

CITY OF OAKLAND
AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2008 APR 10 PM 4:29

TO: Office of the City Administrator
ATTN: Deborah A. Edgerly
FROM: Public Works Agency
DATE: April 22, 2008

RE: **Supplemental Report Addressing The Issues Raised At The Public Works Committee Meeting On April 8, 2008, On The Assessment District For Piedmont Pines Phase I, Regarding Whether Council Had Directed Public Works On The Implementation Of Underground Utility Districts**

SUMMARY

In the Public Works Committee hearing of April 8, 2008, requesting a Resolution of Intention to Order Improvements for the Piedmont Pines Underground Project, Committee asked Public Works whether the Council had directed Public Works on the implementation of underground utility districts with priority given to business corridors. Public Works had submitted a status report on the Policy and Procedure for the Establishment and Implementation of Underground Utility Districts on February 8, 2005, and Supplemental Reports dated March 22, 2005, and May 24, 2005, respectively. To date, there had been no direction from Council to Public Works on the implementation of underground utility districts. Public Works continues to administer petition for undergrounding on public streets per OMC 12.16.010 Permit to Circulate Petition for Improvement.

FISCAL IMPACT

Since this report is informational only, no fiscal impacts are included.

BACKGROUND

The Department of Public Works maintains a list of proposed Underground Utility Projects and citizens interested in the undergrounding of utilities in their neighborhood can contact the Department of Infrastructure and Operations Electrical Services Division for a copy of the petition used to begin the process for utility undergrounding. This process was initiated in the late 1960s and has been in place for the past 45 years. Over 200 projects have been implemented and completed. Public Works Agency records show that projects have been initiated and completed in each of the seven council districts of the City of Oakland.

In 1987, the Piedmont Pines Area petitioned the City to form an underground district, and the Council passed a resolution on May 2, 2000, to form the Underground Utility District No. 232, Piedmont Pines Area. The MacArthur Underground Project was moved ahead of the Piedmont

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Pines Underground Project, in order to accommodate a scheduled streetscape project on MacArthur Boulevard. The City decided that undergrounding should precede the streetscape to minimize cost and inconvenience. Now that MacArthur Underground Project is near completion, the next Rule 20A project in the queue is Piedmont Pines and it is ready to move ahead with the formation of the Assessment District for Piedmont Pines Phase 1.


RECOMMENDATION(S) AND RATIONALE

Staff recommends that Council accept this Supplemental Report.

ACTION REQUESTED OF THE CITY COUNCIL

No action is requested of City Council at this time.

Respectfully submitted,


Raul Godinez, II *FOR*
Director / Public Works Agency

Reviewed by:
Bruce Saunders, Assistant Director
Dan Clanton, Manager, Electrical Services Division
Katano Kasaine, Manager, Treasury Department

Prepared by:
Paul Chan, Project Manager, PWA Electrical
David Jones, Principal Financial Analyst, Treasury Dept.

APPROVED AND FORWARDED TO THE
PUBLIC WORKS COMMITTEE:


Office of the City Administrator

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Attachments:

- Attachment A: Agenda Report: A Status Report on the Policy and Procedure for the Establishment and Implementation of Underground Utility Districts, dated February 8, 2005
- Attachment B: Agenda Report: Supplemental Report Providing (1) A List of all completed Underground Utility Districts to Date, (2) A list of Petitioned Streets with Staff's Preliminary Evaluation Indicating Non-Qualifying Streets for Rule 10A Funding, and (3) A list of Business Corridors with Overhead Utility Lines for Undergrounding Consideration, dated March 22, 2005
- Attachment C: Agenda Report: Supplemental Report Addressing the Issues Raised at the Public Works Committee Meeting on March 22, 2005, Regarding the Policy and Implementation of Underground Utility Districts, dated May 24, 2005
- Attachment D: OMC: Chapter 12.16.010 Permit to Circulate Petition for Improvement.

ATTACHMENT A

CITY OF OAKLAND AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2005 JAN 27 PM 6:21

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: February 8, 2005

RE: A STATUS REPORT ON THE POLICY AND PROCEDURE FOR THE
ESTABLISHMENT AND IMPLEMENTATION OF UNDERGROUND
UTILITY DISTRICTS

SUMMARY

The purpose of the report is to provide information on the history, policy and procedure pertaining to the formation and implementation of underground utility districts, and to highlight issues that need to be addressed to further the City's Undergrounding Program.

The City of Oakland has completed numerous underground utility districts since 1968 when the California Public Utilities Commission (CPUC) facilitated the conversion of electric and telecommunications facilities in the public right-of-way with Rule 20A funds.

Because the City of Oakland actively pursues an Underground Utility Program, coupled with citizens' better awareness of the advantages of utility undergrounding, the demand for it now is much greater than ever before. However, due to the existing constraints on use of Rule 20A funds, many of the proposed areas for undergrounding may not qualify for that funding. Interest in the undergrounding program is evidenced by the frequent inquiry calls the City receives every month as well as the expanded list of proposed underground districts awaiting evaluation to determine their eligibility for undergrounding with Rule 20A funds.

FISCAL IMPACTS

Since this report is informational only, no fiscal impacts are included.

BACKGROUND

On December 1, 1967, the State of California sponsored a conference on utility undergrounding in Los Angeles. Representatives from the League of California Cities, the utility companies, the State of California, counties and local governments attended the conference. The objective of the conference was to formulate a funding mechanism and criteria to provide funds for the municipalities to pay for the replacement of their utilities' overhead facilities in the right-of-way with an underground system. The conference was very successful.

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The final communiqué of the conference mandated the State of California to immediately authorize the CPUC to embark upon the development of the process and the establishment of the criteria for eligibility. Additionally, the CPUC was to require the electric companies (PG&E) and the telephone companies (SBC) to set aside funds annually for the municipalities to expend on underground conversion based on a formula depending on the number of electric meters in each municipality. The source of these funds is a fractional increase for the California electric and telephone ratepayers.

CPUC Rule 20A

In 1968, the CPUC passed Rule 20A which requires annual allocation of funds to municipalities by the State's utility companies to finance conversion of their existing pole lines to underground distribution systems. The street or streets eligible for the conversion must meet at least one of the Rule 20A criteria established by the CPUC and stated as follows:

PG&E will, at its expense, replace its existing overhead electric facilities with underground electric facilities along public streets and roads, and on public lands and private property across which rights-of-ways satisfactory to PG&E have been obtained by PG&E, provided that:

1. The governing body of the city or county in which such electric facilities are and will be located has:
 - a. Determined, after consultation with PG&E and after holding public hearings on the subject, that such undergrounding is in the general public interest for one or more of the following reasons:
 - 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; and
 - 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.

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(The full text of PG&E's Rule 20 can be accessed from the Public Works Agency website, <http://www.oaklandpw.com/undergrounding/index.htm>.)

The utilities and the City interpret and apply the criteria to determine whether a street qualifies. Parties that participate in the conversion, namely PG&E, SBC and the City, must have a consensus as to the eligibility of a particular street, using the Rule 20A criteria as the guideline. In the case of the City of Oakland, the parties are PG&E, SBC and the City. Comcast, though a participant, does not have to agree. The CPUC ruling does not obligate cable television companies to participate in the conversion because they are not categorized as utility companies. However, Comcast is bound by its franchise with the City to convert its overhead facilities to underground systems wherever PG&E is a participant. Likewise, SBC is obligated to underground when PG&E does. This makes PG&E Rule 20A funding the controlling funding source.

The funds allocated by PG&E and SBC as mandated by the CPUC are kept and managed by the utility company respectively; they must be used solely for undergrounding or undergrounding related work. The CPUC Rule 20A requires that a street or streets qualifying for undergrounding with Rule 20A funds must be in an Underground Utility District established by the City Council by Resolution before any undergrounding work is begun. City Council must hold a public hearing prior to the establishment of the district.

CPUC Rule 20B

Any street that does not qualify for 20A funding qualifies for 20B. Under CPUC Rule 20B, owners of properties in the street are responsible for the cost of undergrounding. The average cost for 20B undergrounding ranges from \$25,000 to \$ 60,000 per property depending on what needs to be done on a particular property. Most communities are keenly interested in the 20A program because the out-of-pocket expense is much lower in comparison to the 20B program. Funding can be accomplished by the formation of an assessment district or through other funding sources.

UTILITY UNDERGROUNDING POLICY AND PROCEDURE

Ordinance No. 7769 C.M.S. establishes the requirements and policy for utility undergrounding. To a large degree, it states the role and responsibilities of staff, City Council, the utilities and owners of properties within the established underground utility districts in order to facilitate their implementation.

The City of Oakland pursues undergrounding because undergrounding enhances public safety and economic development, a goal that staff relentlessly promotes to the utilities.

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As general practice, action on requests or petitions for undergrounding is taken on first-come, first-served basis unless otherwise directed by Council. Council moved up undergrounding on MacArthur in order to coordinate it with the streetscape project for MacArthur Boulevard to save the City money by trenching the street and sidewalk once. It was the first time Council moved a utility undergrounding project out of sequence.

Initiating an undergrounding project starts with a petition or a letter signed by a few property owners in a community, a merchants' association, or owners of properties on a particular street. The petition states the boundary of the street to benefit from undergrounding. Staff responds by telephone and in writing to acknowledge receipt of the petition and to inform the petitioner of the CPUC rules and the requirements of Ordinance No. 7769 C.M.S. that govern undergrounding with Rule 20A funds. The petitions received by the City are arranged in chronological order and placed on the waiting list (see Exhibit A).

