

**CITY OF OAKLAND**  
**AGENDA REPORT**

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2004 SEP 16 AM 9:51

TO: Office of the City Administrator  
ATTN: Deborah Edgerly  
FROM: Public Works Agency  
DATE: September 28, 2004

RE: **RESOLUTION OF INTENTION TO ESTABLISH UNDERGROUND UTILITY DISTRICT NO. 236S FOR DEVELOPED SUBDIVISIONS WITH COMPLETED UNDERGROUND UTILITY SERVICE AT ARIANE COURT, A SEGMENT OF DIABLO DRIVE, BISHOPS COURT, OBSERVATION PLACE, SKYLINE CIRCLE AND A SEGMENT OF REDWOOD ROAD, PURSUANT TO ORDINANCE NO. 7769 C.M.S., AND TO SET A PUBLIC HEARING FOR OCTOBER 19, 2004.**

---

**SUMMARY**

The City of Oakland has a number of developed subdivisions with underground utility systems in place as part of the development. However, unless already included as part of an Underground Utility District, there is no legislation in place to protect the subdivisions by prohibiting the installation of future overhead facilities once the underground system is completed.

The purpose of this resolution is to prohibit overhead facilities on those streets or subdivisions with completed underground systems by establishing Underground Utility Districts for those uncovered areas. In accordance with Ordinance No. 7769 C. M. S., a public hearing is required prior to establishing an Underground Utility District. Once an Underground Utility District is established, the City can monitor its compliance and fine violators.

**FISCAL IMPACTS**

Because the underground system in these areas is already completed and fully paid for by the developer, there is no cost to the City of Oakland, or to the owners of properties in the subdivisions benefiting from the underground utility service.

**BACKGROUND**

Historically, the City's Underground Utility Districts are established in accordance with California Public Utilities Commission (CPUC) Rule 20 prior to the conversion, and pursuant to Ordinance No. 7769 C. M. S. The CPUC Rule 20 states the requirements for undergrounding, but it does not apply to undergrounding in these subdivisions because the developer already paid the cost in full.

Item: \_\_\_\_\_  
Public Works Committee  
September 28, 2004

Resolution of Intention to Establishing Underground Utility District No.236S

---

The Community and Economic Development Agency is concerned with the upward trend of underground utility systems in subdivisions without legislation in place to permanently prohibit overhead wiring. The subdivisions shown in exhibits A, B, C, D, E, and F included in Underground Utility District No. 236S and attached to the accompanying Resolution are: Ariane Court, a segment of Diablo Drive, Bishops Court, Observation Place, Skyline Circle and a segment of Redwood Road.

Public Works Agency will present to Council from time to time a number of subdivisions where undergrounding has occurred or will occur and recommend that Council establish Underground Utility Districts to include those subdivisions.

### **KEY ISSUES AND IMPACTS**

The absence of overhead lines and supporting structures in subdivisions is a facelift for the respective neighborhoods. Establishing these subdivisions as Underground Utility Districts will ensure aesthetic continuity in the roadway.

### **SUSTAINABLE OPPORTUNITIES**

Economic: There is no known direct and immediate economic impact from the undergrounding at this time. However, it is generally believed that undergrounding utilities increases property values, which translates to more property tax revenue for Oakland.

Environmental: The establishment of Underground Utility District No. 236S has permanently eliminated approximately four thousand five hundred feet of overhead lines in or affecting the public right-of-way. It has improved the livability and aesthetics for the neighborhoods and reduced potential for fire, electric danger, or utility outages resulting from trees falling or touching overhead wires

Social Equity: The absence of overhead wires and wood poles in these subdivisions distinguishes itself in the respective neighborhoods and creates citizen interest in undergrounding the utilities in other neighborhoods.

### **DISABILITY AND SENIOR CITIZEN ACCESS**

The replacement of overhead lines and wood poles with a new underground system has resulted in enhanced streetlighting and/or perception of safety for the disabled and senior citizens. The absence of wood poles in the public right-of-way has reduced sidewalk obstructions.

**RECOMMENDATION AND RATIONALE**

Staff recommends that City Council adopt the resolution setting Tuesday, October 19, 2004, as the date for the public hearing pertaining to the establishment of Underground Utility District No. 236S, and if the public hearing is satisfactory, adopt the resolution establishing Underground Utility District No. 236S on Tuesday, October 19, 2004.

