



Department Source: Law

To: City Council

From: City Manager & Staff

Council Meeting Date: November 20, 2017

Re: Supplemental Information for B214-17 – Amending Chapter 24 of the City Code Pertaining to Public Utility Rights-of-Way Management

Executive Summary

An amendment sheet has been prepared to revise the ordinance based on input received from interested parties.

Discussion

Bill 214-17 has been amended as follows:

- To include a definition for “excavation.”
- To further define “facilities maintenance” to exclude de minimis obstruction or interferences due to minimal operations of less than two (2) hours.
- To correct an inconsistency in the definition of “ROW work permit or permit.”
- To clarify that “territorial agreements” will constitute “ROW agreements.”
- To allow bulk facilities maintenance permits to be issued for a generally defined area or neighborhood.
- To allow a ROW user to provide notice forty-eight (48) hours after work has commenced if advance notice is not practicable under the circumstances.
- To clarify that restoration of ROW after excavation or facilities maintenance must comply with city standards.
- To reduce the amount of time ROW users must guarantee the restoration from four (4) to two (2) years.
- To clarify the process for tree trimming to ensure it conforms with state statute.
- To clarify that the amounts for permit fees will be the same as listed in Chapter 24.
- To allow applicants to submit a map or plat of where excavation or facilities maintenance will take place in writing or in another manner approved by the director.
- To increase the amount of time ROW users have to respond to a notice of required relocation or adjustment.

City staff met with multiple interested parties, including Boone Electric, on August 25, 2017 and September 22, 2017, Ameren UE on October 31, 2017, Mediacom on November 8, 2017, and had several conversations with Socket and Charter regarding their questions and concerns.



Fiscal Impact

Short-Term Impact: See original council memo.

Long-Term Impact: See original council memo.

Strategic & Comprehensive Plan Impacts

Strategic Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Public Safety, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Inter-Governmental Cooperation, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

Legislative History

Date	Action
08/07/2017	B214-17 – Old Business and continued to 11/20/2017 council meeting.
07/17/2017	B214-17 – Introduction and 1 st reading.
04/03/2017	REP23-17 – Proposed amendment to Chapter 24 (rights-of-way management).
10/03/2016	Staff presentation to Council concerning issues related to utility companies working within public rights-of-way.
11/30/2016	Staff met with representatives from local utility companies.

Suggested Council Action

Approve the amendment sheet and then passage of the ordinance amending Chapter 24 of the City Code.