The City, Comcast and the utilities thoroughly walk the petitioned street together at a later date and examine it by interpreting and applying the rules. The outcome of the evaluation is by consensus; but where there is some disagreement, debate and persuasion come into play until an agreement is reached. During the walk-through, the City always tries to get the optimum undergrounding possible by having the utilities look a little beyond the original boundary of the petitioned area. Sometimes the configuration of overhead lines on a street requires that the original boundary be extended to make engineering sense and to facilitate engineering design. Staff then formally informs the petitioners the outcome of the evaluation of their respective streets. If the area fails to qualify for Rule 20A funds, the petitioners are advised and given the option of undergrounding under Rule 20B and using an assessment district to fund it.

Staff works with the next street or area to qualify for Rule 20A funds and its residents and owners of properties on the street to begin the process of establishing and constructing an underground utility district. Every property owner within the official boundary is notified of the status of their proposed project, given a rough timeline when the City will meet with them to discuss their project, when property owners should expect the "YES in favor/NO against" vote card, and when the project will be presented to the City Council for public hearing before the establishment of the Underground Utility District. Because every property owner is required to participate in the conversion and incur certain predetermined out-of-pocket expenses (see Exhibit B), it makes sense that the property owner participates in the vote, or at least is sent the vote card with all pertinent information, including the approximate expense to be incurred by each property owner if the project moves forward.

Once an official boundary of the district is established, all impacted property owners informed, a community meeting held, and the vote returns are comfortably favorable (60%+), staff prepares City Council agenda items for a public hearing and for the establishment of the Underground Utility District. If an assessment district is necessary to pay for the new streetlights and the

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underground streetlight system, then a special vote for assessment first takes place. If the assessment passes, Council holds a public hearing and establishes the district after the public hearing. Costs for this work are paid for from Capital Improvement Program funds. The amount is reimbursed from the assessment district and then used for the next approved underground utility district. Upon the establishment of the district, staff and the utilities establish the schedule for completion of engineering design, start and completion of construction and staff stays on top of the schedule to ensure that it is met. A pre-construction community meeting is held shortly before construction starts to address the community and individual concerns during the construction. A PG&E crew or an outside contractor usually does the construction of the project for SBC or for the City. It is a long and protracted project as it involves PG&E, SBC, Comcast, the City and owners of properties in the district, each performing their respective tasks at various phases of the project. The removal of all overhead wires and wood poles in the district marks the completion of the project.

UPDATE OF EXISTING PROJECTS

The City recently completed La Salle/Liggett and Harbord/Estates underground utility projects. Staff has since been working on the MacArthur Boulevard project which extends from 73rd Avenue to the San Leandro city line. The contract for this project is being reviewed by the City Attorney for indemnification issues. Once the issues are resolved, the contract will be sent to the City Council with recommendation to award and construction will begin a few weeks thereafter. The project will take three years to complete. When the MacArthur project is fully underway, staff will start working on the first and second phases of the next project which are the arterial streets in the Piedmont Pines area, and continue working on and managing the San Leandro Street project.

The streets of the proposed projects are subject to future evaluation by the utilities and the City to determine if they qualify for funding under CPUC Rule 20A Based on the availability of funds, and if all the proposed projects qualified under CPUC Rule 20A, staff believes it will take 20 to 30 years to complete undergrounding on those streets. Non-qualifying areas can still benefit from undergrounding under CPUC Rule 20B through a funding mechanism resulting from an assessment district or through other funding sources.

Staff is currently engineering a Rule 20B undergrounding project on San Leandro Street from 66th Avenue to 73rd Avenue, and on 73rd Avenue between San Leandro Street and the Oakland Inter-City Rail Station. This area is across the street from the Coliseum BART station. The Community and Economic Development Agency (CEDA) requested staff to start this underground project in conjunction with the Coliseum Streetscape Project to minimize disruption, and to save the City money by trenching the street and sidewalk only once. However, PG&E was not able to initiate the project on a timely basis and provide the estimated costs. This has adversely impacted the Coliseum Streetscape Project as well as the Oakland Coliseum

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InterCity Rail Station Project. CEDA has committed and will provide the funds for this Rule 20B project. We anticipate construction to begin before the end of this year. The legislation establishing this Rule 20B Underground Utility District will be presented to Council for consideration in the foreseeable future shortly after staff receives the information needed from PG&E and CEDA.

The process of establishing an assessment district includes, but is not limited to, the following steps:

- Determine the proposed underground district boundary which is the assessment district.
- Prepare cost estimates based on the desired type of streetlights to be installed and how many, the number of properties to be impacted, including labor, other materials, Engineer's Report and outside assessment consultant (attorney).
- Meet with property owners to be impacted by the assessment/undergrounding and inform them about the project, the approximate assessment cost to each property owner and any possible additional expense to the property owner for underground conversion to their house as well as a rough timeline for the assessment and the undergrounding.
- Prepare Engineer's report (in house or consultant).
- City's Finance Agency, Treasury Division/Consultant to produce required maps, Assessor's Parcel Number for each parcel in the district.
- Treasury Division to send out assessment information/vote form and Notice of Hearing to every parcel owner. Assessment information includes the exact assessment amount, the manner in which it shall be paid and the hearing dates.
- First Hearing
- Second Hearing and establishment of the assessment district if vote/hearing is favorable
- Treasury Division records assessment district with the county.
- Treasury Division sends out letter to affected parcel owners, giving deadline lump sum payments and timeline for first installment amount to appear on the property tax statement.
- Public Hearing and establishment of the Underground Utility District

KEY ISSUES AND IMPACTS:

Considering the large number of proposed projects and the time it will take to implement them, receiving new petitions for undergrounding will extend the list and the time period for implementation too far into the future (more than 30 years).

The majority of the petitions for undergrounding come from the hill area of the City of Oakland. Staff feels that the residents in other parts of Oakland are less interested in undergrounding because of the out-of-pocket expenses that property owners must incur to convert overhead facilities to an underground system. The most recent amount assessed is approximately \$5,000

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per property. The assessment amount pays for underground streetlight system plus the cost of ornamental electroliers instead of the City's standard steel poles. A fairer distribution of underground districts in Oakland would require a review and revision of the process of initiating or applying for undergrounding as well as additional funding in lieu of an assessment.

The following is a summary of issues that need to be addressed:

- Undergrounding emergency evacuation routes.
- Undergrounding areas susceptible to wild fires caused by downed or arcing lines.
- Continuous action to get Rule 20A restrictive wording modified so the funds can be used for the above.
- Coordination with streetscape projects.
- Undergrounding in low income areas.
- Should areas not currently qualifying for Rule 20A funds stay on the list with the hope that Rule 20A will be modified?
- Should staff continue to accept new requests or petitions for undergrounding?
- Master Plan for undergrounding with emphasis on major thoroughfares and commercial areas and equitable distribution of undergrounding within the City of Oakland.

FUNDING FOR THE IMPLEMENTATION OF UNDERGROUND UTILITY DISTRICTS

In accordance with CPUC Rule 20A, PG&E currently allocates approximately \$3.3 million per year to the City of Oakland that is expended solely on undergrounding. SBC is required under its CPUC tariff to participate at its cost wherever PG&E is participating, and likewise, Comcast has to participate at its cost as required by the franchise agreement with the City. Our rough estimation is that every one mile of undergrounding costs approximately \$2 million of PG&E's allocation to the City, \$800,000 for SBC, and \$400,000 for Comcast. These costs could be much higher if the roadway is congested with pre-existing substructures, such as MacArthur Boulevard, the next project to be underway.

Until 1995, the City fully paid for the cost of streetlight underground systems in underground utility districts. But due to the City's serious budget constraints, it was decided that communities interested in undergrounding pay for the labor and materials required to replace and convert wood pole streetlights to underground systems with metal poles. The risk with this policy is that in the event that the assessment district is voted down by the property owners to be assessed, the project will be on hold indefinitely or even scrapped.

Currently, the City's allocated CPUC Rule 20A fund balance with PG&E is \$14.6 million. This amount does not include PG&E's cost of the MacArthur Undergrounding Project (from 73rd Avenue to the San Leandro city line), estimated to be \$12 million, and it does not include the closing cost adjustments for the last two underground utility projects (La Salle/Liggett and

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Harbord/Estates), estimated to be about \$600,000. The City's 2005 allocation of approximately \$3.3 million will take place in the first or second quarter of 2005, making the total 20A funds available to the City approximately \$18 million. SBC and Comcast do not divulge their budgeted amounts for undergrounding and they do not state their total final costs of underground projects. The City's primary interest is CPUC Rule 20A allocation by PG&E, the driving force behind undergrounding. The other parties are compelled to participate once PG&E takes on a project.

The City is responsible for the purchase of steel poles to be installed in underground utility districts. The estimated cost for installing a streetlight pole in an underground utility district is \$6,000 each. In addition to the cost of the standard steel pole, which is about \$3,000, the installation involves trenching, foundation, installation of the foundation, pulling cable and connection. Property owners pay these costs through an assessment district. A City electrical crew is utilized whenever it is deemed necessary. The City does the engineering design of the *new streetlight system and the composite engineering when the City is a lead agent; the utilities and Comcast reimburse the City for the reasonable cost of the composite engineering and for any pertinent work.* In general, the role of lead agent has been between PG&E and SBC. However, *SBC has informed the City that it has stopped being the lead agent for underground utility projects.* When the City is the lead agency, the City bids out the construction work for all the utilities and for the City. The City is responsible for administering the contract and costs even though PG&E, SBC and Comcast pay for their share of the work. Currently, PG&E cannot accomplish undergrounding in Oakland at a pace consistent with Oakland's allocation of Rule 20A funds. This means that the City must be lead agent for more projects in the future.