**ACTION REQUESTED OF THE CITY COUNCIL**

Adopt the resolution.

Respectfully submitted,



**RAUL GODINEZ II**

Director, Public Works Agency

Reviewed by:

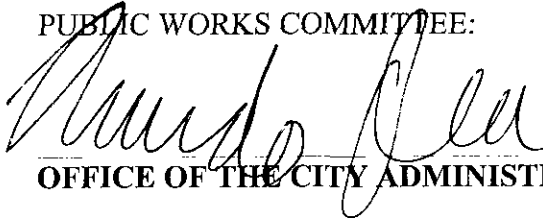
Bruce Saunders

Assistant Director, Public Works Agency  
Department of Infrastructure and Operations

Prepared by:

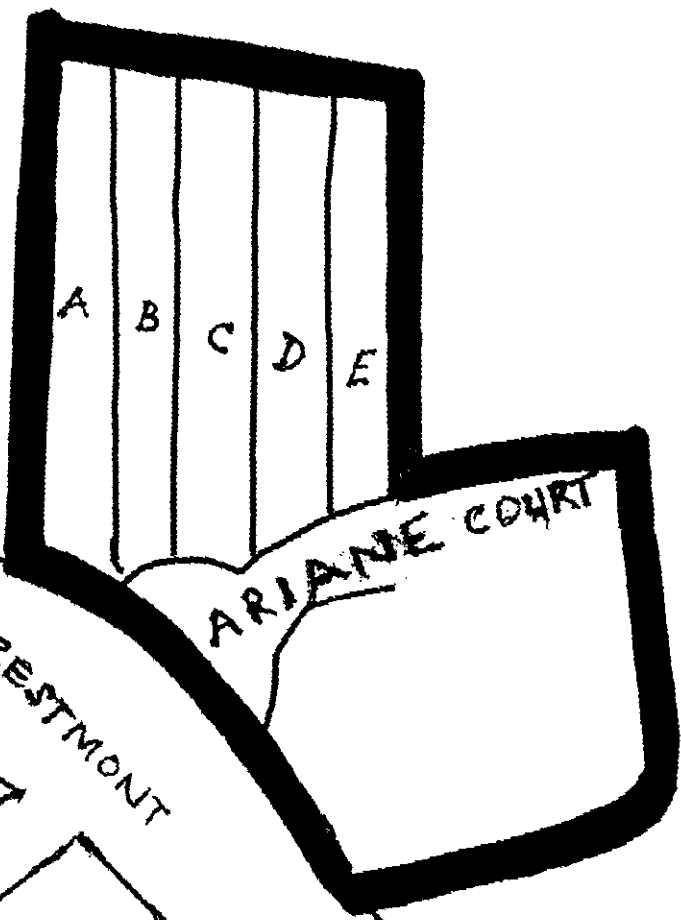
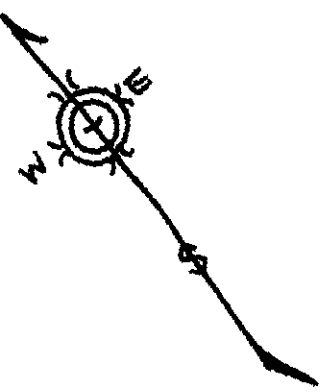
Elroy Holtmann, Manager  
PWA-Electrical Services Division

APPROVED AND FORWARDED TO THE  
PUBLIC WORKS COMMITTEE:



