regulations to own more facilities in order to serve its customers. The bonding authority provided in this Charter amendment is necessary for the PUC to finance the cost of these facilities in an efficient and cost-effective way.
- (i) The PUC will be able to provide service to its power customers with fewer delays and at lower cost if it has the ability to finance required facilities in the same manner as the PUC's water and clean water utilities, the Port, and the Airport, as well as municipal utilities operated by other jurisdictions.
- (j) Revenue bonds issued under the authority provided in this Charter amendment would be subject to the review and oversight of the Public Utilities Revenue Bond Oversight

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Committee, Administrative Code Sections 5A.30-5A.36, in addition to the requirements stated in Charter Section 8B.124, subsections (a) and (b).

Section 2. The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on June 5, 2018, a proposal to amend the Charter of the City and County by revising Section 8B.124, to read as follows:

NOTE:

Unchanged Charter text and uncodified text are in plain font.

Additions are <u>single-underline italics Times New Roman font</u>.

Deletions are <u>strike-through italics Times New Roman font</u>.

Asterisks (* * * *) indicate the omission of unchanged Charter subsections.

SEC. 8B.124. WATER, AND CLEAN WATER, AND POWER REVENUE BONDS.

Notwithstanding, and in addition to, the authority granted under Charter Section 9.107, the Public Utilities Commission is hereby authorized to issue revenue bonds, including notes, commercial paper, or other forms of indebtedness, when authorized by ordinance approved by a two-thirds vote of the Board of Supervisors, for the purpose of reconstructing, replacing, expanding, repairing, or improving water facilities, or clean water facilities, power facilities, or combinations of water, and clean water, and power facilities under the jurisdiction of the Public Utilities Commission. The Public Utilities Commission shall endeavor to finance new power facilities that increase delivery of clean energy, enhance reliability and safety, and increase sustainability by incorporating technologies like energy storage and electric vehicle charging, as well as other technologies that become available. In no event shall the Public Utilities

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1	Commission finance construction of a power plant that generates electricity using fossil fuels or
2	nuclear energy.
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5	APPROVED AS TO FORM:
6	DENNIS J. HERRERA, City Attorney
7	Λ
8	By: LUCK Gor Tem
9	THERESA L. MUELLER Deputy City Attorney
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REVISED LEGISLATIVE DIGEST

(1/17/2018, Amended in Committee)

[Charter Amendment - Revenue Bonds for Public Utilities Commission Facilities Needed to Produce and Deliver Clean Power]

Describing and setting forth a proposal to the voters at an election to be held on June 5, 2018, to amend the Charter of the City and County of San Francisco to authorize the Public Utilities Commission to issue revenue bonds for facilities needed to produce and deliver clean power when approved by ordinance receiving a two-thirds vote of the Board of Supervisors.

Existing Law

Charter section 8B.124 allows the Public Utilities Commission (PUC), when approved by a 2/3 vote of the Board of Supervisors, to issue revenue bonds for water and/or clean water facilities.

Amendments to Current Law

This amendment would allow the PUC to also issue revenue bonds for power facilities, when approved by a 2/3 vote of the Board of Supervisors. Bonds issued for power facilities would be subject to all of the other requirements of Section 8B.124 that currently apply to the PUC's water and clean water utility enterprises. PUC would be prohibited from financing construction of power plants that generate electricity using fossil fuels.

Background Information

- 1. Under Charter sections 9.107(6) and (8) PUC already has the authority to issue revenue bonds for some power facilities, but this authority is limited to certain types of equipment.
- 2. Electricity customers are already required to pay the costs of equipment needed to serve them, but with the proposed authority PUC will be able to plan for and finance power infrastructure in a more efficient and cost-effective way. In some cases, PUC may be able to build one facility that can serve multiple locations instead of building duplicative facilities for each customer. This can reduce the delays and disruptions caused by equipment installation and reduce costs.
- 3. The bond authority proposed here would allow the PUC to incorporate solar electricity, storage, electric vehicle chargers and other grid-connected assets that are important for sustainable and innovative electricity service.