The City is responsible for communicating the process of the project and the expenses to be incurred by the property owner to the community and the impacted individual property owners. It organizes and holds community meetings, and prepares the legislation for establishing an Underground Utility District as required.

On average, the City spends about \$600,000 for street lighting work for every \$3 million of Rule 20A funds. However, the City's cost is reimbursed by owners of properties benefiting from the undergrounding through assessments.

ACTION REQUESTED OF THE CITY COUNCIL

No action is requested of the City Council at this time. Staff will proceed with the following action plan to further improve the Undergrounding Program of the City of Oakland:


1. Perform preliminary evaluations of future petitioned areas and existing petitioned streets (with the utilities' participation) to determine those areas that qualify for Rule 20A

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undergrounding as early as possible, and inform the petitioners shortly thereafter instead of placing the areas on the list pending future evaluations several years later.

2. Coordinate undergrounding with streetscape projects where the street is in a pre-existing proposed or approved underground district and move the street or project in question ahead of the rest, if necessary.

Respectfully submitted,

for 
Raul Godinez, II, P.E.
Director, Public Works Agency

Reviewed by:
Bruce Saunders, Assistant Director
Infrastructure and Operations

Prepared by:
Vernon Chang
Interim Electrical Services Manager
Electrical Services Division

Exhibit A: Approved/Proposed Underground Utility Projects

Exhibit B: Estimated Rule 20A Undergrounding Costs Incurred by Property Owner

APPROVED AND FORWARDED TO THE
PUBLIC WORKS COMMITTEE:


OFFICE OF THE CITY ADMINISTRATOR

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Public Works Committee
February 8, 2005

**CITY OF OAKLAND
UNDERGROUND UTILITY PROJECTS
January 2005**

EXHIBIT A

PROJECT	YEAR PETITIONED	RESOLUTION NO. & YEAR	START OF CONSTRUCTION	CONSTRUCTION STATUS	APPROXIMATE LENGTH OF PROJECT IN MILES
APPROVED:					
MACARTHUR BLVD. FROM 73RD TO SAN LEANDRO LINE	1993	76731 9/25/01	1ST QUARTER 2005	2008	2.5
PIEDMONT PINES AREA - RULE 20A	1987	75652 5/02/00	Not yet determined	N/A	6.5
PROPOSED:					
LAKESHORE PHASE V		N/A	TBD	N/A	3.5
OAKMORE AREA	1987	N/A	TBD	N/A	3.5
MOUNTAIN BLVD./ THORNHILL DR.	1989	N/A	TBD	N/A	1.3
SEQUOYAH RD.	1991	N/A	TBD	N/A	1.2
HIGH VOLTAGE TRANSMISSION LINES PLUG	1994	N/A	TBD	N/A	2.0
SHEFFIELD AVE.	1995	N/A	TBD	N/A	N/A
FRUITVALE AVENUE	1996	N/A	TBD	N/A	N/A
PANORAMIC HILL AREA	1996	N/A	TBD	N/A	N/A
CABOT DRIVE	1996	N/A	TBD	N/A	N/A
CHABOT RD. & PRESLEY WAY	1998	N/A	TBD	N/A	N/A
ASHMOUNT AVENUE	1998	N/A	TBD	N/A	N/A
FAIRVIEW PARK AREA (HILLEGASS)	1998	N/A	TBD	N/A	N/A
WAWONA AVENUE	1998	N/A	TBD	N/A	N/A
JACOBUS AVENUE	1998	N/A	TBD	N/A	N/A
CLARENDON CRESCENT	1998	N/A	TBD	N/A	N/A
CRANE WAY	1998	N/A	TBD	N/A	N/A
ROCKRIDGE BLVD. NORTH, ROCKRIDGE BLVD. SOUTH, ROCKRIDGE PLACE	2000	N/A	TBD	N/A	NA
COLTON BLVD.	2000	N/A	TBD	N/A	N/A
ROCKRIDGE VISTA NEIGHBORHOOD	2001	N/A	TBD	N/A	N/A
BRUNS COURT	2001	N/A	TBD	N/A	N/A
TBD = TO BE DETERMINED WHEN STREET IS EVALUATED TO DETERMINE ELIGIBILITY FOR FUNDING UNDER CPUC RULE 20A					

EXHIBIT B

CITY OF OAKLAND
ESTIMATED RULE 20A UNDERGROUNDING COSTS INCURRED BY PROPERTY OWNER
January 2005
(Estimate in 2005 Dollars)

Under existing City policies, property owners bear the following costs for Rule 20A projects:

	Cost Range in 2005\$		
	<u>Low Estimate</u>	<u>Average</u>	<u>High Estimate</u>
Streetlighting	\$ 5,000	\$ 6,000	\$ 8,000
Service Lateral and Panel Conversion	\$ 3,000	\$ 5,000	\$ 7,000
TOTAL AMOUNT PER PROPERTY	\$ 8,000	\$ 11,000	\$ 15,000



City of Oakland Meeting Minutes

Office of the City Clerk
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, California 94612
LaTonda Simmons, Interim City Clerk

*Public Works Committee

Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California 94612

City of Oakland Website: <http://www.oaklandnet.com>

Tuesday, February 08, 2005

12:30 PM

Hearing Room One - 1st Floor

The Oakland City Council Public Works Committee convened at 12:32 P.M., with Councilmember Nadel presiding as Chairperson.

Roll Call / Call to Order

Councilmember Present: 4 - Member Quan, Member Brooks, Chair Nadel and Member Chang

COMMITTEE MEMBERSHIP:

1 Approval of the Draft Minutes from the Committee Meeting held on January 25, 2005
A motion was made by Member Brooks, seconded by Member Chang, to *Approve the Minutes. The motion carried by the following vote:
Votes: Councilmember Aye: Member Quan, Member Brooks, Chair Nadel and Member Chang

2 Determination of Schedule of Outstanding Committee Items
A motion was made by Member Brooks, seconded by Member Chang, to *Approve as Submitted. The motion carried by the following vote:
Votes: Councilmember Aye: Member Quan, Member Brooks, Chair Nadel and Member Chang

(PWC Item 2 2-08-05)

[Cmte Item 2 2-08-05.pdf](#)

- 3 Subject: Donation of One Surplus GMC Fleetwood Vehicle
From: Public Works Agency
Recommendation: Adopt a Resolution authorizing the donation of one surplus 1990 GMC Fleetwood command post vehicle to the East Bay Regional Park District (05-0011)

*A motion was made by Member Brooks, seconded by Member Chang, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on February 15, 2005 as a Consent Calendar item. The motion carried by the following vote:*

Votes: Councilmember Aye: Member Quan, Member Brooks, Chair Nadel and Member Chang

[View Report.pdf,](#)
[79054 CMS.pdf](#)

- 4 Subject: Underground Utility Districts
From: Public Works Agency
Recommendation: Receive an Informational Report on the policy and procedure for establishment and implementation of Underground Utility Districts (04-0844)

*A motion was made by Member Brooks, seconded by Member Chang, that this matter be Continued to the *Public Works Committee, due back on March 8, 2005. The motion carried by the following vote:*

Votes: Councilmember Aye: Member Quan, Member Brooks, Chair Nadel and Member Chang

The Committee directed staff to return to the March 8, 2005 Public Works Committee meeting with a Supplemental Report including: 1) a list of the 200 completed underground projects identifying those that used California Public Utilities Commission (CPUC) Rule 20A Funds separated by Council districts, 2) clarification on which proposed projects meet the (CPUC) Rules and a list of those projects that did not meet the criteria, 3) a list of the preliminary scope of all projects and 4) how projects rate on priority list with respect to: safety, low income communities and benefits of undergrounding in commercial areas

[View Report.pdf](#)

Open Forum (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Public Works Committee adjourned at 1:17 P.M.

- * In the event of a quorum of the City Council participates on this Committee, the meeting is noticed as a Special Meeting of the City Council; however no final City Council action can be taken.

NOTE: Americans With Disabilities Act
If you need special assistance to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 48 hours prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple chemical sensitivities, please refrain from wearing strongly scented products to meetings.

Office of the City Clerk
Phone: (510) 238-7370
Fax: (510) 238-6699
Recorded Agenda: (510) 238-2386
Telecommunications Display Device: (510) 839-6451 (TDD)

City Clerk and Clerk of the Council

ATTACHMENT B

CITY OF OAKLAND
AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2005 MAR 17 PM 6:02

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: March 22, 2005

RE: SUPPLEMENTAL REPORT PROVIDING (1) A LIST OF ALL COMPLETED UNDERGROUND UTILITY DISTRICTS TO DATE, (2) A LIST OF PETITIONED STREETS WITH STAFF'S PRELIMINARY EVALUATION INDICATING NON-QUALIFYING STREETS FOR RULE 20A FUNDING, AND (3) A LIST OF BUSINESS CORRIDORS WITH OVERHEAD UTILITY LINES FOR UNDERGROUNDING CONSIDERATION

BACKGROUND

On February 8, 2005, Public Works Committee deliberated on the status report on the policy and implementation of underground utility districts. The Committee directed staff to come back with a list of all completed underground utility districts, to perform a preliminary evaluation of all the petitioned streets on the waiting list and to identify those streets that may not qualify for Rule 20A funding. In addition, staff is to work with Community and Economic Development Agency (CEDA) and verify if there are proposed streetscape projects that will conflict with any of the streets on the petition list, and request from CEDA a list of business corridors with overhead utility lines for possible undergrounding consideration in the future.