**OFFICE OF THE CITY ADMINISTRATOR**

ARIANE COURT



CRESTMONT DRIVE

ARIANE COURT

ROAD

SAMARIA LANE

DRIVE

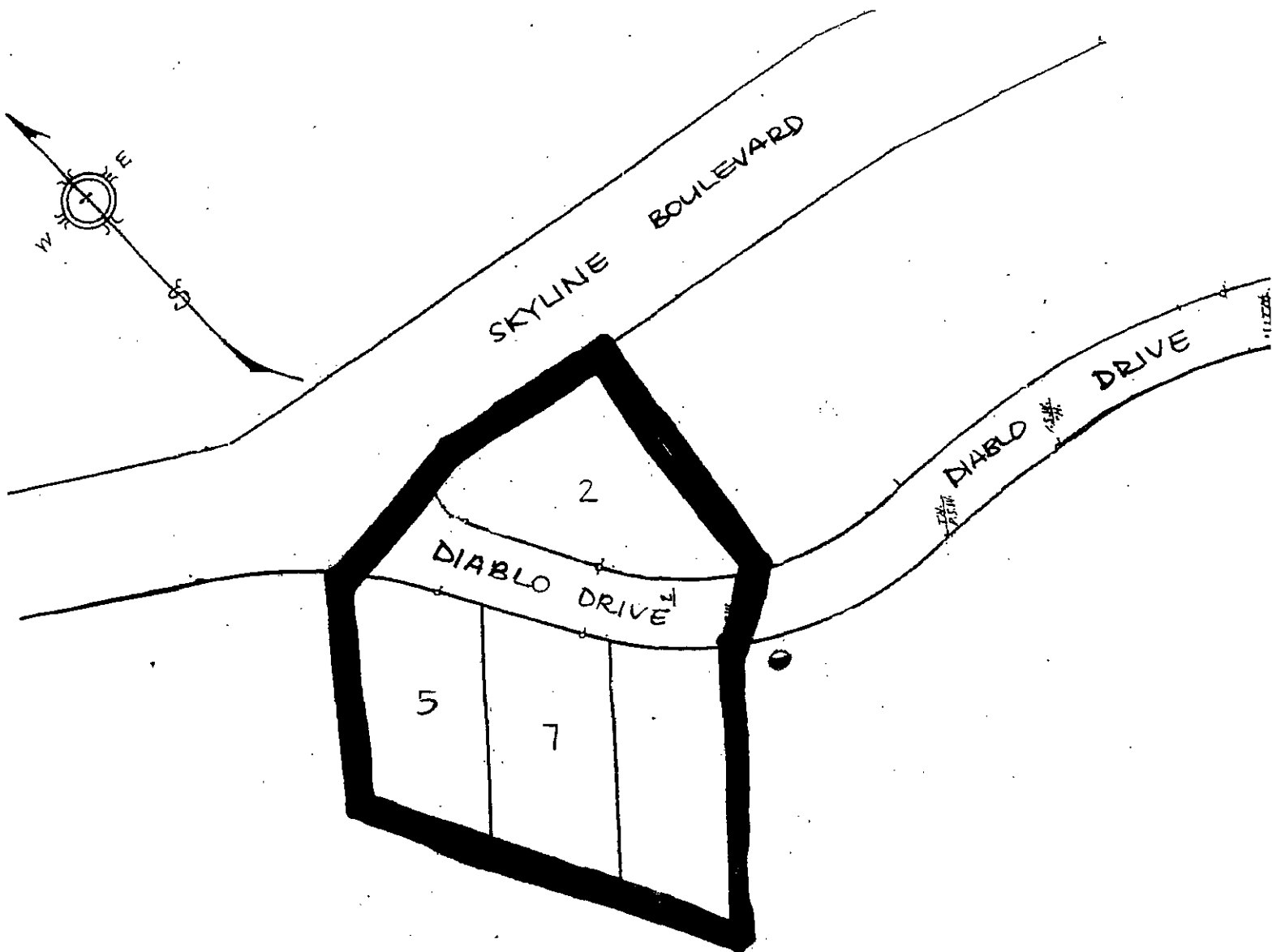
