



FILED
OFFICE OF THE CITY CLERK
OAKLAND
2019 SEP 20 AM 9:01

AGENDA REPORT

TO: City Council and members of the Public

FROM: Dan Kalb, City Council President Pro Tempore

SUBJECT: Resolution In Support Of Increased Funding For Undergrounding Of Utility Wires To Prevent Wildfires

DATE: September 19, 2019

Colleagues on the City Council and Members of the Public, We respectfully urge your support for the attached Resolution:

RECOMMENDATION

ADOPT A RESOLUTION IN SUPPORT OF THE LEAGUE OF CALIFORNIA CITIES' RESOLUTION TO THE CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC) REQUESTING THAT THE CPUC AMEND RULE 20A TO ALLOW FOR THE ADDITION OF PROJECTS IN VERY HIGH FIRE HAZARD SEVERITY ZONES TO THE LIST OF ELIGIBILITY CRITERIA FOR UTILITY WIRE UNDERGROUNDING PROJECTS TO HELP PREVENT WILDFIRES AND TO INCREASE FUNDING ALLOCATIONS FOR RULE 20A PROJECTS

SUMMARY


BACKGROUND

In 2017, The California Public Utilities Commission opened its current Rulemaking R.17-05-010 to consider changes to Electric Tariff Rule 20 in order to enhance the fair, efficient allocation of ratepayer funds to communities for the undergrounding of electric infrastructure. Rule 20A mandates that public utilities allocate ratepayer funds to the conversion of above ground to undergrounded utility wires. The conversion must have a public benefit and meet one or more of the CPUC's narrowly defined criteria. Currently vulnerability to wildfires is not listed as an eligible criteria for Rule 20A projects. – The League resolution calls for adding wildfire risk to the criteria list for eligible projects and increasing funding for Rule 20A projects.

Oakland is considered to be at very high hazard severity risk for wildfire. Councilmember Kalb will be attending the League of California Cities Annual Conference in Long Beach from October 16-October 19. Passage of this resolution will give him the authority he needs to represent Oakland and advocate for this resolution.

Item: _____
Rules & Legislation Committee
October 3, 2019

Respectfully submitted,



Dan Kalb
Council President Pro Tempore, District 1

Prepared by: Lisa Jacobs, Community Services
Coordinator,
Office of Council President Pro Tempore Dan Kalb

Attachments:

1. Draft Resolution: City of Oakland
2. Draft Resolution: League of California Cities

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DRAFT

City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCIL PRESIDENT PRO TEM DAN KALB AND COUNCILMEMBER
SHENG THAO

RESOLUTION IN SUPPORT OF THE LEAGUE OF CALIFORNIA CITIES' RESOLUTION TO THE CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC) REQUESTING THAT THE CPUC AMEND RULE 20A TO ALLOW FOR THE ADDITION OF PROJECTS IN VERY HIGH FIRE HAZARD SEVERITY ZONES TO THE LIST OF ELIGIBILITY CRITERIA FOR UTILITY WIRE UNDERGROUNDING PROJECTS TO HELP PREVENT WILDFIRES AND TO INCREASE FUNDING ALLOCATIONS FOR RULE 20A PROJECTS

WHEREAS, California is experiencing fire seasons of worsening severity and in the past few years, wildfires in California have burned over 1.5 million acres of public and private forest land and destroyed over 24,000 homes; and

WHEREAS, the Oakland firestorm of 1991 was a large suburban wildland–urban interface conflagration that ultimately killed 25 people and injured 150 others and was the most destructive wildfire in California at that time, and Oakland continues to be considered at very high severity risk for wildfire; and

WHEREAS, the California Public Utilities Commission regulates the undergrounding conversion of overhead utilities under Electric Tariff Rule 20 and conversion projects deemed to have a public benefit are eligible to be funded by ratepayers under Rule 20A; and

WHEREAS, the criteria under Rule 20A largely restricts eligible projects to those along streets with high volumes of public traffic; and

WHEREAS, undergrounding overhead utilities that can spark brush fires is an important tool in preventing wildfires and offers a public benefit; and brush fires are not restricted to starting near streets with high volumes of public traffic; and

WHEREAS, the cost of undergrounding projects that do not meet Rule 20A criteria is left mostly or entirely to property owners under other parts of Rule 20; and

WHEREAS, expanding Rule 20A criteria to include Very High Fire Hazard Severity Zones would facilitate undergrounding projects that would help prevent fires; and

WHEREAS, expanding Rule 20A criteria as described above and increasing funding allocations for Rule 20A projects would lead to more undergrounding in Very High Fire Hazard Severity Zones; and

WHEREAS, The League of California Cities will vote on a drafted Resolution to the California Public Utilities Commission (CPUC) on October 18, 2019, requesting Electric Rule 20A be amended to include wildfire risk as a criteria for eligible undergrounding projects and funding; and now, therefore be it

RESOLVED: That the Oakland City Council hereby endorses the League of California Cities' Resolution requesting the CPUC amend Rule 20A to include projects in Very High Fire Hazard Severity Zones to the list of eligibility criteria and to increase funding allocations for Rule 20A projects.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California

RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES CALLING ON THE CALIFORNIA PUBLIC UTILITIES COMMISSION TO AMEND RULE 20A TO ADD PROJECTS IN VERY HIGH FIRE HAZARD SEVERITY ZONES TO THE LIST OF ELIGIBILITY CRITERIA AND TO INCREASE FUNDING ALLOCATIONS FOR RULE 20A PROJECTS

Source: City of Rancho Palos Verdes Concurrence of five or more cities/city officials

Cities: City of Hidden Hills, City of La Cañada Flintridge, City of Laguna Beach, City of Lakeport, City of Malibu, City of Moorpark, City of Nevada City, City of Palos Verdes Estates, City of Rolling Hills Estates, City of Rolling Hills, City of Ventura

Referred to: Environmental Quality Policy Committee; Transportation, Communications, and Public Works Policy Committee

WHEREAS, the California Public Utilities Commission regulates the undergrounding conversion of overhead utilities under Electric Tariff Rule 20 and;

WHEREAS, conversion projects deemed to have a public benefit are eligible to be funded by ratepayers under Rule 20A; and

WHEREAS, the criteria under Rule 20A largely restricts eligible projects to those along streets with high volumes of public traffic; and

WHEREAS, the cost of undergrounding projects that do not meet Rule 20A criteria is left mostly or entirely to property owners under other parts of Rule 20; and

WHEREAS, California is experiencing fire seasons of worsening severity; and

WHEREAS, undergrounding overhead utilities that can spark brush fires is an important tool in preventing them and offers a public benefit; and

WHEREAS, brush fires are not restricted to starting near streets with high volumes of public traffic; and

WHEREAS, expanding Rule 20A criteria to include Very High Fire Hazard Severity Zones would facilitate undergrounding projects that would help prevent fires; and

WHEREAS, expanding Rule 20A criteria as described above and increasing funding allocations for Rule 20A projects would lead to more undergrounding in Very High Fire Hazard Severity Zones; and now therefore let it be,

RESOLVED that the League of California Cities calls on the California Public Utilities Commission to amend Rule 20A to include projects in Very High Fire Hazard Severity Zones to the list of criteria for eligibility and to increase funding allocations for Rule 20A projects