

BOARD of SUPERVISORS





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MEMORANDUM

Date: November 29, 2018

To: The Honorable Members, Board of Supervisors

From:  Angela Calvillo, Clerk of the Board

Subject:  Public Utilities Revenue Bond Oversight Committee

Board of Supervisors Rules of Order 2.21 establishes certain criteria that must be included in legislation creating and establishing, or reauthorizing, new bodies (boards/commissions/task forces/advisory bodies) and requires the Clerk of the Board to advise the Board on certain matters. Through this Ordinance, the Board will be reauthorizing the Public Utilities Revenue Bond Oversight Committee. In order to fulfill these requirements, the following is provided:

File No. 181023 Administrative Code - Extension of the Public Utilities Revenue Bond Oversight Committee

The Public Utilities Revenue Bond Oversight Committee was established with the responsibility of reporting publicly to the Mayor, Public Utilities Commission (PUC), and Board of Supervisors on PUC's expenditure of revenue bond proceeds on the repair, replacement, upgrading and expansion of the City's water collection, power generation, water distribution, and wastewater treatment facilities.

The voters passed the Initiative Ordinance (Proposition P) in November 2002 that created the Oversight Committee; therefore, amendments to the Administrative Code are limited in order to stay consistent with the ballot measure.

- Does a current body address the same or similar subject matter?

No, there is no current body that addresses the same or similar subject matter.



- Language requiring the body to meet at least once every four months

There is no language in the Administrative Code that requires the Committee to meet at least once every four months.

- Language indicating members serve at the pleasure of the appointing authority

There is no language in the Administrative Code that indicates members serve at the pleasure of their appointing authority.

- Language establishing attendance requirements

There is no language in the Administrative Code that establishes attendance requirements for members. However, the RBOC Bylaws state that "if a Committee member has misses three (3) consecutive duly called meetings of the Committee without informing the Chair as to the reason or cause of the absence, such Committee member shall be presumed to have vacated their position on the Committee. Thereupon the Chair shall place on the next succeeding agenda for the Committee's consideration an item to permit such member to appear and explain his or her absence from Committee meetings. Prior to such meeting, the Chair shall cause to be provided no later than 5 days prior to such meeting notice to the absent Committee member requesting their attendance at such meeting. If such member shall not attend the next succeeding meeting then and in such case the presumption shall become conclusive and such member shall be deemed to have vacated their position on the Committee. Thereafter the Chair shall promptly notify the appointing authority of the presumed vacancy and request that such vacancy be filled at the earliest possible date."

- Number of seats and qualifications

There are a total of seven seats: two appointed by the Board of Supervisors, two appointed by the Mayor, one appointed by the Controller, and one member appointed by the governing body of the Bay Area Water Users Association.

The members appointed by the Board of Supervisors and the Mayor must individually, or collectively, have expertise, skills and experience in economics, the environment, construction, and project management. The member appointed by the Controller must have a background and experience in auditing, and project finance.



No current officer or employee of the City shall be appointed to the Committee. No vendor, contractor, or consultant of the City that performs work funded by bonds issued by the City shall be appointed to the Committee.

- Term limits (i.e., commencement date? staggered terms?)

Each member shall serve for a term of four years, and for no more than two consecutive terms.

- Administering department

The Board of Supervisors provides the Committee with clerical, technical, and administrative assistance to publicize the conclusions and recommendations of the Committee.

- Reporting requirements

Section 5A.22 requires the Committee to issue regular reports (at least once a year) of its activities.

- Sunset date

Section 5A.36 indicates the Committee shall expire on January 1, 2019. If the Ordinance is passed, the Committee shall be extended for an additional six years (January 1, 2025).