- 4. Federal law provisions that became applicable to the City in July 2015 require PUC to own more of the equipment used to deliver electricity to customers than was previously required.
- 5. Revenue bonds issued under the proposed authority would be subject to the requirements already followed by the PUC's water and clean water programs. In addition to Board of Supervisors approval, PUC would need to satisfy the following requirements:
 - a. The PUC Commission must review and approve proposed revenue bonds.
 - b. Revenue bonds are subject to review by the Public Utilities Revenue Bond Oversight Committee, Administrative Code Sections 5A.30-5A.36.
 - c. The PUC is required to retain an independent engineer to certify that bondfinanced projects meet cost and schedule standards, and that estimated net revenue will be sufficient to meet debt service coverage and other requirements.
 - d. The SF Planning Department must certify that bond-financed projects comply with the California Environmental Quality Act.
- 6. The PUC provides clean electricity that is primarily sourced from the City's Hetch Hetchy hydroelectric system. Currently, the PUC's provision of greenhouse-gas-free electricity reduces the City's carbon footprint by about 387 million pounds per year as compared to electricity provided by PG&E. The PUC explains that this number is based on the 955 million kilowatt hours of electricity used by City departments and municipal agencies, multiplied by PG&E's most recently released power emissions factor (2015) of 405 pounds of carbon dioxide per megawatt hour. PG&E voluntarily reports this number to the Climate Registry. The Climate Registry is a non-profit organization formed in 2007 as the successor to the California Climate Action Registry, pursuant to State statute, to develop a central database for the uniform and verifiable reporting of GHG emissions.
- 7. This clean energy has other environmental and health benefits. According to the San Francisco Department of Public Health's San Francisco Indicator Project, "Motor vehicle emissions, power plants, and refineries are the predominant sources of fine particulate air pollution (PM2.5). Several large-scale studies demonstrate that increased exposure to PM2.5 is associated with detrimental cardiovascular outcomes, including increased risk of death from ischemic heart disease, higher blood pressure, and coronary artery calcification." (http://www.sfindicatorproject.org/objectives/standards/55) The California Air Resources Board links PM2.5 emissions to premature death, hospitalization for worsening of cardiovascular disease, hospitalization for respiratory disease, and asthma-related emergency room visits and increased symptoms, increased inhaler usage. (https://ww2.arb.ca.gov/resources/common-air-pollutants) Hetch Hetchy Power saves around 364,500,000 pounds of CO2 per year (as compared with PG&E's 2015 emissions), and around 13,500 pounds of PM2.5 and 42,000 pounds of nitrogen oxide per year (as compared with California average emissions.)

- 8. The PUC conducted an environmental justice analysis in 2017 in Bayview Hunters Point which highlighted some of the health impacts that the southeast part of the City continues to disproportionately experience. The findings specifically highlighted the poor air quality and resulting poor respiratory indicators in that community. Motor vehicle emissions, power plants, and refineries are the predominant sources of particulate air pollution PM2.5. Significant exposure to PM2.5 is associated with detrimental cardiovascular outcomes, hospitalization for respiratory disease, and asthma related emergency room visits and symptoms. In addition, the southeast part of the City has higher percentages of cancer risk. Many of the new power facilities PUC would finance using the authority in this measure would be located in the southeast section of the City, where new developments are located. These include neighborhood developments such as Treasure Island, Hunters Point Shipyard, Pier 70 and Mission Rock.
- 9. The 2017 environmental justice analysis included a recommendation that the PUC should expand its electric charging station network by installing stations in the southeast part of City, which would improve air quality by reducing vehicle emissions. As an illustration, if the 407,656 passenger cars in San Francisco were electric (instead of traditional gas-burning vehicles), and charged using PUC clean electricity, fine particulate matter emissions would decrease by 45,000 pounds per year, nitrogen oxide emissions would decrease by 7,500,000 pounds per year, and carbon dioxide emissions would decrease by 3,970,000,000 pounds per year. PUC could use the bonding authority in this measure to install more electric vehicle charging stations.

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CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CONTROLLER Ben Rosenfield Controller

Todd Rydstrom Deputy Controller

January 16, 2018

Ms. Angela Calvillo Clerk of the Board of Supervisors 1 Dr. Carlton B. Goodlett Place Room 244 San Francisco, CA 94102-4689

RE: File 171308 – Charter amendment authorizing the Public Utilities Commission to issue revenue bonds when approved by ordinance

Dear Ms. Calvillo,

Should the proposed charter amendment be approved by the voters, in my opinion, it would have a minimal impact on the cost of government.

