



## Legislation Details (With Text)

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**Title:** HEARING - Actions pertaining to a Resolution of the Council of the City of Fresno, California, establishing Underground Utility District No. FRE-96, ("UUD FRE-96") (Council District 3).  
1. RESOLUTION - Establishing Underground Utility District No. FRE-96, ("UUD FRE-96")  
**Sponsors:** Public Works Department  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. 18-0918 Resolution.pdf, 2. 18-0918 Exhibit A.pdf

Date	Ver.	Action By	Action	Result
8/16/2018	1	City Council	adopted	Pass

### REPORT TO THE CITY COUNCIL

**August 16, 2018**

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### SUBJECT

HEARING - Actions pertaining to a Resolution of the Council of the City of Fresno, California, establishing Underground Utility District No. FRE-96, ("UUD FRE-96") (Council District 3).

1. RESOLUTION - Establishing Underground Utility District No. FRE-96, ("UUD FRE-96")

### RECOMMENDATION

Staff recommends Council adopt the attached Resolution establishing Underground Utility District No. FRE-96.

## EXECUTIVE SUMMARY

Proposed UUD FRE-96 is generally located along Church Avenue between Walnut and Martin Luther King Blvd., Walnut Avenue between Church Avenue and Grove Avenue and Martin Luther King Blvd. between Church Avenue and Grove Avenue as shown on Exhibit “A” of the attached Resolution. Staff is requesting the adoption of UUD FRE-96 so that overhead utilities can be undergrounded along this roadway in conjunction with the City’s street improvement projects surrounding the planned Martin Luther King Activity Center. 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-96 is estimated to be \$4,000,000. Other utility companies, AT&T and Comcast Cable, will provide 100 percent of the funding to underground their existing overhead facilities.

## BACKGROUND

On July 26, 2018, the Council adopted Resolution No. 2018 -162 which called today’s public hearing to consider the formation of UUD FRE-96.

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 (UUDs). 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 underground their existing overhead facilities. The proposed Martin Luther King Activity Center project is part of a catalytic transformation currently underway to improve air quality and overall quality of life in Southwest Fresno. Through funding from the Transformative Climate Communities Program, investments from State Center Community College District (SCCCD) and collaboration with the City of Fresno, Southwest Fresno will soon be home to a new community college campus. The City has also secured federal and local funding for street improvements and

active transportation infrastructure in the area adjacent to the Campus. The proposed trails, bike lanes and sidewalks will provide connectivity for students and residents. It is expected that a number of housing developments and retailers will follow the campus, bringing an even greater need for complete streets that support alternative modes of travel. Undergrounding the overhead utilities is essential in the build out of the proposed street improvements.

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.

Council approved the current Five Year Underground Utility District Plan on January 11, 2018, which includes UUD FRE-96.

Fresno Municipal Code Section 13-600 *et seq.*, establishes a procedure for the creation of the UUD. The initial step requires a public hearing to determine whether public necessity, health, safety or welfare require the full underground installation of existing overhead wires and associated structures within the proposed district. All property owners and utility companies in the proposed district have been mailed a notice of the public hearing in accordance with provisions of the Code.

Should the Council not approve the formation of the District, overhead services will continue in the area and the overhead facilities would remain in place along Church Avenue between Walnut and Martin Luther King Blvd., Walnut Avenue between Church Avenue and Grove Avenue and Martin Luther King Blvd. between Church Avenue and Grove Avenue.

## **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 require 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 CPUC Rule 20A. Other utility companies, AT&T and Comcast Cable, will provide 100 percent of the funding to underground their existing overhead facilities. Administrative costs for the formation of the District will be funded by the adjacent Public Works Department capital improvement project budgets.

**Attachments:**

Resolution

Exhibit "A"