

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 12-0066

WHEREAS, City and County of San Francisco Charter Section 8B.121 provides that the San Francisco Public Utilities Commission (SFPUC) has “exclusive charge of the construction, management, supervision, maintenance, extension, expansion, operation, use and control of all water, clean water and energy supplies and utilities of the City”; and

WHEREAS, under City and County of San Francisco Administrative Code Section 25.6, the SFPUC has the authority to determine the intensity of illumination, number and spacing of lighting facilities, and other details necessary to secure satisfactory street lighting; and

WHEREAS, the SFPUC currently owns and maintains 21,891 street light poles in San Francisco; and

WHEREAS, in December 2010, the Board of Supervisors adopted the Final Better Streets Plan, which encourages the use of street light accessories to foster neighborhood identity; and

WHEREAS, under authority provided by San Francisco Public Works Code, Article 5.7, Section 184.78, the Department of Public Works issues banner permits, which grant permission to temporarily occupy any City-owned utility poles (primarily street light poles) for the purpose of providing notice to residents and visitors of San Francisco about City-sponsored, City-funded, City-wide special events and locations. Because there is pre-existing legislation regarding banners, banners are excluded from the purview of the Street Light Pole Use Policy. To avoid compliance issues under the City’s various signage policies, the proposed Policy would prohibit the inclusion of text, logos, or other identifying information on the instruments or features permitted to be attached to the poles by non-City entities; and

WHEREAS, in June 2010 the Commission approved Resolution #10-0107 granting the Fisherman’s Wharf Community Benefit District approval to install hanging flower baskets on the SFPUC’s street light poles; and

WHEREAS, the Commission has authorized the SFPUC’s City Distribution Division to install data collection units for the Advanced Water Metering Infrastructure program on the SFPUC’s street light poles; and

WHEREAS, the Municipal Transportation Agency will be requesting the SFPUC’s formal approval of its project that resulted in the installation of communication devices on the SFPUC’s street light poles as part of the *SFpark* Pilot Project;

WHEREAS, the SFPUC has reason to believe that other City agencies and community groups will seek access to the SFPUC’s street lights for various purposes; and

WHEREAS, the SFPUC has undertaken development of the proposed Street Light Pole Use Policy so that these requests can be addressed in a consistent manner; and

WHEREAS, it is in the best interests of the SFPUC to develop and implement a procedure for reviewing, and approving such requests and each request for use of SFPUC street

light poles shall comply with applicable provisions of the San Francisco Planning and Public Works Codes and will be considered following compliance with the California Environmental Quality Act (CEQA) prior to approval of such requests for the use of SFPUC street light poles for non-street lighting purposes; now, therefore, be it

RESOLVED, that the Commission hereby adopts the following SFPUC Street Light Pole Use Policy:

Street lighting is the single most important use of SFPUC-owned street light poles. The policy of the SFPUC is to support the use of SFPUC street light poles for this primary purpose, while allowing alternate pole uses only if that use would not jeopardize the primary use.

At the sole discretion of the SFPUC Power Enterprise, alternate street light pole uses that would have no detrimental impact on street lighting function or longevity may be authorized. In the evaluation of street light pole use requests, the SFPUC shall prioritize uses in the following order:

- SFPUC Use for Street Lighting
- Use by Other City Agencies for Utility or Other Municipal Purposes
- Decorative Uses by City Agencies or Community Groups
Temporary Event Use (i.e., amplified sound, festival lighting) by City Agencies or Community Groups; and be it

FURTHER RESOLVED, that the Commission authorizes the SFPUC Power Enterprise to develop a process and procedures for accepting and reviewing applications from City agencies and community groups for use of SFPUC street light poles for the above-described uses; and be it

FURTHER RESOLVED, that the Commission grants the General Manager the authority to sign Memoranda of Understanding, governing shared use of SFPUC-owned street light poles by other City agencies, and to issue licenses, authorizing non-municipal entities such as merchant associations, neighborhood associations, and business districts to use the City's street light poles, consistent with the Policy described above in the staff report for this agenda item, and subject to City Attorney's approval as to the form of the license agreements.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of _____ *April 24, 2012*



Secretary, Public Utilities Commission