BOUNDARY LINE

REDWOOD ROAD

REDWOOD

# A SEGMENT OF DIABLO DRIVE

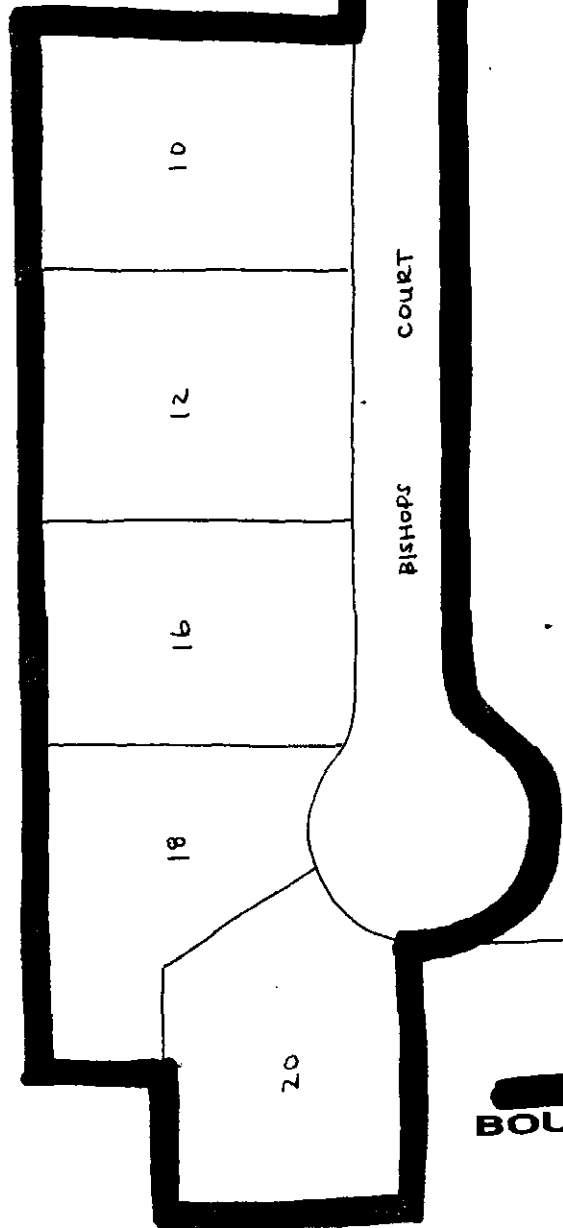
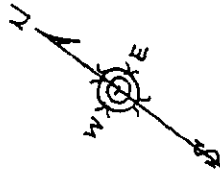
# EXHIBIT B



