



CITY OF HUNTINGTON BEACH

City Council Interoffice Communication

To: Honorable Mayor and City Council Members

From: Debbie Cook, City Council Member *DC*

Date: August 29, 2005

Subject: ***H-ITEM FOR SEPTEMBER 6, 2005 CITY COUNCIL MEETING -
VERIZON WORK ON PRIVATE STREETS***

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STATEMENT OF ISSUE:

Verizon's "Fiber to the Premises" (FTTP) project involves street work throughout most of Huntington Beach. Verizon is required to obtain a Utility Encroachment Permit from the Public Works Department for inspection of work within the public right-of-way. The construction work affecting street pavement and concrete sidewalk areas consists of boring and open cut trenching to install conduits through which the fiber optic cables will be pulled.

The Public Works Department has the ability to require street restoration and concrete replacement in the public right-of-way. On private streets, areas covered by homeowners associations (HOA), Verizon may request access to these areas directly through the HOA with no Public Works encroachment permit required. Most HOAs do not have the expertise to condition and inspect the work of Verizon's subcontractors.

It is important that these HOAs be provided the opportunity to retain professional assistance to properly oversee the work on their private streets and sidewalks. This assistance could be made available by private consulting inspection firms or through the city's Public Works Department.

RECOMMENDED ACTION:

1. Direct staff to develop a communication tool that provides HOAs the adopted standards for restoration of infrastructure so that each HOA may retain its own consulting inspection; and/or
2. Direct staff to develop a "template" agreement in coordination with the City Attorney's office that allows HOAs to compensate the city for inspection services. Include in the agreement the necessary releases of liability.

Each of these approaches would allow the HOAs to charge Verizon for the right to work on the private streets to offset the cost of inspection.

xc: Penny Culbreth-Graft, City Administrator
Joan Flynn, City Clerk
Paul Emery, Deputy City Administrator
Robert Beardsley, Director of Public Works

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