The amendment provides that the Public Utilities Commission (PUC) would be authorized to issue revenue bonds for power facilities when approved by ordinance. The ordinance authorizing such bonds must pass with a two-thirds vote of the Board of Supervisors. The PUC currently has this authority for water and clean water facilities. The proposed amendment would provide the PUC with capacity to develop bond-funded facilities across a broader range of solar power facilities, power storage facilities and other infrastructure for efficient power distribution.

Existing requirements and controls over PUC bonds would all apply under the proposed amendment. These requirements include that the PUC obtain independent engineering certification that the bond-funded projects meet cost, schedule and debt coverage requirements, and that the Planning Department certify compliance with the California Environmental Quality Act. The PUC Commission, the Mayor and Board of Supervisors are all required to approve the bonds and bonds issued under this authority would be subject to ongoing review and oversight by the PUC Revenue Bond Oversight Committee.

Sincerely,

Ben Rosenfield Controller Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

December 20, 2017

File No. 171308

Lisa Gibson Acting Environmental Review Officer Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

Dear Ms. Gibson:

On December 12, 2017, Supervisor Peskin introduced legislation for the following proposed Charter Amendment for the June 5, 2018, Election:

File No. 171308 Charter Amendment - Revenue Bonds for Public Utilities Commission Power Facilities

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to authorize the Public Utilities Commission to issue revenue bonds for power facilities when approved by ordinance receiving a two-thirds vote of the Board of Supervisors; at an election to be held on June 5, 2018.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

By: Alisa Somera, Legislative Deputy Director

Rules Committee

Attachment

 Joy Navarreté, Environmental Planner Laura Lynch, Environmental Planner Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c) (2) because it does not result in a physical change in the environment. Any proposed physical project will require

environmental review.

Delra Duyer 1/12/18



Rules Committee, Item 6

Charter Amendment: Revenue Bonds for New Power Facilities

Barbara Hale
Assistant General Manager, Power
San Francisco Public Utilities Commission
January 17, 2018



Power Enterprise

- The SFPUC has been producing clean,
 greenhouse-gas-free electricity since 1918.
- Power provided to all City departments, public agencies (like SFUSD), and other purposes such as affordable housing developments.
- Saves the City money currently about \$40 million every year.
- Provides revenue that PUC reinvests into the City's clean and renewable energy facilities.
- Reduces the City's carbon footprint, currently by 387 million pounds per year.



Current Law & Bonding Capabilities

- City Charter SEC. 8B.124:
 - The SFPUC is authorized to issue revenue bonds, when approved by the Board of Supervisors, for replacement and new water and wastewater facilities.
 - Power facilities not included.
- Under Charter sections 9.107(6) and (8) PUC already has the authority to issue revenue bonds for some power facilities, but this authority is limited to certain types of equipment.





- Can only use cash to fund new power facilities.
 - Not financially efficient
 - Constrains ability to strategically invest in facilities to serve multiple customers
- Since 2015, the City is **required by federal law** to own more facilities in order to serve its customers.
- Can't serve new customers without new facilities.
- Bonding needed to keep costs & rates low for our customers, and to better serve our existing and future customers.



Charter Amendment

Amend City Charter SEC. 8B.124:

The SFPUC is hereby authorized to issue revenue bonds, when authorized by ordinance approved by a two-thirds vote of the Board of Supervisors, for the purpose of reconstructing, replacing, expanding, repairing, or improving water facilities, or clean water facilities, power facilities, or combinations of water, and clean water, and power facilities under the jurisdiction of the Public Utilities Commission. The Public Utilities Commission shall endeavor to finance new power facilities that increase delivery of clean energy, enhance reliability and safety, and increase sustainability by incorporating technologies like energy storage and electric vehicle charging, as well other technologies that become available. In no event shall the Public Utilities Commission finance construction of a power plant that generates electricity using fossil fuels.



How it Would Work

- Existing requirements and controls over SFPUC bonds would all apply under proposed amendment:
 - Receive approval from SFPUC Commission, the Mayor, and Board of Supervisors for the bonds;
 - Obtain independent engineering certification that the bondfunded projects meet cost, schedule and debt coverage requirements;
 - Receive Planning Department certification of CEQA Compliance; and
 - Subject to ongoing review and oversight by the SFPUC Revenue Bond Oversight Committee.



Benefits of Amendment

- Increase in the amount of clean and affordable energy delivered to San Francisco.
 - Greater reductions to City's Carbon Footprint
 - Reduces health risks associated with dirty energy
- Greater ability to incorporate innovation solar, electric vehicle charging stations, grid controls
- Greater independence to provide clean energy, reducing disruptions & delays
- Increases resiliency of City to respond to earthquakes and other disasters
- Allows for more efficient and cost effective financing of projects.

