

MEMORANDUM

TO: Peter Koht

FROM: Linh Vuong

DATE: March 2012

RE: MODEL STREET CUT POLICIES

The cities of Boston, San Francisco, and Seattle have each adopted a city-wide policy regarding street cuts. These cities were chosen for their policies, and are not necessarily comparable to Santa Cruz.

Recommendations made based on these policies need to be tailored to the cities needs, which will be determined after meeting with Department of Public Works. This memo will summarize each of these policies and then make recommendations for the City of Santa Cruz.

BOSTON: SHADOW CONDUIT POLICY

The City of Boston has a population of 617,594. It has an area of 48.3 square miles with a population density of 12,792 persons per square mile.¹

Two agencies are involved in Boston's policy: the Public Improvement Commission (PIC) and the Office of Telecommunications (OT). OT is the main point of contact between the city and telecoms providers, and is responsible for the certification process required of telecoms to do business in the city. The process requires providers to submit information regarding experience, existing customer base, and a map of all existing conduit routes. Additional information including annual reports may be required. The process takes no more than 60 days, during which both parties can communicate regarding questions.

Once certified, OT is in charge of reviewing construction plans (maps, routes, and engineering drawings, etc.) before telecoms can get on the Agenda at the PIC.

¹ US Census Bureau. 2010. State and County Quickfacts. <http://quickfacts.census.gov/qfd/states/25/2507000.html>

OT is also responsible for research and information gathering on telecoms systems and services, in order to assist other city departments.

As stated in their “Lead Company Policy”, PIC states four objectives when considering the construction, installation, and maintenance of new conduit:

- i. Minimize disruption to the City's public ways,
- ii. Allow the planned development of telecommunications facilities within the City to benefit Boston's economy,
- iii. Provide future Network applicants reasonable and timely access to City streets, and,
- iv. Facilitate the timely construction of all such Networks.

In practice, the City allows one grant of location for installation of new conduit at each downtown street. The first applicant, aka the “Lead Company”, is responsible for notifying all companies whose names are on file with the PIC in order to coordinate other firms interested in placing conduit on that street; the cost is shared.² All interested parties coordinate together to submit one plan to the PIC. Most importantly, the City will install a spare conduit alongside any new conduit. This cost is shared among all licensees but owned and maintained by the City for future use.

[Question: does the city see many requests for the same street to be cut? Is an extra conduit typically enough? Are exceptions made?]

SAN FRANCISCO: 5-YEAR EXCAVATION POLICY [DPW ORDER 178,940]

The City and County of San Francisco has a population of 805,235. It has an area of 46.87 square miles with 17,179 persons per square mile.

² Must be done within 5 days. After notification, interested parties have 10 days to respond. Construction must begin within 90 days.

San Francisco's street cut policy is housed within the Department of Public Works. DPW is responsible for coordinating street excavation, utility work, paving and other construction projects in the public right of way.³ Additionally, the Committee for Utility Liaison on Construction and Other Projects (CULCOP) is a subcommittee that meets monthly to discuss and coordinate such projects.⁴

Broadly speaking, San Francisco's street cut policy only allows a street to be cut once every five years.⁵ Those cutting streets, typically utilities⁶ and municipalities⁷, are given an opportunity twice a year to submit 5 year plans to DPW, who requires that those excavating streets be registered. Registration requires a number of documents including authorization to use PROW, insurance, Business Tax

Registration Certificate, contact information. Additionally, the City requires a \$25,000 deposit and written confirmation that construction will not be delayed. Excavation permits can be obtained once registered, and detailed plans including maps showing location and conduit location, trench cross-section, and other relevant details must be submitted and stamped by a licensed civil engineer.

DPW reviews all 5-year plans, identifies conflicts and coordinates joint excavation projects. Excavators are required to coordinate when their plans overlap in a 5-year period. Four months before a street is paved, utilities and municipalities are notified and given another opportunity to

³ <http://sfdpw.org/index.aspx?page=370>

⁴ All utilities and municipalities with upcoming projects are required to attend these meetings.

⁵ SF Public Works Code specifically allows for an exception for new technology, under Article 2.4 Section 21

⁶ Utility is defined as a provider of "electricity, gas, information services, sewer service, steam, telecommunications, traffic controls, transit service, video, water, or other services to customers regardless of whether such Owner is deemed a public utility by the California Public Utilities Commission." (DPW ORDER 178,940)

⁷ Municipal excavator shall mean any agency, board, commission, department, or subdivision of the City that owns, installs, or maintains a facility or facilities in the public right-of-way." (DPW ORDER 178,940)

coordinate excavation. In the case of multiple applicants, utility excavators will be grouped into one category and municipal excavators into another; one agency is responsible for the work. When applicants coordinate, DPW will try to schedule repaving and waive the damage restoration fee, when possible.