FINDINGS

Attached are Exhibits C and D. Exhibit C lists all of the completed Rule 20A underground utility districts from Rule 20A's inception in 1968 to the present time. Exhibit C also provides the final or estimated Rule 20A cost of each project, if available. The length of each project where undergrounding has been completed varies from one block to a little over 5 miles.

Exhibit D lists the petitioned streets on the waiting list. The "X" mark by a street name simply indicates that the street does not meet a Rule 20A criterion for undergrounding. Most of the petitioned streets do not qualify for Rule 20A undergrounding. This determination was made by staff without the utilities' participation. A street without the "X" mark does not necessarily mean that it qualifies for Rule 20A undergrounding. The City, Comcast and the utilities must have a consensus in determining a Rule 20A-qualifying street when they thoroughly walk and evaluate the petitioned street.

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Staff had determined that within Exhibit D, certain segments of Fruitvale Avenue will have no problems qualifying for undergrounding with Rule 20A funds in the future. Additionally, most of Fruitvale Avenue has a number of business and commercial corridors with overhead utility lines.

Undergrounding the utilities in residential areas with high concentration of large trees, overhead lines and wood poles also can reduce fire hazards and power outages due to downed trees, electric wires and wood poles caused by high wind or heavy rain storm. However, increased safety by preventing downed trees or electric wires is not one of the CPUC criteria used to determine eligibility for Rule 20A funding.

CEDA has informed staff that no streetscape project is anticipated within any of the petitioned streets. CEDA has also provided a list of potential business, commercial, or economic revitalization corridors, which consists of the following:

- International Boulevard from High Street to the San Leandro city limit
- Edes Avenue from Jones to Hegenberger
- Hegenberger East from I880 to International Boulevard
- E18th Street from Lakeshore Avenue to 7th Avenue
- Foothill Boulevard from 66th Avenue to 73rd Avenue

Staff has examined these business and commercial corridors, and determined that only Foothill Boulevard from 66th Avenue to Church Street is eligible for future Rule 20A funding. The utilities have already been placed underground in the remaining corridors.

RECOMMENDATION AND RATIONALE

Staff recommends that Council accept this Supplemental Report.

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ACTION REQUESTED OF THE CITY COUNCIL

No action is requested of City Council at this time

Respectfully submitted,



RAUL GODINEZ II, P.E.
Director, Public Works Agency

Reviewed by:
Bruce Saunders
Assistant Director, Public Works Agency
Department of Infrastructure and Operations

Prepared by:
Vern Chang, Interim Manager
Electrical Services Division

Exhibit C: Completed Underground Utility Districts – 1968 to Date
Exhibit D: Underground Utility Projects – January 2005

APPROVED AND FORWARDED TO THE
PUBLIC WORKS COMMITTEE:



OFFICE OF THE CITY ADMINISTRATOR

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EXHIBIT C

COMPLETED UNDERGROUND UTILITY DISTRICTS
FROM 1968 TO DATE

Project Name	Council District	Rule 20A Cost
40TH STREET - GROVE TO TELEGRAPH	1	18,650
51ST STREET - SHAFTER TO BROADWAY	1	
51ST STREET - TELEGRAPH TO SHAFTER	1	
52ND STREET - SHATTUCK AVENUE TO GROVE - SHAFTER FRWY	1	16,586
BROADWAY - BROADWAY TERRACE	1	
BROADWAY - MACARTHUR BLVD. TO CLIFTON STREET	1	
BROADWAY TERRACE - ROMANY ROAD TO WARREN FREEWAY	1	
BUENA VISTA, CONTRA COSTA, ACACIA	1	
GLEN AVENUE - 41ST TO LINDA	1	
GROVE STREET - 47TH STREET TO BERKELEY CITY LINE	1	
MACARTHUR BLVD. - EMERYVILLE LINE TO HARRISON STREET	1	
MANCHESTER DRIVE	1	
MARKET STREET - 57TH TO NCL	1	
MATHER STREET & PLEASANT VALLEY AVENUE	1	
OCCIDENTAL, 59TH, AND 61ST STREETS	1	
PIEDMONT AVENUE - MACARTHUR TO PLEASANT VALLEY	1	
PIEDMONT AVENUE - PLEASANT VALLEY AVENUE TO MOUNTAIN VIEW CEMETARY	1	
STANFORD AVENUE - EMERYVILLE LINE TO SAN PABLO AVENUE	1	
TUNNEL ROAD - BUCKINGHAM BLVD. TO SKYLINE BLVD.	1	150,000
GRIZZLY PEAK BLVD.	1	700,000
MARLBOROUGH TERRACE	1	
MENDOCINO AVENUE From Lawton Avenue to Margarido Drive	1	239,472
LAWTON AVENUE	1	
MARGARIDO DRIVE From Mendocino Avenue to Lawton Avenue	1	
PROCTOR AVENUE From Agnes Avenue to Florence Avenue	1	208,978
10TH AVENUE - E. 19TH THRU E. 22ND ST	2	
10TH STREET - FRANKLIN TO HARRISON & 11TH ST - WEBSTER TO HARRISON	2	
13TH STREET - MARKET TO BRUSH & WEST STREET - 12TH TO 13TH	2	
22ND AVENUE - E. 12TH TO FOOTHILL	2	
2ND & 3RD AVENUES - E. 11TH TO E. 14TH	2	
5TH AVENUE - EMBARCADERO TO E. 12TH	2	
6TH THROUGH 9TH, ALICE, JACKSON, MADISON, OAK, FALLON	2	
7TH STREET - FALLON TO 5TH AVENUE	2	
E. 12TH STREET BETWEEN 14TH AVENUE & FRUITVALE AVENUE	2	
E. 8TH STREET - 7TH TO 14TH AVENUE & E. 12TH STREET - 13TH TO 14TH AVENUE	2	
EASTMENT RIGHT-OF-WAY, EAST 11TH, BETWEEN 2ND AND 3RD AVES.	2	
E. 10TH STREET - AUDITORIUM TO 5TH AVENUE	2	66,776
FALLON, OAK, MADISON, JACKSON, ALICE, 10TH & 11TH STREETS	2	
HUBERT ROAD BETWEEN GROSVENOR PLACE AND LONGRIDGE ROAD (TEMP FILE)	2	

EXHIBIT C

Project Name	Council District	Rule 20A Cost
LAKE PARK AVENUE - WESLEY WAY & LAKESHORE AVENUE	2	127,000
VALLE VISTA - ELWOOD TO SUNNYSLOPE	2	
LAKESHORE PHASE I, II, III, IV	2	9,000,000
MANDANA BLVD. From Lakeshore Avenue to City of Piedmont line	2	
LONGRIDGE ROAD From Lakeshore Avenue to Midcrest Road	2	
TRESTLE GLEN ROAD From Lakeshore Avenue to City of Piedmont Line	2	
GROSVENOR PLACE From Excelsior Avenue to Longridge Road	2	
PALOMA AVENUE From Longridge Road to Mandana Blvd.	2	
SUNNY HILLS ROAD From Trestle Glen Road to Midcrest Road	2	
WESLEY WAY From Trestle Glen Road to Lake Park	2	
HOLMAN ROAD From Grosvenor Place to Trestle Glen Road	2	
VERRADA ROAD	2	
HUBERT ROAD From Grosvenor Road to Longridge Road	2	
MIDCREST ROAD	2	
CLARENDON CRESCENT	2	
MANDANA CIRCLE	2	
PALOMA AVENUE From Trestle Glen Road to Mandana Blvd.	2	
CARLSTON AVENUE	2	
EXCELSIOR AVENUE (1100 Block)	2	
CHATHAM ROAD (1100 Block)	2	
GRAND AVENUE From Mandana Blvd. To the City of Piedmont	2	1,487,092
10TH STREET - CYPRESS TO UNION	3	
10TH STREET CONNECTION - MARKET TO BRUSH	3	
14TH STREET - CYPRESS TO BRUSH	3	
14TH STREET - WOOD TO CYPRESS	3	
17TH STREET - BRUSH TO SAN PABLO	3	
18TH STREET - CYPRESS TO MARKET	3	
18TH STREET CONNECTION	3	
21ST STREET - GROVE TO TELEGRAPH	3	56,840
23RD & 24TH STREET - BROADWAY & HARRISON	3	
30TH STREET - TELEGRAPH TO SUMMIT	3	
7TH STREET - CYPRESS STREET TO BAY STREET	3	
7TH STREET - BRUSH TO CYPRESS	3	
ANDOVER, ELM, 34TH STREETS, HAWTHORNE AVENUE	3	150,000
BROADWAY, JACKSON, MADISON, WEBSTER, HARRISON	3	
BRUSH STREET - 10TH TO 18TH	3	
CASTRO STREET FROM 14TH STREET TO SAN PABLO AVENUE	3	
CASTRO STREET, 11TH STREET (CITY CENTER)	3	
CHESTNUT - 14TH TO 16TH	3	
CYPRESS STREET - 5TH TO 32ND STREETS	3	
E. 15TH STREET - 1ST TO 14TH AVENUE	3	
EMBARCADERO WEST - WEBSTER TO FALLON	3	187,402
GROVE - 27TH TO 47TH STREET	3	914,000
GROVE STREET - SAN PABLO TO 27TH	3	
HADDON HILL	3	
HAWTHORNE AVENUE - WEBSTER STREET	3	
HAWTHORNE AVENUE, SUMMIT STREET	3	
LAKESHORE AVENUE BETWEEN 12TH STREET AND 1ST AVENUE	3	
MACARTHUR BLVD - ALMA AVENUE TO PARK BLVD.	3	
MARKET - 11TH TO 18TH	3	

