

BOARD of SUPERVISORS



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MEMORANDUM

TO: Harlan Kelly, Jr., General Manager, Public Utilities Commission
Miguel Gamino, Jr., Executive Director, Department of Technology
Ed Reiskin, Executive Director, Municipal Transportation Agency

FROM: Erica Major, Assistant Committee Clerk, Government Audit and Oversight
Committee, Board of Supervisors

DATE: December 15, 2015

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Government Audit and Oversight Committee has received the following proposed legislation, introduced by Supervisor Farrell on December 8, 2015:

File No. 151259

Ordinance amending the Administrative Code to require the Public Utilities Commission to gather information from City departments concerning City-owned fiber-optic facilities; and to require the Public Utilities Commission to consider and approve any future expansion of City-owned fiber-optic facilities.

If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c:
Juliet Ellis, Public Utilities Commission
Donna Hood, Public Utilities Commission
Janet Martinsen, Municipal Transportation Agency
Kate Breen, Municipal Transportation Agency
Dillon Auyoung, Municipal Transportation Agency

1 [Administrative Code - City-Owned Fiber-Optic Facilities]

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3 **Ordinance amending the Administrative Code to require the Public Utilities**
4 **Commission to gather information from City departments concerning City-owned fiber-**
5 **optic facilities; and to require the Public Utilities Commission to consider and approve**
6 **any future expansion of City-owned fiber-optic facilities.**

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

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

15 Section 1. The Administrative Code is hereby amended by adding Chapter 22E,
16 Sections 22E.1 to 22E.4, to read as follows:

17 **CHAPTER 22E. CITY-OWNED FIBER-OPTIC FACILITIES**

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19 **SEC. 22E.1. FINDINGS.**

20 (a) A number of City departments control fiber-optic facilities that they use to provide
21 municipal and other services. In addition to the Public Utilities Commission, these departments
22 include the Municipal Transportation Agency and the Department of Technology.

23 (b) Because no single City department controls these fiber-optic facilities, City departments
24 are not in a position to make the best use of these valuable City assets.

1 **SEC. 22E.2. CENTRALIZED MAP OF FIBER-OPTIC FACILITIES.**

2 (a) By December 31, 2016, the Public Utilities Commission shall develop a list, map, and
3 catalogue of all City-owned fiber-optic facilities in digital format that shall be readily available to all
4 City departments.

5 (b) The Public Utilities Commission shall ensure that the list, map, and catalogue are
6 regularly updated as additional fiber-optic facilities are obtained by City departments.

7 (c) Any City department needing fiber-optic facilities to provide municipal or other services
8 shall contact the Public Utilities Commission to determine whether any existing City-owned fiber-optic
9 facilities are available to serve the department's needs.

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11 **SEC. 22E.3. FUTURE EXPANSION OF CITY-OWNED FIBER-OPTIC FACILITIES.**

12 The Public Utilities Commission shall consider and approve any future expansion of City-
13 owned fiber-optic facilities.

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15 **SEC. 22E.4. DEFINITION OF FIBER-OPTIC FACILITIES.**

16 "Fiber-optic facilities" shall mean optical fiber strands, cables, conduits, connectors/splitters,
17 and all associated transmitters and receivers.

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19 Section 2. Effective Date. This ordinance shall become effective 30 days after
20 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
21 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
22 of Supervisors overrides the Mayor's veto of the ordinance.

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

By: 

WILLIAM K. SANDERS
Deputy City Attorney

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LEGISLATIVE DIGEST

[Administrative Code - City-Owned Fiber-Optic Facilities]

Ordinance amending the Administrative Code to require the Public Utilities Commission to gather information from City departments concerning City-owned fiber-optic facilities; and to require the Public Utilities Commission to consider and approve any future expansion of City-owned fiber-optic facilities.

Existing Law

Section 22A.1 of the Administrative Code establishes a policy “to coordinate and direct the use of [information and communication technologies] by City Departments and to provide the most cost-effective and useful retrieval and exchange of information both within and among City Departments and from City Departments to the people of San Francisco.” Sections 22A.4 and 22A.5 require City Departments to “coordinate” their procurement and use of information and communication technologies under the direction of the City’s Chief Information Officer.

Amendments to Current Law

The proposed amendments to the Administrative Code would require the Public Utilities Commission (“Commission”) to develop a list, map, and catalogue of all City-owned fiber-optic facilities in digital format. They would also require the Commission to review and approve future expansion of city-owned fiber-optic facilities.

Background Information

The City has more than 260 miles of fiber-optic facilities that are controlled by at least three City departments. They include the Commission, the Municipal Transportation Agency (“MTA”), and the Department of Technology (“DT”). The Commission uses its fiber-optic facilities to provide water, electricity, and sewer services and to operate City-owned streetlights. MTA uses its fiber-optic facilities in connection with its operation of the MUNI public transit system and traffic lights. DT uses its fiber-optic facilities for public safety and City department communications and operations.