A number of useful tools can be found on the DPW website, including a database useful for tracking, planning, and coordinating all projects, a contact list for utility and municipal excavators, a notice of intent distribution list, as well as a five year plan/map, and a list of active permits.

Excavation permits are not always required, and emergency situations are granted some flexibility.⁸

[Question: How often has exceptions been made? Are utilities/ municipalities often forced to delay their projects in order to allow for coordination? Why group permits by utility and municipality instead of having one lead company like in boston? How often are the same streets cut up outside of the 5 year moratorium?]

SEATTLE: PLANNING ANALYSIS COORDINATION TOOL (PACT)

The City of Seattle has a population of 608,660. The City spans 83.94 square miles and has a population density of 7,250 persons per square mile.

Seattle's street cut policy is housed within the Street Use division of the Department of Transportation (SDOT). Specifically, the Franchise and Utility Permit Section manages telecommunications installations (among others) and requires an application and detailed plans to be submitted prior to issuance of a permit. Unlike San Francisco and Boston, there is no limit to the number of times a street can be excavated. However, the Planning Analysis Coordination Tool (PACT) is (now) an online database

⁸ Permits not required for work that can be completed in 24 hours (parking meters, street lights, traffic signs/signals, trees, utility poles), sub-sidewalk basement work, sidewalk repair, sidewalk utility box repairs, or pothole repairs.

that facilitates the coordination of utility projects in the City's Right-of-Way. According to the SDOT website, PACT allows for the following:

1. Provides public and private utilities, and SDOT divisions with information in regards to planned construction work
2. Identifies coordination opportunities and shows projects that have been coordinated
3. Identifies street moratorium

The city requires that utilities update the database at least once a year, with capital improvement projects for the next three years. A map of planned construction is also available, broken into 4 quarters of the year, and type of construction (e.g. full/partial street closure, detour route, etc). Permits can be applied and paid for using Seattle's Online Permitting System. The permitting process has been integrated such that multiple permits can be applied for without having to wait for one to be entirely completed before the next can be attempted. Like San Francisco's DPW, Seattle's DOT provides repavement services available for a fee.

RECOMMENDATIONS

The three policies highlighted above range in levels of coordination, with San Francisco's being the most complex and Seattle's the least. From these policies, several recommendations can be made for the City of Santa Cruz.

**NOTE: These recommendations are based solely from the policies reviewed above and do not reflect the existing permitting process in the City of Santa Cruz. These recommendations may be revised after an interview with DPW.*

The City of Santa Cruz has a population of 59,946. It spans 12.74 square miles and has a population density of 4,705 persons per square mile. In relative terms, it is significantly smaller in physical area than the three cities whose policies have been discussed with a much smaller

population density. These factors must be considered when discussing the recommendations below.

Registration of excavators

Both Boston and San Francisco require that telecoms providers (in the case of SF, anyone excavating) be registered with the City. This serves a dual purpose: the City can monitor who is doing business in the area and an automatic contact list can be created to notify providers when major projects will be occurring.

Coordination mechanism

At the highest level, each of these policies make use of some kind of coordination mechanism. San Francisco and Boston both have designated subdivisions, CULCOP & OT/PIC respectively, that coordinate capital improvement plans while Seattle and San Francisco use an online database. More importantly, these tools allow for future planning, as they account for capital improvement plans in the next 3-5 years. If the city can leverage technology, user-friendly database would allow the City to track, monitor, and coordinate street cuts. Access to the database should be limited to City departments only, though the information can be shared with excavators on a need- to-know basis.

Maps in the Permitting Process

All three cities require that detailed maps be submitted during the permitting process. Boston also requires that updated plans are submitted after construction is over. Due to the difficulties of inventorying existing underground infrastructure, requiring standardized detailed maps of construction will help the City begin to document current and future infrastructure. This could be done by requiring applicants to be submit drawings in GIS or CADD files so that the City could then overlay it on existing maps in their system.

Time Moratorium

Both Boston and San Francisco have strict time moratoriums on street cuts. Boston only allows streets to be cut once, requiring an additional conduit installed during each excavation. San Francisco places a 5-year moratorium on street cuts. Seattle takes the opposite perspective, only selectively placing moratoriums.

Several considerations must be made when deciding the time moratorium for Santa Cruz. In particular, the city's size and population density may not require strict time policies. However, because the city's economy is highly dependent on tourism, main arteries that lead to tourist areas may warrant a more strict policy than low-traffic streets.

[Questions:

Determine how many times a street is cut up in San Francisco vs. how many requests Boston receives to cut up a street twice.

How often does DPW get a request for street cuts?]