

INTRODUCED BY COUNCILMEMBER _____



RESOLUTION ESTABLISHING UNDERGROUND UTILITY DISTRICT NO. 232 (PIEDMONT PINES AREA) PURSUANT TO ORDINANCE NO. 7769 C.M.S. AND AUTHORIZING THE UTILITIES TO IMPLEMENT CALIFORNIA PUBLIC UTILITIES COMMISSION 100-FOOT RULE TO INSTALL SERVICE LATERALS AND ELECTRIC SERVICE PANEL CONVERSIONS

WHEREAS, by this Resolution a public hearing has been called for May 2, 2000 at the hour of 7:30 p.m. in Oakland, California, to ascertain whether the 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 or associated service within Underground Utility District No. 232 comprising the area hereinafter described on the attached; and

WHEREAS, notice of such hearing has been given to all affected property owners as shown on the last equalized assessment roll and to utilities concerned in the matter and for the time required by law; and

WHEREAS, such hearing has been duly and regularly held and all persons interested have been given an opportunity to be heard; now, therefore, be it

RESOLVED: That the City Council of the City of Oakland hereby adopts and incorporates herein the findings of the Public Works Agency Interim Director as set forth in her report dated May 2, 2000, and finds that the public necessity, health, safety and welfare require the removal of poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication and similar associated services; and further finds that the streets, roads or rights-of-way in the district are public and meet at least one of the funding criteria as outlined in the said report, and hereby declares that the above-described area is established as Underground Utility District No. 232; and be it

FURTHER RESOLVED: That the City Council of the City of Oakland authorizes the City Manager or his designee to direct Pacific Gas and Electric Company (PG&E) and Pacific Bell (PacBell) to provide a substantial portion of the necessary installation of service laterals and electric service panels on affected properties within Underground Utility District No. 232, to be paid for with PG&E Rule 20A and PacBell Rule 32A; and be it

FURTHER RESOLVED: That PG&E or the entity that undertakes the underground installation of its facilities, shall use the underground conversion allocation computed pursuant to the decision of the California Public Utilities Commission (CPUC) for the purpose of providing to those premises designated by the City within Underground Utility District No. 232 a maximum of one hundred feet of individual electric service trenching and conductor, as well as backfill, surface restoration and conduit, and electric service panel if and when required; and be it

FURTHER RESOLVED: That Pacific Bell, or the entity that undertakes the underground installation of its facilities, shall fund, pursuant to the decision of the CPUC, for the purpose of providing those premises designated by the City within Underground Utility District No. 232 a maximum of one hundred feet of individual telephone service trenching and conductor, as well as backfill, paving and conduit, if and when required; and be it

FURTHER RESOLVED: That AT&T Cable Services, or the entity that undertakes cable television service, shall participate and fund, pursuant to agreement with the City of Oakland, the underground installation of its facilities for the purpose of providing these premises designated by the City within Underground Utility District No. 232 a maximum of one hundred feet of individual cable television service trenching and conductor, as well as backfill, surface restoration and conduit, if and when required; and be it

FURTHER RESOLVED: That underground installation by the utility companies shall be made to coordinate with planned street reconstruction within the limits of Underground Utility District No. 232; and be it

FURTHER RESOLVED: That the underground installations by the utility companies, AT&T Cable Services Company (AT&T) and the City, as well as the removal of poles, overhead wires and associated overhead structures by the utility companies within Underground Utility District No. 232, shall be completed no later than February 2005; and be it

FURTHER RESOLVED: That the City Manager or his designee is hereby authorized to enter into a funding agreement with owners of properties within Underground Utility District No. 232, if need be, to accept such funds, and to contract with the Utilities and approve the expenditures related to: street lighting including other City facilities, service conversion work from the public right-of-way to the dwellings at the request of the respective homeowners, the design/construction of a joint trench substructure system in the public right-of-way and associated services for the successful completion of the project; and be it

FURTHER RESOLVED: That the City Attorney and Budget Manager have approved this resolution, and a copy is on file in the City Clerk's Office; and be it

FURTHER RESOLVED: That pursuant to Section 6 of the Underground Utility Ordinance, Ordinance No. 7769 C.M.S., that the following exceptions to the order for the removal and underground installation are hereby authorized:

Electroliers, and surface mounted equipment enclosures required in the respective designs of PG&E, PacBell and AT&T.

Pole and down guy on Mountain Boulevard in front of property at 2555 Mountain Boulevard.

Pole between 2300 and 2500 Mountain Boulevard, by CalTrans fence.

Pole on Camino Lenada, between 2623 and 2615 Camino Lenada.

Pole on Las Aromas, between 2663 and 2669 Las Aromas.

Pole on La Questa, between 2607 and 2615 La Questa.

Pole on Scout Road, near the intersection of Ascot Drive and Scout Road, across from the vacant lot behind the property at 5685 Scarborough Drive.

Pole on Skyline Boulevard, below 8898 Skyline Boulevard and diagonally across from property at 8899 Skyline Boulevard.

Telephone pole on Skyline Boulevard near the intersection of Skyline Boulevard, Castle Drive and Melville Drive.

Pole on Girvin Drive, between 6363 and 6399 Girvin Drive.

Pole on Exeter Drive, behind Carisbrook Lane cul-de-sac.

Pole on Westover Drive, at corner of property at 6403 Shelterwood Drive.

Pole on Westover Drive, at corner of property at 6472 Westover Drive.

Pole on Chelton Drive, across from property at 6533 Chelton Drive.

FURTHER RESOLVED: That the City Clerk is hereby instructed to notify or cause to notify all affected utilities and all persons owning real property within Underground Utility District No. 232 of the adoption of this resolution within ten (10) days after the date of such adoption. Said City Clerk shall further notify or cause to notify said property owners of the necessity that, if they or any person occupying such property desire to continue to receive electric, communication or other similar or associated service, they or such occupant shall, by the designated date, provide all necessary facility changes on their premises so as to receive such service from the lines of the supplying utility or utilities on file with the Public Utilities Commission of the State of California. Such notification shall be by mailing a copy of this resolution together with a copy of said Ordinance No. 7769 C.M.S. to affected property owners as such as shown on the last equalized assessment roll and to the affected utilities.

I hereby certify that the foregoing is a full, true and correct copy of a Resolution passed by the City Council of the City of Oakland on MAY - 2 2000 .

CEDA FLOYD

City Clerk and Clerk of the Council

Per

Gnetha Middleton

Deputy