

(R-83-1766)

RESOLUTION NUMBER R- 258570
Adopted on MAY 31 1983

WHEREAS, on March 21, 1983, the Rules Committee by a 4 - 0 vote recommended adoption of the Intergovernmental Relations Department (IRD) recommendation as set forth in IRD Report No. 83-15, dated February 25, 1983, for a City position on Assemblyman Chacon's AB 45; and

WHEREAS, when this item came before the full City Council on April 11, it was referred back to IRD for the purpose of reviewing amended language recently proposed by the author; and

WHEREAS, AB 45 would create a Consumers Utility Board (CUB) to represent and protect the interests of residential utility consumers before the Public Utilities Commission (PUC), regulatory agencies, legislative bodies, and other public agencies; and

WHEREAS, as amended, municipal utilities would be exempted from the scope of the bill; and

WHEREAS, based on IRD's analysis, the only aspect of AB 45 as introduced that directly impacted the City was the authorization for the CUB to represent residential water and sewer ratepayers in front of elected legislative bodies of utilities owned and operated by local agencies; and

WHEREAS, IRD was concerned that, while an appointed PUC may not be perceived by residential ratepayers as being their representatives, that is not the case when an elected City Council sets rates for the City's own water and sewer services; and

WHEREAS, accordingly, it was IRD's recommendation that the City Council oppose AB 45 unless it was amended to exclude water and sewer utilities owned and operated by local agencies from the provisions of the bill; and

WHEREAS, further, if that amendment was accepted by the author and the Legislature, that the Council take no formal position on AB 45; and

WHEREAS, after a thorough analysis of the amendments to AB 45, it appears that the original concerns have been ameliorated in that AB 45 specifically now prohibits the CUB from exercising its authority with respect to publicly owned and operated utilities which are governed by an elected governing board or elected legislative body; and

WHEREAS, the Rules Committee on May 16, 1983, considered and approved the recommendation of the IRD as set forth in its Report No. 83-38, dated May 11, 1983, and now forwards that report and recommendation to the full Council for similar action; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council hereby adopts the recommendation of the Intergovernmental Relations Department, as set forth in its

Report No. 83-38, dated May 11, 1983, in respect to the Council taking no position on AB 45 (Chacon) as amended or similar legislation.

APPROVED: John W. Witt, City Attorney

By Jack Katz
Jack Katz
Chief Deputy City Attorney

JK:smm
5/18/83
Or.Dept:Rules
Form=r.none

MAY 31 1983

Passed and adopted by the Council of The City of San Diego on _____,
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK

Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *June A. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

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