Questions?







City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

December 20, 2017

File No. 171308

Lisa Gibson Acting Environmental Review Officer Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

Dear Ms. Gibson:

On December 12, 2017, Supervisor Peskin introduced legislation for the following proposed Charter Amendment for the June 5, 2018, Election:

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This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

701 By: Alisa Somera, Legislative Deputy Director

Rules Committee

Attachment

c: Joy Navarrete, Environmental Planner Laura Lynch, Environmental Planner



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO:

Ben Rosenfield, City Controller, Office of the Controller

FROM:

Alisa Somera, Legislative Deputy Directory, Rules Committee

Board of Supervisors

DATE:

December 20, 2017

SUBJECT:

CHARTER AMENDMENT INTRODUCED

June 5, 2018 Election

The Board of Supervisors' Rules Committee has received the following Charter Amendment for the June 5, 2018, Election, introduced by Supervisor Peskin on December 12, 2017. This matter is being referred to you in accordance with Rules of Order 2.22.4.

File No. 171308 Charter Amendment - Revenue Bonds for Public Utilities Commission Power Facilities

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to authorize the Public Utilities Commission to issue revenue bonds for power facilities when approved by ordinance receiving a two-thirds vote of the Board of Supervisors; at an election to be held on June 5, 2018.

Please review and prepare a financial analysis of the proposed measure prior to the first Rules Committee hearing.

If you have any questions or concerns, please call me at (415) 554-7711 or email: alisa.somera@sfgov.org. To submit documentation, please forward to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Todd Rydstrom, Deputy City Controller Peg Stevenson, City Performance Director



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO:

Mawuli Tugbenyoh, Liaison to the Board of Supervisors, Mayor's Office

Jon Givner, Deputy City Attorney, Office of the City Attorney

John Arntz, Director, Department of Elections

LeeAnn Pelham, Executive Director, Ethics Commission

Naomi Kelly, City Administrator, Office of the City Administrator Harlan Kelly, Jr., General Manager, Public Utilities Commission

Elaine Forbes, Executive Director, Port of San Francisco

Ivar C. Satero, Airport Director, San Francisco International Airport

FROM:

Alisa Somera, Legislative Deputy Director, Rules Committee

Board of Supervisors

DATE:

December 20, 2017

SUBJECT:

CHARTER AMENDMENT INTRODUCED

June 5, 2018 Election

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Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to authorize the Public Utilities Commission to issue revenue bonds for power facilities when approved by ordinance receiving a two-thirds vote of the Board of Supervisors; at an election to be held on June 5, 2018.

Please review and submit any reports or comments you wish to be included with the legislative file.

If you have any questions or concerns, please call me at (415) 554-7711 or email: alisa.somera@sfgov.org. To submit documentation, please forward to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Shahde Tavakoli, Mayor's Office
Kyle Kundert, Ethics Commission
Lynn Khaw, Office of the City Administrator
Lihmeei Leu, Office of the City Administrator
Juliet Ellis, Public Utilities Commission
Donna Hood, Public Utilities Commission
John Scarpulla, Public Utilities Commission
Daley Dunham, Port of San Francisco
Cathy Widener, San Francisco International Airport

Print Form

Introduction Form

By a Member of the Board of Supervisors or Mayor

I hereby submit the following item for introduction (select only one):

Time stamp or meeting dat

ar · P	
1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).	
2. Request for next printed agenda Without Reference to Committee.	
3. Request for hearing on a subject matter at Committee.	
4. Request for letter beginning: "Supervisor	inquiries"
5. City Attorney Request.	
6. Call File No. from Committee.	
7. Budget Analyst request (attached written motion).	
8. Substitute Legislation File No.	
9. Reactivate File No.	
10. Question(s) submitted for Mayoral Appearance before the BOS on	
Please check the appropriate boxes. The proposed legislation should be forwarded to the following Small Business Commission	
Planning Commission Building Inspection Commission	
Planning Commission Building Inspection Commission Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative	
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Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Sponsor(s): Peskin; Tang Subject: Charter Amendment - Revenue Bonds for Public Utilities Commission Power Facilities The text is listed: Describing and setting forth a proposal to the voters at an election to be held on June 5, 2018, to am the City and County of San Francisco to authorize the Public Utilities Commission to issue revenue	Form.