EXHIBIT C

Project Name	Council District	Rule 20A Cost
MARTIN LUTHER KING JR WAY - 6TH STREET TO SAN PABLO	3	
OAK CENTER MINOR STREETS	3	
OAK STREET - EMBARCADERO TO 3RD STREET	3	
OCEAN VIEW DRIVE (BROADWAY TO ACADIA)	3	189,000
PERALTA STREET - 24TH STREET	3	
PERALTA STREET - 7TH TO 18TH	3	
PIEDMONT AVENUE - BROADWAY TO MACARTHUR	3	
STANFORD AVENUE, ADELIN STREET	3	
SUMMIT STREET TO WEBSTER STREET	3	
TELEGRAPH AVENUE - 20TH STREET TO 40TH STREET	3	
UNION, 10TH & FILBERT	3	
VALDEZ STREET - GRAND AVENUE TO 27TH STREET	3	
WEBSTER STREET - 34TH STREET	3	
WEST GRAND AVENUE - CAMPBELL TO CYPRESS	3	
WOOD STREET - 7TH STREET TO SOUTH END	3	
35TH AVENUE - MACARTHUR FREEWAY TO MACARTHUR BLVD.	4	102,000
ACCESS ROAD - REDWOOD ROAD TO MERRITT COLLEGE	4	
CRESTMONT I, II, III	4	3,827,000
JOAQUIN MILLER ROAD - WARREN FRWY TO 350' N/O N/L ROBINSON DRIVE	4	
LINCOLN AVENUE - CHAMPION STREET	4	26,757
MACARTHUR BLVD. - 35TH AVENUE TO HIGH STREET	4	1,528,410
MONTCLAIR BUSINESS DISTRICT	4	400,000
MORAGA AND MOUNTAIN - THORNHILL TO PARK	4	725,212
MOUNTAIN BLVD. (SEMINARY EXTENSION)	4	
REDWOOD ROAD - WILLIS COURT TO WARREN FRWY	4	
SKYLINE BLVD. BETWEEN RISHELL DRIVE & BACON ROAD	4	
HIGH STREET From Redding Street to MacArthur Blvd.	4	100,000
MANZANITA DRIVE From Colton Blvd. To Villanova Drive	4	1,125,864
NORTHWOOD COURT	4	
NORTHWOOD CIRCLE	4	
HARBORD DRIVE From Moraga Avenue to the City of Piedmont line on Blair Avenue	4	4,200,000
McANDREW DRIVE From Harbord Drive to 6066 McAndres Drive	4	
MARR AVENUE	4	
LANE COURT	4	
ESTATES DRIVE From Moraga Avenue to LaSalle Avenue/Wood Drive	4	
BULLARD DRIVE, a segment only: 6301 to 6318 Bullard Drive	4	
WOOD DRIVE From 5901 Wood Drive to 6144 Wood Drive	4	
MOYER PLACE	4	
LA SALLE AVENUE From 6036 La Salle Avenue to the City of Piedmont line	4	3,200,000
ESTATES DRIVE From La Salle Avenue to 6833 Estates Drive near City of Piedmont line	4	
PERSHING DRIVE	4	
DAWES STREET	4	
LIGGETT DRIVE	4	
MARSH PLACE	4	
23RD AVENUE - E. 15TH TO 100' N/O FOOTHILL	5	
23RD AVENUE OVERPASS--DENNISON STREET--EMBARCADERO TO KENNEDY	5	

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EXHIBIT C

Project Name	Council District	Rule 20A Cost
33RD THROUGH 36TH AVENUE BETWEEN E. 12TH & E. 14TH STREETS	5	
BEAUMONT AVENUE - E. 38TH TO PARK	5	15,773
BOND STREET, BOND WAY & E. 16TH STREET	5	
CHATHAM ROAD - PARK TO BEAUMONT	5	
COOLIDGE AVENUE - E. 23RD TO DAVIS STREET	5	
COOLIDGE AVENUE - FOOTHILL TO EAST 23RD	5	
DENNISON STREET - BRIDGE TO EMBARCADERO	5	307,000
E. 12TH STREET - FRUITVALE AVENUE TO 37TH AVENUE & 35TH AVENUE - E. 12TH TO SAN LEANDRO	5	
E. 31ST STREET - 14TH AVENUE TO VALLECITO PLACE	5	
E. 27TH STREET - 19TH AVENUE & 23RD AVENUE	5	
E. 7TH STREET - KENNEDY TO EMBARCADERO EAST	5	
EMBARCADERO EAST - 10TH AVENUE & DENNISON	5	
EMBARCADERO EAST - DENNISON TO E. 7TH STREET	5	
FOOTHILL BLVD. - 23RD TO 36TH AVES.	5	440,000
FRUITVALE AVENUE - TIDAL CANAL & ALAMEDA AVENUE - FRUITVALE AVENUE	5	
FRUITVALE AVENUE - E. 10TH TO E. 12TH	5	
FRUITVALE AVENUE - E. 12TH TO E. 22ND	5	
FRUITVALE AVENUE - TIDAL CANAL TO E. 10TH STREET	5	
MACARTHUR BLVD. - PARK TO 14TH AVENUE	5	
PARK BLVD. - E. 18TH STREET TO EXCELSIOR AVENUE	5	134,504
DENNISON STREET From Kennedy Street to Embarcadero	5	386,000
73RD AVENUE - E. 14TH STREET TO BANCROFT	6	
73RD AVENUE - FOOTHILL BLVD.	6	
FONTAINE STREET - KELLER TO FONTAINE COURT	6	
KELLER AVENUE - FONTAINE TO SANFORD	6	
MACARTHUR - 55TH TO SEMINARY	6	385,570
MACARTHUR - 72ND TO 73RD	6	
SAN LEANDRO STREET - 48TH TO 62ND AVENUE	6	
SKYLINE BLVD. BETWEEN BACON ROAD & SKYWAY LANE	6	
66TH AVENUE From International Blvd. To San Leandro	6	
66TH AVENUE - OAKPORT TO SAN LEANDRO	7	
85TH AVENUE TO SAN LEANDRO STREET	7	89,500
98TH AVENUE - AIRPORT TO EMPIRE	7	
98TH AVENUE - BANCROFT TO MACARTHUR	7	
98TH AVENUE - NIMITZ FREEWAY TO GOLF LINKS ROAD	7	4,500,000
AIRPORT ACCESS ROAD	7	68,513
EDES AVENUE - 85TH TO 105TH	7	494,000
GOLF LINKS ROAD - SCOTIA TO GRASS VALLEY	7	
HEGENBERGER EXPRESSWAY - SAN LEANDRO TO SPENCER	7	
HEGENBERGER EXPRESSWAY - SPENCER TO E. 14TH	7	
HEGENBERGER ROAD - DOOLITTLE TO NIMITZ	7	
HEGENBERGER ROAD - NIMITZ FRWY TO SAN LEANDRO STREET	7	
PERALTA OAKS DRIVE - PERALTA OAKS COURT	7	
GOLF LINKS ROAD From 82nd Avenue to Fontaine	7	435,000

Item: _____

Public Works Committee
March 22, 2005

**CITY OF OAKLAND
UNDERGROUND UTILITY PROJECTS
January 2005**

PROJECT	X DOES NOT MEET RULE 20A CRITERION	YEAR PETITIONED	RESOLUTION NO. & YEAR	START OF CONSTRUCTION	CONSTRUCTION STATUS	APPROXIMATE LENGTH OF PROJECT IN MILES	COUNCIL DISTRICT
APPROVED:							
MACARTHUR BLVD. FROM 73RD TO SAN LEANDRO LINE		1993	76731 9/25/01	1ST QUARTER 2005	2008	2.5	6 & 7
PIEDMONT PINES AREA - RULE 20A		1987	75552 5/02/00	Not yet determined	N/A	6.5	4
PROPOSED:							
LAKESHORE PHASE V			Not Available	TBD	N/A	3.5	2
Carlston Avenue	X						2
Paramount Road	X						2
Rosemount Road	X						2
Northvale road	X						2
Larkspur Road	X						2
Hillock Circle	X						2
Underhills Road	X						2
Barrows Road	X						2
Creed Road	X						2
Holman Road							2
Bates Road							2
Brookwood Road	X						2
Alma Place	X						2
Haddon Place	X						2
Brookwood Place	X						2
Stratford Place	X						2
Santa Ray Avenue	X						2
DAKMORE AREA		1987	Not Available	TBD	N/A	3.5	4
Leimert Blvd.							4
Clemens Road							4
Oakmore Road							4
Hoover Avenue	X						4
Edge Drive							4
Bridgeview Drive	X						4
MOUNTAIN BLVD (THORNHILL DR.)		1989	Not Available	TBD	N/A	1.3	4
SEQUOYAH HEIGHTS AREA							
Sequoiah Road		1991	Not Available	TBD	N/A	1.2	7
Elysian Fields Drive							7
Donna Way	X						7
Royal Oak Road	X						7
Greenview	X						7
HIGH VOLTAGE TRANSMISSION LINES PLUG							
SHEFFIELD AVE.	X	1994	Not Available	TBD	N/A	2	2 & 4
FRUITVALE AVENUE		1995	Not Available	TBD	N/A	Not determined	4
PANORAMIC HILL AREA	X	1996	Not Available	TBD	N/A	Not determined	4 & 5
CABOT DRIVE	X	1996	Not Available	TBD	N/A	Not determined	1
CHABOT RD. & PRESLEY WAY		1996	Not Available	TBD	N/A	Not determined	1
ASHMOUNT AVENUE	X	1996	Not Available	TBD	N/A	Not determined	3
FAIRVIEW PARK AREA		1996	Not Available	TBD	N/A	Not determined	2
Alcatraz							1
Coby	X						1
Berenshue	X						1
Hillcress	X						1
WAWONA AVENUE	X	1998	Not Available	TBD	N/A	Not determined	2
JACOBUS AVENUE	X	1998	Not Available	TBD	N/A	Not determined	3
CLARENDON CRESCENT	X	1998	Not Available	TBD	N/A	Not determined	2
CRANE WAY	X	1998	Not Available	TBD	N/A	Not determined	4
ROCKRIDGE BLVD. NORTH.			Not Available				
ROCKRIDGE BLVD. SOUTH.	X	2000	Not Available	TBD	N/A	Not determined	3
ROCKRIDGE PLACE			Not Available				
COLTON BLVD. 6400-7000 ONLY		2000	Not Available	TBD	N/A	Not determined	4
BRUNS COURT	X	2001	Not Available	TBD	N/A	Not determined	4
MALCOLM AVENUE		2005	Not Available	TBD	N/A	Not determined	7

