

LEGISLATIVE DIGEST

[Public Works Code - Installation of City Infrastructure in Excavation Projects]

Ordinance amending the Public Works Code to require the installation of City-owned telecommunications and electricity infrastructure in excavation projects where the City has determined that it is both financially feasible and consistent with the City's long-term goals to develop the City's electrical and communications infrastructure; and to coordinate the installation of the infrastructure with municipal and utility excavators.

Existing Law

Article 2.4 of the Public Works Code requires a permit from the Department of Public Works ("DPW") before any City department or private entity can excavate in the public rights-of-way ("Excavation Permit").

Amendments to Current Law

The proposed ordinance amends the Public Works Code to require any person seeking an Excavation Permit from DPW to notify the San Francisco Public Utilities Commission ("SFPUC") and the Department of Technology ("DT") prior to filing the permit application. The purpose of the notice would be to enable these City departments to determine whether they will participate in the project by installing their own underground infrastructure. The ordinance would prohibit DPW from issuing an Excavation Permit until these City agencies had ample time to determine whether they will participate in the project. The ordinance would also require an excavator to work with these City agencies to facilitate the installation of City facilities where the City has chosen to participate in the project.

The proposed ordinance also requires the SFPUC and DT to review these applications for Excavation Permits to determine in a timely manner whether participation in the excavation is financially feasible and consistent with the agency's long-term goals.

Background Information

Each year in San Francisco, private entities and City agencies obtain Excavation Permits to excavate miles of the City's public rights-of-way either to install new facilities or to replace existing facilities used to provide essential services. These projects offer the City an efficient and cost-effective opportunity to expand City-owned infrastructure that the City could use to provide electric or communications services. Once a private or City excavator incurs the cost to excavate in the public rights-of-way, the City could add additional underground infrastructure to these trenches at a significantly reduced cost.

The City could use this infrastructure either for City projects, including public safety and renewable energy projects, or to provide services to the public. The City's participation in these projects could also benefit persons living in the vicinity of a proposed excavation project, by reducing the likelihood that the City might want to install facilities there at a later date.

For the City to take advantage of these opportunities, it is essential that applicants for Excavation Permits notify the SFPUC and DT of their planned excavation projects. This notice must be made sufficiently in advance of DPW issuing the permit to enable these City agencies to evaluate whether participation in the project is financially feasible and consistent with the City's long-term goal to develop the City's electrical and communications infrastructure.