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Title: RESOLUTION - Calling a public hearing to determine whether public necessity, health, safety, or welfare requires the formation of Underground Utility District No. FRE-94 (UUD FRE-94) (Council Districts 1, 3 and 7); public hearing set for August 27, 2015 at 10:00 a.m.

Sponsors: Public Works Department

Indexes:

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Attachments: 1. 15-632 Attachment A, 2. 15-632 Resolution, 3. Final Resolution.pdf

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REPORT TO THE CITY COUNCIL

July 16, 2015

FROM: SCOTT L. MOZIER, PE, Director
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THROUGH: ROBERT N. ANDERSEN, PE, Assistant Director
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BY: JIM POLSGROVE, Supervising Engineering Technician
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SUBJECT

RESOLUTION - Calling a public hearing to determine whether public necessity, health, safety, or welfare requires the formation of Underground Utility District No. FRE-94 (UUD FRE-94) (Council Districts 1, 3 and 7); public hearing set for August 27, 2015 at 10:00 a.m.

RECOMMENDATION

Staff recommends Council adopt the attached Resolution setting the time and place for a public hearing to determine whether public necessity, health, safety, or welfare requires the formation of UUD FRE-94 located along Abby Street between Belmont Avenue and Hedges Avenue.

EXECUTIVE SUMMARY

Proposed UUD FRE-94 is generally located along Abby Street between Belmont and Hedges Avenues as shown on Exhibit "A" of the attached Resolution. Staff is requesting the adoption of UUD FRE-94 along Abby Street between Belmont and Hedges Avenues so that overhead utilities can be undergrounded along this roadway. Underground installation of Pacific Gas and Electric (PG&E) overhead electrical facilities is funded by the utility company funds set aside pursuant to California Public Utility Commission (CPUC) Rule 20A. PG&E's cost to underground existing overhead facilities within UUD FRE-94 is estimated to be \$2,090,000. Other utility companies, AT&T and Comcast Cable, will provide 100 percent of the funding to underground their existing overhead facilities. The City will be undergrounding street lights under a separate project. Adoption of the attached resolution will set the time and place of the public hearing required pursuant to Fresno Municipal Code Section 13-600 *et seq.* for August 27, 2015, at 10:00 am.

BACKGROUND

CPUC Rule 20A requires that PG&E allocate funds for the underground placement of existing overhead electrical facilities. These funds accrue to PG&E from all rate payers as part of their monthly bill, and are strictly reserved to underground overhead facilities in approved Underground Utility Districts (UUD). Specific UUDs are formed by City Council action at noticed public hearings pursuant to Fresno Municipal Code Section 13-600 *et seq.* using criteria established by CPUC Rule 20A:

1. Such undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities;
2. The street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic;
3. The street or road or right-of-way adjoins or passes through a civic area or public recreation area or an area of unusual scenic interest to the general public;
4. The street or road or right-of-way is considered an arterial street or major collector as defined in the Governor's Office of Planning and Research General Plan Guidelines.

Underground installation of PG&E overhead electrical facilities are funded by money set aside pursuant to the CPUC Rule 20A. Rule 20A identifies funding for undergrounding existing overhead utilities only. Other utility companies, AT&T and Comcast Cable, will provide 100 percent of the funding to convert their existing overhead facilities to underground. The City will be undergrounding street lights under a separate project which will be funded by the Surface Transportation Program ("STP"), a federal transportation grant.

The formation of the UUD imposes the requirement upon utility companies to underground existing overhead electrical and communication facilities. The formation of the UUD also requires affected property owners to modify their existing overhead services to accept utility service from the underground facilities. However, the City can make the cost of the conversion for each property owner a cost covered by the allocated funds from the Rule 20A. City policy is now and has historically been to utilize Rule 20A funds for the cost of the conversion.

Adoption of the resolution will set the time and place of the public hearing for August 27, 2015, at 10:00 AM in the Council Chambers of the Fresno City Hall, 2600 Fresno Street, Fresno, California.

ENVIRONMENTAL FINDINGS

Staff has performed a preliminary environmental assessment of this project and has determined that it falls within the Categorical Exemption set forth in Sections 15302(c) and (d) of the CEQA Guidelines, which exempts replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity and conversion of overhead electric utility distribution system facilities to underground including connection to existing overhead electric utility distribution lines where the surface is restored to the condition existing prior to the undergrounding. Furthermore, Staff has determined that none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to this project.

LOCAL PREFERENCE

This Council item does not call for activities which implicate local preference rules.

FISCAL IMPACT

There will be no impact to the City's General Fund. Underground installation of PG&E overhead electrical facilities are funded by the utility company funds set aside pursuant to the PUC Rule 20A. Other utility companies, AT&T and Comcast Cable, will provide 100 percent of the funding to underground their existing overhead facilities. The City will be undergrounding street lights under a separate project which will be funded by the Surface Transportation Program ("STP"), a federal transportation grant. Administrative costs for the formation of the District will be funded by the Measure C Flexible Fund.

Attachments:

Exhibit A
Resolution