X = DETERMINATION WAS BASED ON STAFF'S EVALUATION WITHOUT THE UTILITIES' PARTICIPATION.
TBD = TO BE DETERMINED WHEN STREET IS EVALUATED TO DETERMINE ELIGIBILITY FOR FUNDING UNDER CPUC RULE 20A

EXHIBIT D

ATTACHMENT C

CITY OF OAKLAND AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2005 MAY 12 AM 11:50

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: May 24, 2005

RE: SUPPLEMENTAL REPORT ADDRESSING THE ISSUES RAISED AT THE PUBLIC WORKS COMMITTEE MEETING ON MARCH 22, 2005, REGARDING THE POLICY AND IMPLEMENTATION OF UNDERGROUND UTILITY DISTRICTS

BACKGROUND

On February 8, 2005, Public Works Committee deliberated on the status report on the policy and implementation of underground utility districts. The committee directed staff to come back with a list of all completed underground utility districts, to perform a preliminary evaluation of all the streets on the waiting list and identify those streets that, in staff's opinion, are non-qualifying for Rule 20A funding. In addition, staff was to work with Community and Economic Development Agency (CEDA) and verify if there are proposed streetscape projects that would conflict with any of the streets on the petition list, and request from CEDA a list of business corridors with overhead utility lines for possible undergrounding consideration in the future.

On March 22, 2005, Public Works Committee discussed the supplemental report pertaining to the February 8, 2005 request. The committee identified some inaccuracies in Exhibit C and Exhibit D in terms of assigning undergrounding projects to the corresponding City Council District, and directed staff to correct them and resubmit both exhibits. In addition, the committee stated that the list of business corridors submitted by CEDA was much shorter than what actually exists and requested that CEDA develop and present a complete list of all business corridors with overhead utility facilities. Also, the committee asked for a more comprehensive explanation of Rule 20B funds as well as how the special PG&E funds for "safety" projects are expended, and to look into how the funds could be used for undergrounding.

The Committee did not accept the Supplemental Report of March 22, 2005, and asked staff to come back on April 26, 2005, with the requested corrections and information. This date was later rescheduled for May 24, 2005.

STAFF'S ACTION

Attached are the corrected versions of Exhibits C and D, now called Exhibits C-B and D-B, respectively. Exhibit C-B lists all the completed Rule 20A underground utility districts from its

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RULE 20B FUNDS

Streets that do meet a Rule 20A criterion may qualify for Rule 20B as long as they are within an established underground district. The applicant for a Rule 20B project is responsible for identifying the sources of funds outside Rule 20A funds and for making the outside funds available to pay for the project. Funds for Rule 20B projects may come from private or public sources. The applicant must pay approximately 80% of the total cost for undergrounding electric power; the remaining 20% of the cost is incurred by PG&E for the removal of its facilities (wrecking, wood poles, wires, etc.) The applicant must pay approximately 65% of SBC's cost for telephone service work; SBC pays for the remaining 35% which is its work of cable pulling and splicing. The applicant must pay 100% of Comcast's cost for participating in the project. Unlike Rule 20A funds, PG&E and SBC are not required to set aside Rule 20B funds for undergrounding; they "juggle" funds to pay for their share of Rule 20B projects. Each utility's percentage of the Rule 20B cost share is not fixed. PG&E's share may be more or less than 20% and SBC's more or less than 35%, depending on the size of the project and the extent of work involved.

As a general practice, cities establish assessment districts to generate funds which eventually pay for their Rule 20B projects, unless other public funds can be used to pay for it. The City of Oakland is rarely involved with Rule 20B projects because its citizenry is always interested in Rule 20A undergrounding and shuns Rule 20B undergrounding for cost reasons.

Based on recently completed underground projects in Oakland, it is reasonable to estimate that the cost of undergrounding varies between \$2.5 and \$4 million per mile, depending on the terrain, the existing substructures in the right-of-way, and whether or not the street is residential or arterial. A Rule 20B project in a residential street may cost between \$30,000 and \$60,000 per parcel.

PG&E SAFETY FUNDS

Staff has no knowledge of PG&E safety funds. Staff asked PG&E to provide information about such funds, how they are utilized, what projects are eligible for it and how the City of Oakland could benefit from it. After several days of investigation, PG&E responded in writing that no such funds have ever existed or currently exist. Staff will need more specific information to be able to pursue this further if PG&E's response is not accurate.

RECOMMENDATION AND RATIONALE

Staff recommends that Council accept this Supplemental Report.

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May 24, 2005

EXHIBIT C-B

COMPLETED UNDERGROUND UTILITY DISTRICTS
FROM 1968 TO DATE

Project Name	Council District	Rule 20A Cost
40TH STREET - GROVE TO TELEGRAPH	1	18,650
51ST STREET - SHAFTER TO BROADWAY	1	
51ST STREET - TELEGRAPH TO SHAFTER	1	
52ND STREET - SHATTUCK AVENUE TO GROVE - SHAFTER FRWY	1	16,586
BROADWAY - BROADWAY TERRACE	1	
BROADWAY - MACARTHUR BLVD. TO CLIFTON STREET	1	
BROADWAY TERRACE - ROMANY ROAD TO WARREN FREEWAY	1	
BUENA VISTA, CONTRA COSTA, ACACIA	1	
GLEN AVENUE - 41ST TO LINDA	1	
GROVE - 27TH TO 47TH STREET	1 & 3	914,000
GROVE STREET - 47TH STREET TO BERKELEY CITY LINE	1	
MACARTHUR BLVD. - EMERYVILLE LINE TO HARRISON STREET	1	
MANCHESTER DRIVE	1	
MARKET STREET - 57TH TO NCL	1	
MATHER STREET & PLEASANT VALLEY AVENUE	1	
OCCIDENTAL, 59TH, AND 61ST STREETS	1	
PIEDMONT AVENUE - MACARTHUR TO PLEASANT VALLEY	1	
PIEDMONT AVENUE - PLEASANT VALLEY AVENUE TO MOUNTAIN VIEW CEMETARY	1	
STANFORD AVENUE - EMERYVILLE LINE TO SAN PABLO AVENUE	1	
TELEGRAPH AVENUE - 20TH STREET TO 40TH STREET	1 & 3	
TUNNEL ROAD - BUCKINGHAM BLVD. TO SKYLINE BLVD.	1	150,000
GRIZZLY PEAK BLVD.	1	700,000
MARLBOROUGH TERRACE	1	
MENDOCINO AVENUE From Lawton Avenue to Margarido Drive	1	239,472
LAWTON AVENUE	1	
MARGARIDO DRIVE From Mendocino Avenue to Lawton Avenue	1	
OCEAN VIEW DRIVE (BROADWAY TO ACACIA)	1	189,000
PROCTOR AVENUE From Agnes Avenue to Florence Avenue	1	208,978
STANFORD AVENUE, ADELINE STREET	1	
10TH AVENUE - E. 19TH THRU E. 22ND ST	2	
10TH STREET - FRANKLIN TO HARRISON & 11TH ST - WEBSTER TO HARRISON	2	
22ND AVENUE - E. 12TH TO FOOTHILL	2	
23RD AVENUE - E. 15TH TO 100' N/O FOOTHILL	2 or 5 (on border)	
2ND & 3RD AVENUES - E. 11TH TO E. 14TH	2	
5TH AVENUE - EMBARCADERO TO E. 12TH	2	
6TH THROUGH 9TH, ALICE, JACKSON, MADISON, OAK, FALLON	2	
7TH STREET - FALLON TO 5TH AVENUE	2	
E. 8TH STREET - 7TH TO 14TH AVENUE & E. 12TH STREET - 13TH TO 14TH AVENUE	2	
E. 12TH STREET BETWEEN 14TH AVENUE & FRUITVALE AVENUE	2 & 5	
E. 15TH STREET - 1ST TO 14TH AVENUE	2	
EASTMENT RIGHT-OF-WAY, EAST 11TH, BETWEEN 2ND AND 3RD AVES.	2	
E. 10TH STREET - AUDITORIUM TO 5TH AVENUE	2	66,776
E. 27TH STREET - 19TH AVENUE & 23RD AVENUE	2 or 5 (on border)	
E. 31ST STREET - 14TH AVENUE TO VALLECITO PLACE	2	