 **BOUNDARY LINE**

 **FIRST WOOD POLE OUTSIDE THE BOUNDARY**

BISHOPS COURT



PASO

ROBLES

460 ft

BISHOPS COURT

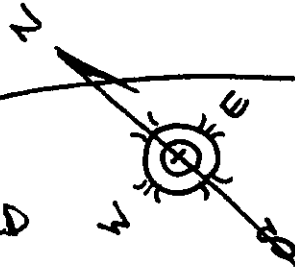
SHEPHERD CANYON

SHEPHERD CANYON

 BOUNDARY LINE

OBSERVATION PLACE

EXHIBIT D



SKYLINE

BOWLEYARD

ELVERTON DRIVE

PLACE

15

12

23

16

27

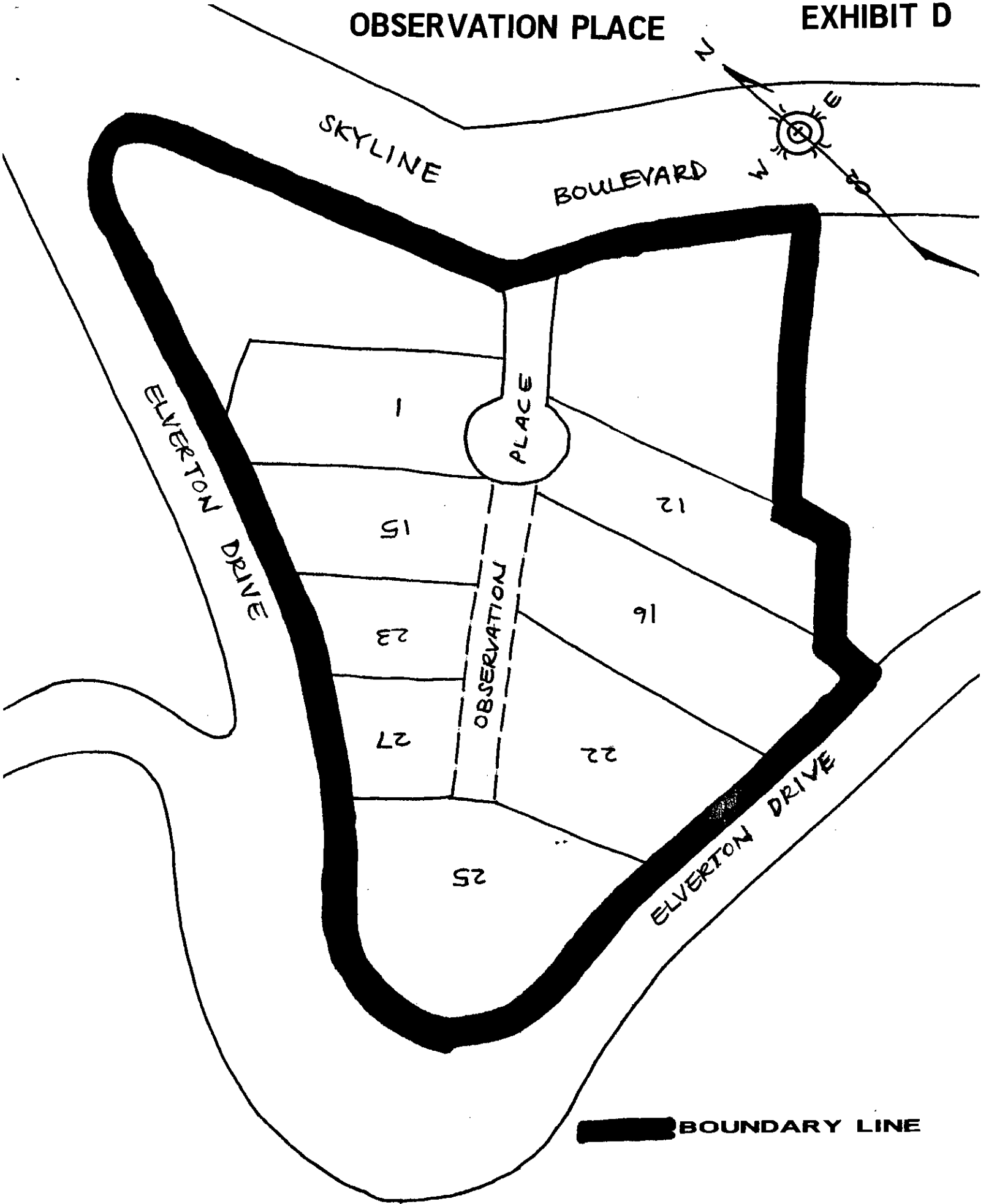
22

25

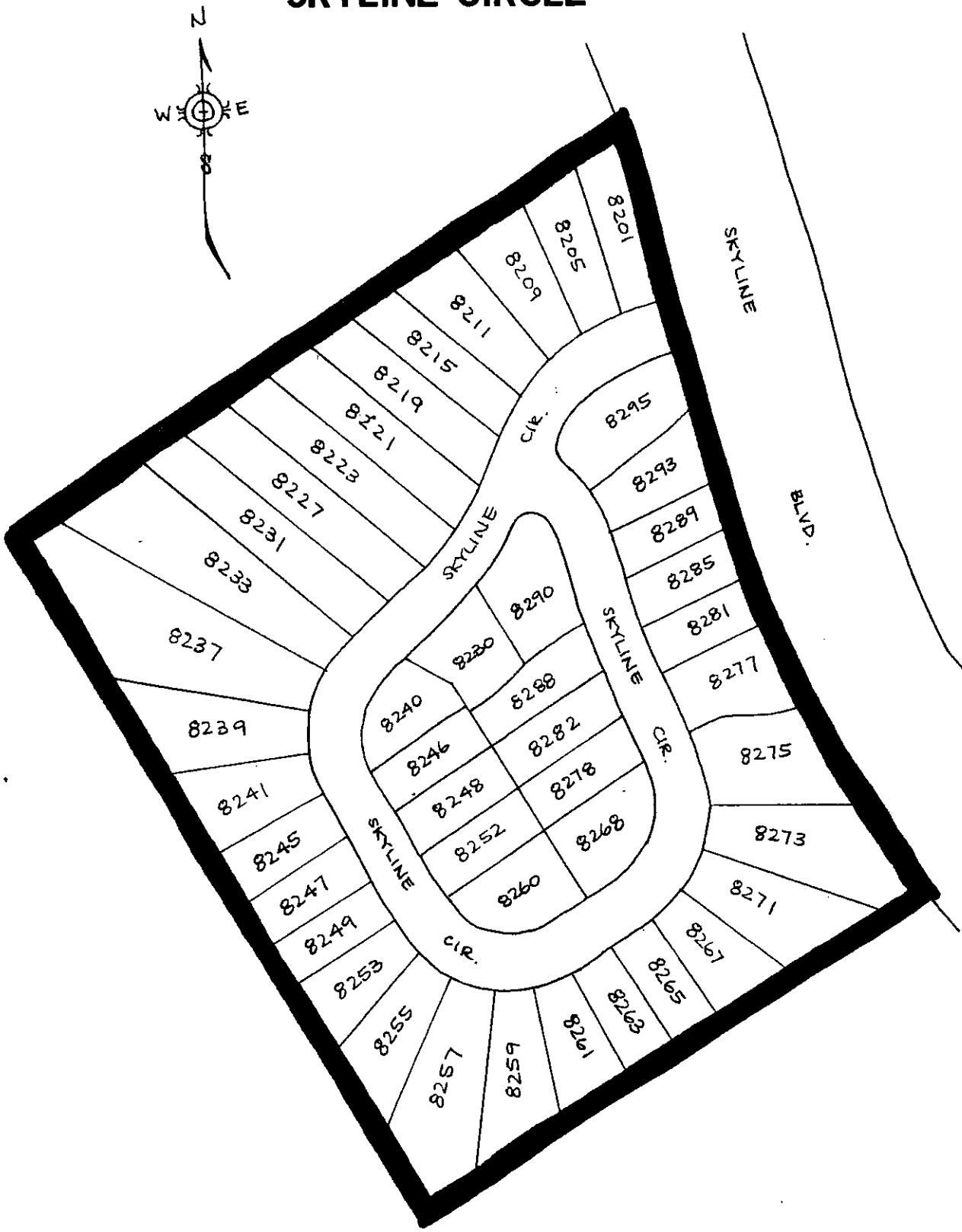
ELVERTON DRIVE

OBSERVATION

**BOUNDARY LINE**



SKYLINE CIRCLE

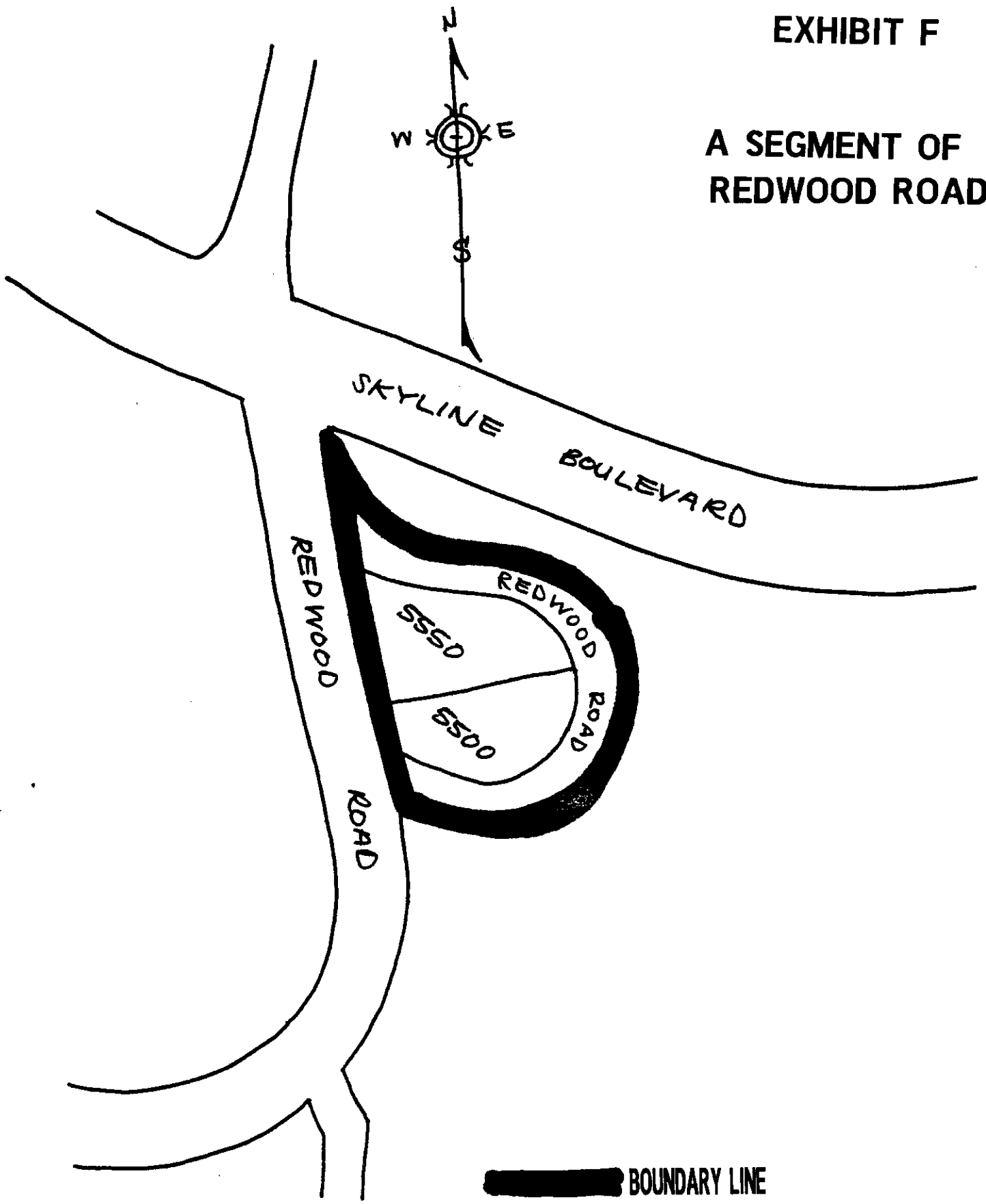


**BOUNDARY LINE**



EXHIBIT F

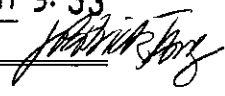
A SEGMENT OF  
REDWOOD ROAD



OAKLAND CITY COUNCIL  
RESOLUTION No. \_\_\_\_\_ C.M.S.

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2004 SEP 16 AM 9:53



INTRODUCED BY  
COUNCILMEMBER \_\_\_\_\_

**RESOLUTION OF INTENTION TO ESTABLISH UNDERGROUND UTILITY DISTRICT NO. 236S FOR DEVELOPED SUBDIVISIONS WITH COMPLETED UNDERGROUND UTILITY SERVICE AT ARIANE COURT, A SEGMENT OF DIABLO DRIVE, BISHOPS