

MOTION

The Above Ground Facilities Ordinance (AGF) was established in 2003 to regulate the placement, size, and landscaping of utility and telecommunication equipment in the public rights-of-way. In 2012, the AGF ordinance was updated to include new parameters for the regulation of cell towers and antennas.

The California Public Utilities Commission (CPUC) is the state agency tasked with protecting consumers, the environment, and ensuring access to safe and reliable utility infrastructure and services. As such, implementation of state bills and development of regulatory policies and procedures related to utility safety are within their purview. Federal agencies, including the Pipeline and Hazardous Materials Safety Administration (PHMSA), also establish mandatory safety standards for natural gas pipelines under 49 CFR CFR Parts 191, 192, 193, and 199, which are enforced in California through CPUC oversight. Since the last update to the AGF Ordinance, the state and federal government have passed several safety initiatives aimed at disaster planning and resilience, including mandates and regulatory programs targeted at natural gas infrastructure.

The city should ensure permitting for these types of safety improvements are as streamlined as possible to support compliance and timely implementation for the good of the public.

I THEREFORE MOVE that the City Attorney, with the assistance of the Bureau of Engineering, be instructed to amend LAMC 62.08 - Specifications and Procedures for Above Ground Facilities (AGF) Installations in the Public Right-of-Way, Section IX (Exemptions from the AGFSP), Subsection D (Other) to read as follows:

D. Other: Temporary water service AGFs, sampling taps, dissipaters, water control appurtenances associated with water regulator stations, water flow meters, and water valves, and vent stacks related to maintenance holes and vaults, **as well as State and Federally Regulated Gas Safety Infrastructure**, shall not be subject to the AGFSP, except for the pedestrian passage retrofit requirements in Section X.B. These facilities may also be subject to other BOE permit requirements.

I FURTHER MOVE that the Council instruct the City Attorney, with the assistance of BOE to add a definition to LAMC 62.08 - Specifications and Procedures for Above Ground Facilities Installations in the Public-Rights-Of-Way, to read as follows:

STATE AND FEDERALLY REGULATED GAS SAFETY INFRASTRUCTURE: Equipment installed above surrounding grade in the public rights-of-way that:

(a) are part of, directly integral, or functionally necessary to, the operation, safety, integrity, monitoring, or regulatory compliance of, natural gas distribution, transmission, or storage system operated by a public utility company pursuant to a gas system franchise granted by the City (Grantee);

SEP 18 2026

SEP 18 2026

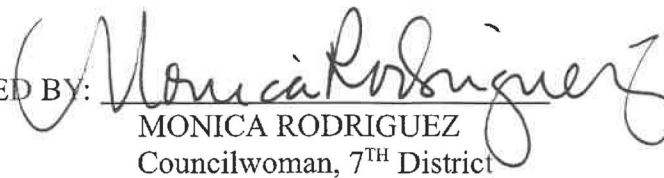
(b) are mandated, authorized, approved, or required to be installed in furtherance of compliance with applicable federal or state law including, but not limited to, regulations, mandates, general orders, decisions, approvals or directives of the California Public Utilities Commission (CPUC), the California State Fire Marshal (CSFM), or the Pipeline and Hazardous Materials Safety Administration (PHMSA), applicable to the Grantee; and

(c) serves one or more of the following safety, operational, regulatory or compliance functions, including but not limited to:

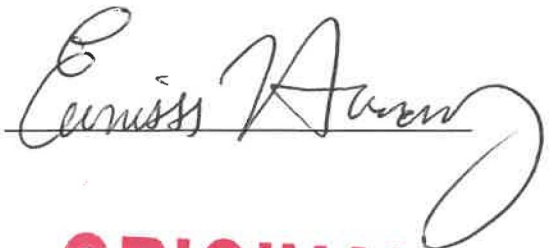
- (i) Real-time or remote monitoring of gas system pressure, flow, temperature, or operational status through Supervisory Control and Data Acquisition (SCADA) systems, Remote Terminal Units (RTU), field sensors, or equivalent telemetry or communications infrastructure;
- (ii) Automatic or remote-control shutoff, isolation, or pressure regulation of gas flow within the distribution, transmission, or storage system, including valve actuators, linebreak automation panels, and associated control, communication, and power supply equipment;
- (iii) Cathodic protection of metallic pipelines and associated infrastructure against electrochemical corrosion, including test stations, rectifiers, associated power supply systems, junction boxes and associated monitoring and measuring equipment; or
- (iv) Any other gas pipeline safety function specifically required by CPUC general order or written directive and designated as Gas Safety Infrastructure by the Board of Public Works.

I FURTHER MOVE that the Department of Public Works be authorized to make any corrections, clarifications or revisions to the permitting process in order to effectuate the intent of this Motion, in response to any subsequent changes in federal or state laws and regulations.

PRESENTED BY:


MONICA RODRIGUEZ
Councilwoman, 7TH District

SECONDED BY:



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