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EXHIBIT C-B

Project Name	Council District	Rule 20A Cost
HADDON HILL	3	
HAWTHORNE AVENUE - WEBSTER STREET	3	
HAWTHORNE AVENUE, SUMMIT STREET	3	
MARKET - 11TH TO 18TH	3	
MARTIN LUTHER KING JR WAY - 6TH STREET TO SAN PABLO	3	
OAK CENTER MINOR STREETS	3	
OAK STREET - EMBARCADERO TO 3RD STREET	3	
PERALTA STREET - 24TH STREET	3	
PERALTA STREET - 7TH TO 18TH	3	
PIEDMONT AVENUE - BROADWAY TO MACARTHUR	3	
SUMMIT STREET TO WEBSTER STREET	3	
UNION, 10TH & FILBERT	3	
VALDEZ STREET - GRAND AVENUE TO 27TH STREET	3	
WEBSTER STREET - 34TH STREET	3	
WEST GRAND AVENUE - CAMPBELL TO CYPRESS	3	
WOOD STREET - 7TH STREET TO SOUTH END	3	
35TH AVENUE - MACARTHUR FREEWAY TO MACARTHUR BLVD.	4	102,000
ACCESS ROAD - REDWOOD ROAD TO MERRITT COLLEGE	4	
CRESTMONT I, II, III	4	3,827,000
JOAQUIN MILLER ROAD - WARREN FRWY TO 350' N/O N/L ROBINSON DRIVE	4	
LINCOLN AVENUE - CHAMPION STREET	4	26,757
MACARTHUR BLVD. - 35TH AVENUE TO HIGH STREET	4	1,528,410
MACARTHUR - 55TH TO SEMINARY	4 or 6 (on border)	385,570
MONTCLAIR BUSINESS DISTRICT	4	400,000
MORAGA AND MOUNTAIN - THORNHILL TO PARK	4	725,212
MOUNTAIN BLVD. (SEMINARY EXTENSION)	4	
REDWOOD ROAD - WILLIS COURT TO WARREN FRWY	4	
SKYLINE BLVD. BETWEEN RISHELL DRIVE & BACON ROAD	4 & 6	
HIGH STREET From Redding Street to MacArthur Blvd.	4	100,000
MANZANITA DRIVE From Colton Blvd. To Villanova Drive	4	1,125,864
NORTHWOOD COURT	4	
NORTHWOOD CIRCLE	4	
HARBORD DRIVE From Moraga Avenue to the City of Piedmont line on Blair Avenue	4	4,200,000
McANDREW DRIVE From Harbord Drive to 6066 McAndres Drive	4	
MARR AVENUE	4	
LANE COURT	4	
ESTATES DRIVE From Moraga Avenue to LaSalle Avenue/Wood Drive	4	
BULLARD DRIVE, a segment only: 6301 to 6318 Bullard Drive	4	
WOOD DRIVE From 5901 Wood Drive to 6144 Wood Drive	4	
MOYER PLACE	4	
LA SALLE AVENUE From 6036 La Salle Avenue to the City of Piedmont line	4	3,200,000
ESTATES DRIVE From La Salle Avenue to 6833 Estates Drive near City of Piedmont line	4	
PERSHING DRIVE	4	
DAWES STREET	4	
LIGGETT DRIVE	4	
MARSH PLACE	4	
23RD AVENUE OVERPASS--DENNISON STREET--EMBARCADERO TO KENNEDY	5	

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Item: _____

Public Works Committee
May 24, 2005

EXHIBIT E

STREETS WITH GENERAL PLAN DESIGNATION OF COMMUNITY COMMERCIAL OR COMMERCIAL ZONING FOR THREE OR MORE CONSECUTIVE BLOCKS

(BUSINESS/COMMERCIAL CORRIDORS)

	Proposed CEDA Development	Utility Already Underground	Existing Overhead Service	May Qualify for Rule 20A
COUNCIL DISTRICT 1				
<i>Community Commercial General Plan</i>				
Parts of Claremont Avenue, Domingo Avenue, Alvarado Road, and Tunnel Road around Claremont Hotel		•	•	•
Telegraph Avenue between Highway 24 and 52nd Street		•		
San Pablo Avenue between 59th Street and Berkeley border	•	•		
San Pablo Avenue between Emeryville border and 56th Street	•	•		
Broadway between West MacArthur Boulevard and College Avenue	•	•		
40th Street between Broadway and Opal Avenue			•	•
41st Street between Broadway and Opal Avenue			•	•
<i>Commercial Zoning</i>				
San Pablo Avenue between Berkeley border and Emeryville border	•	•		
Market Street between 63rd Street and 57th Street		•		
Martin Luther King Jr. Way between 58th Street and 54th Street and between 47th Street and Interstate 580		•		
Telegraph Avenue between Berkeley border and West MacArthur Boulevard	•	•		
Claremont Avenue between Clifton Street and Telegraph Avenue			•	•
College Avenue between Broadway and Berkeley border		•		
Shattuck Avenue between Berkeley border and Alcatraz Avenue, 57th Street and 55th Street, 54th Street and 50th Street, and 48th Street and 45th Street		•		
40th Street between Broadway and Webster Street			•	•
Broadway between Interstate 580 and College Avenue	•	•		
Piedmont Avenue between MacArthur Avenue and Ramona Avenue		•		
West MacArthur Boulevard between Piedmont Avenue and Highway 24		•		
West MacArthur Boulevard between Highway 24 and Linden Street		•		
COUNCIL DISTRICT 2				
International Boulevard and East 12th Street between 12th Avenue and 15th Avenue, 13th Avenue, 14th Avenue, and 15th Avenue between East 12th Street and East 18th Street	•	•		
Grand Avenue between Piedmont border and Interstate 580		•		
Lakeshore Avenue between Mandana Boulevard and Interstate 580		•		

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1

EXHIBIT E

	Proposed CEDA Development	Utility Already Underground	Existing Overhead Service	May Qualify for Rule 20A
Lake Park Way between Wesley Way and Santa Clara Avenue		•		
Park Boulevard between Interstate 580 and East 34th Street and between East 21st Street and Foothill Boulevard		•		
East 18th Street between Lakeshore Avenue and 5th Avenue		•		
International Boulevard between 14th Street and 23rd Avenue	•	•		
East 12th Street between 4th Avenue and 14th Avenue	•	•		
Area bounded by 14th Street, Broadway, Interstate 880, and Harrison Street		•		
6th Avenue & 7th Avenue between East 8th Street and International Boulevard			•	•
6th Street between Fallon Street and Alice Street		•		
14th Street between Oak Street and Harrison Street		•		
COUNCIL DISTRICT 3				
Broadway between West MacArthur Boulevard and 23rd Street		•		
Telegraph Avenue between Interstate 580 and 23rd Street		•		
23rd Street, 24th Street, 25th Street, 26th Street, 28th Street, and 29th Street between Broadway and Telegraph Avenue			•	•
27th Street between Harrison Street and Telegraph Avenue		•		
San Pablo Avenue between 27th Street and Brockhurst Street/Filbert Street		•		
West Grand Avenue between Brush Street and Chestnut Street		•		
7th Street between Market Street and Kirkham Street		•		
7th Street between Peralta Street and Pine Street	•	•		
Area bounded by 7th Street, Mandela Parkway and Interstate 880		•		
Grand Avenue between Interstate 580 and Bay Place		•		
27th Street/Bay Place between Grand Avenue and Telegraph Avenue		•		
Broadway between West MacArthur Boulevard and 23rd Street		•		
Piedmont Avenue between MacArthur Boulevard and Broadway		•		
Telegraph Avenue between West MacArthur Boulevard and 26th Street		•		
Martin Luther King Jr. Way between 28th Street and 23rd Street		•		
San Pablo Avenue between Emeryville border and 24th Street		•		
Market Street between San Pablo Avenue and 18th Street			•	•
West Grand Avenue between Chestnut Street and Brush Street		•		

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EXHIBIT E

	Proposed CEDA Development	Utility Already Underground	Existing Overhead Service	May Qualify for Rule 20A
International Boulevard from 23rd Avenue to 51st Avenue	•	•		
23rd Avenue between International Boulevard and Foothill Boulevard			•	•
COUNCIL DISTRICT 6				
Foothill Boulevard between Havenscourt Boulevard and MacArthur Boulevard	•	•		
Bancroft Avenue between Havenscourt Boulevard and 73rd Avenue	•	•		
Havenscourt Boulevard between Foothill Boulevard and Bancroft Avenue		•		
67th Avenue between Foothill Boulevard and Bancroft Avenue			•	•
68th Avenue between Foothill Boulevard and Bancroft Avenue			•	•
Church Street between Foothill Boulevard and Bancroft Avenue			•	•
International Boulevard between 72nd Avenue and 76th Avenue	•	•		
Foothill Boulevard between Church and 73rd Avenue	•	•		•
Foothill Boulevard between Cole Street and 73rd Avenue	•		•	•
MacArthur Boulevard between 72nd Avenue and Parker Avenue		•		
MacArthur Boulevard between 73rd Avenue and Parker Avenue			•	•
International Boulevard between 51st Avenue and 86th Avenue	•	•		
COUNCIL DISTRICT 7				
International Boulevard between 71st Avenue and 76th Avenue	•	•		
San Leandro Street and Snell Street between 69th Avenue and Hegenberger Road	•		•	•
72nd Avenue and 73rd Avenue between Snell Street and Hawley Street		•		
71st Avenue between Snell Street and Hawley Street			•	•
Hawley Road between 71st Avenue and Hegenberger Street			•	
International Boulevard between 98th Avenue and San Leandro border	•	•		
105th Avenue from International Boulevard to dead end			•	•
Tucker Street, Chandler Street, Packard Street, Prince Royal Court, Flint Court, Eagle Court, Rugby Court, and Star Court within Durant Square subdivision		•		
MacArthur Boulevard between Foothill Boulevard and San Leandro border	•	•		
106th Avenue between MacArthur Boulevard and Interstate 580			•	•

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City of Oakland Meeting Minutes

Office of the City Clerk
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, California 94612
LaTonda Simmons, City Clerk

*Public Works Committee

Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California 94612

City of Oakland Website: <http://www.oaklandnet.com>

Tuesday, May 24, 2005

12:30 PM

Hearing Room One - 1st Floor

The Oakland City Council Public Works Committee convened at 12:33 P.M., with Councilmember Nadel presiding as Chairperson.