COURT, OBSERVATION PLACE, SKYLINE CIRCLE AND A SEGMENT OF REDWOOD ROAD, PURSUANT TO ORDINANCE NO. 7769 C.M.S., AND TO SET A PUBLIC HEARING FOR OCTOBER 19, 2004.**

**WHEREAS**, Ordinance No. 7769 C.M.S. establishes a procedure for the creation of Underground Utility Districts and requires as the initial step in such procedure the holding of a public hearing to ascertain whether public necessity, health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication or similar associated service in any such district; now, therefore, be it

**RESOLVED:** That Tuesday, the 19<sup>th</sup> day of October, 2004, at 7:00 p.m. in the regular meeting place of this City Council, Council Chambers, City Hall, One Frank H. Ogawa Plaza, Oakland, California, be, and the same are appointed and fixed as the time and place of public hearing when and where this Council will allow public testimony regarding the proposed Underground Utility District No. 236S; and be it

**FURTHER RESOLVED:** That the City Clerk shall notify or cause to notify all affected property owners as shown on the last equalized assessment roll and utilities concerned of the time and place of such hearing by mailing a copy of this resolution together with an explanatory letter to such property owners and utilities concerned at least ten (10) days prior to the date thereof. Hearing notices shall also be publicly posted within the area of the proposed district; and be it

**FURTHER RESOLVED:** That the area proposed to be included in said District No. 236S is shown in exhibits A, B, C, D, E and F attached hereto; and be it

**FURTHER RESOLVED:** That the purpose for the creation of the Underground Utility District is to assure that no future overhead facilities can be placed within the designated subdivisions.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN and  
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

CEDA FLOYD  
City Clerk and Clerk of the Council  
of the City of Oakland, California