Roll Call / Call to Order

Councilmember Present: 4 - Member Quan, Member Brooks, Chair Nadel and Member Chang

COMMITTEE MEMBERSHIP:

- 1 Approval of the Draft Minutes from the Committee Meeting held on May 10, 2005
A motion was made by Member Brooks, seconded by Member Quan, to *Approve the Minutes. The motion carried by the following vote:
Votes: Councilmember Aye: Member Quan, Member Brooks, Chair Nadel and Member Chang

- 2 Determination of Schedule of Outstanding Committee Items
A motion was made by Member Chang, seconded by Member Brooks, to *Approve as Submitted. The motion carried by the following vote:
Votes: Councilmember Aye: Member Quan, Member Brooks, Chair Nadel and Member Chang

- 3 Subject: Leona Quarry Subdivision Agreement
 From: Public Works Agency
 Recommendation: Adopt a Resolution Authorizing The City Engineer To Enter Into A Subdivision Improvement Agreement With Desilva Group, LLC; And Leona, LLC For Construction Of Certain Improvements In Connection With "Tract 7492", Leona Quarry Project; Fixing The Amount Of The Security To Guarantee The Faithful Performance Of Such Agreement And Adopting Plans And Specifications (05-0356)

A motion was made by Member Brooks, seconded by Member Chang, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 7, 2005 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Aye: Member Quan, Member Brooks, Chair Nadel and Member Chang

[View Report.pdf](#),
[79263 CMS.pdf](#)

- 4 ~~Subject: Community Choice Aggregation~~
~~From: Office of the Mayor~~
~~Recommendation: Adopt A Resolution Authorizing The City Administrator To: 1) Approve And Send A Letter Of Intent To The California Public Utilities Commission (CPUC) Stating Oakland's Intent To Become A Community Choice Aggregator Pending Final Results Of The City's Implementation Plan; and 2) Negotiate Joint CCA Efforts With Other Bay Area Cities (05-0361)~~

At the May 19, 2005 Rules and Legislation Committee meeting this item was withdrawn and rescheduled to the June 14, 2005 Public Works Committee meeting.

[View Report.pdf](#),
[View Report.pdf](#),
[View Report](#),
[View Supplemental Report.pdf](#),
[79325 CMS.pdf](#)

- 5 Subject: ABAG Power Agreement
 From: Public Works Agency
 Recommendation: Adopt a Resolution Authorizing The City Administrator, Without Returning To City Council, To Negotiate And Enter Into A Continuing Agreement, With Association of Bay Area Governments Power, the City's Current Natural Gas Supplier, To Purchase Natural Gas Supplies And Transportation For City Buildings And Vehicles (05-0350)

A motion was made by Member Quan, seconded by Member Brooks, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 7, 2005 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Aye: Member Quan, Member Brooks, Chair Nadel and Member Chang

Member Chang

[View Report.pdf](#),
[79264 CMS.pdf](#)

- 6 Subject: Berryman and Henigar Street Survey
From: Public Works Agency
Recommendation: Adopt a Resolution Authorizing The City Administrator To Enter Into A Professional Services Agreement With Berryman And Henigar For The Street Survey And Pavement Management Program Update For An Amount Not To Exceed \$315,000.00 (05-0352)

A motion was made by Member Brooks, seconded by Member Quan, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 7, 2005 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Aye: Member Quan, Member Brooks, Chair Nadel and Member Chang

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[79265 CMS.pdf](#)

- 7 Subject: Farmers' Market On 34th Avenue
From: Community And Economic Development Agency
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Encroachment Permit To The Unity Council For A Fruitvale Farmers' Market On 34th Avenue Between International Boulevard And E 12th Street Each Sunday Between The Hours Of 6:00 A.M. And 7:00 P.M. (05-0319)

A motion was made by Member Brooks, seconded by Member Quan, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 7, 2005 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Aye: Member Quan, Member Brooks, Chair Nadel and Member Chang

The Committee moved seconded and carried a motion to approve staff recommendation as amended to change the street closure hour of the Farmer's Market to 5:00 P.M.

[View Report.pdf](#),
[View Supplemental Report.pdf](#),
[79319.pdf](#)

8 Subject: Mcguire And Hester
From: Public Works Agency
Recommendation: Adopt A Resolution Authorizing The City Administrator To Increase The Construction Contract With Mcguire And Hester For The Resurfacing Of Certain Streets In The City Of Oakland For Fiscal Year 2003-2004 (Project Number C234930) By \$581,882.99, For A Total Contract Amount Of \$5,100,000.00 (05-0384)

A motion was made by Member Quan, seconded by Member Brooks, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 7, 2005 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Aye: Member Quan, Member Brooks, Chair Nadel and Member Chang

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[79266 CMS.pdf](#)

S-8.1 Subject: Mcguire And Hester
From: Office of the City Auditor
Recommendation: Receive A Report On A Resolution Authorizing The City Administrator To Increase The Construction Contract With Mcguire And Hester For The Resurfacing Of Certain Streets In The City Of Oakland For Fiscal Year 2003-2004 (Project Number C234930) By \$581,882.99, For A Total Contract Amount Of \$5,100,000.00 (05-0384-1)

A motion was made by Member Quan, seconded by Member Brooks, that this matter be *Approve the Recommendation of Staff, and Forward to the Concurrent Meeting of the Oakland Redevelopment Agency / City Council, due back on June 7, 2005 as a Consent Calendar item. The motion carried by the following vote:

Votes: Councilmember Aye: Member Quan, Member Brooks, Chair Nadel and Member Chang

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9 Subject: Underground Utility Districts
 From: Public Works Agency
 Recommendation: Receive A Supplemental Report Addressing The Issues Raised At The
 Public Works Committee Meeting On March 22, 2005, Regarding The Policy And
 Implementation Of Underground Utility Districts (04-0844-1)

A motion was made by Member Quan, seconded by Member Brooks, that this matter be *Received and Filed. The motion carried by the following vote:

Votes: *Councilmember Aye: Member Quan, Member Brooks, Chair Nadel and Member Chang*

The following individual(s) spoke in favor of this item:

- Dick Spees
- Jay Ward
- Bonnie Bouey
- John Bouey
- Leslie Burton
- Virginia Lew
- Elaine Geffen
- David Levine

The following individual(s) spoke and did not indicate a position on this item:

- Terry Kulka

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Open Forum (TOTAL TIME AVAILABLE: 15 MINUTES)

Adjournment

There being no further business, and upon the motion duly made, the Oakland City Council Public Works Committee adjourned at 1:48 P.M.

* *In the event of a quorum of the City Council participates on this Committee, the meeting is noticed as a Special Meeting of the City Council; however no final City Council action can be taken.*

NOTE: Americans With Disabilities Act
 If you need special assistance to participate in Oakland City Council and Committee meetings please contact the Office of the City Clerk. When possible, please notify the City Clerk 48 hours prior to the meeting so we can make reasonable arrangements to ensure accessibility. Also, in compliance with Oakland's policy for people with environmental illness or multiple

chemical sensitivities, please refrain from wearing strongly scented products to meetings.

Office of the City Clerk

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City Clerk and Clerk of the Council

Title 12 STREETS, SIDEWALKS AND PUBLIC PLACES**ATTACHMENT D****Chapter 12.16 IMPROVEMENTS GENERALLY**

12.16.010 Permit to circulate petition for improvement.

12.16.020 Intent.

12.16.030 Requirement.

12.16.040 Improvement procedure.

12.16.050 Improvement standards.

12.16.060 Notification to permit applicants.

12.16.070 Appeal.

12.16.080 Regulations for issuance of plans and specifications for public works contracts.

12.16.010 Permit to circulate petition for improvement.

It is unlawful for any person to circulate a petition requesting the Council to order the improvement of any street pursuant to the terms of ordinance or statute, or to solicit private contracts for the improvement of such street without first having obtained permission so to do from the Director of Public Works/Superintendent of Streets.

Any person desiring said permit shall first file with the Director of Public Works/Superintendent of Streets a written statement showing location, type, character and description of said work in such detail as said Director of Public Works/Superintendent of Streets may require. Said Director of Public Works/Superintendent of Streets, if he or she is of the opinion that public necessity and convenience require the doing of said work, that the proposed improvement is feasible and beneficial, and the cost is not prohibitive, may grant permission to circulate such petition or solicit such private contract for the doing of said work; provided, however, that the Director of Public Works/Superintendent of Streets may rescind any permit granted under the provisions of this section.

Such permission, together with a copy of said written statement, shall be attached to said petition or contract, and shall be exhibited to the signer before his or her signature is obtained.

Each request for a signature to such petition or contract in violation hereof shall be considered a separate and distinct violation. (Prior code § 6-2.19)

12.16.020 Intent.

The intent of Sections 12.16.020 to 12.16.070 is to supplement other laws, ordinances and statutes requiring street improvements, including curb, gutter, and sidewalk in public streets areas. (Prior code § 6-2.191)

12.16.030 Requirement.

A. New Construction. No building or other structure shall be erected, no building addition or alteration improvements shall be constructed, no other property improvements shall be made where the cost of said improvements will be in excess of forty-five thousand dollars (\$45,000.00), and no building or other permit shall be issued therefor by the city on any lot unless that portion of the abutting street lying between the centerline of said street and the lot line for the full width of all abutting street frontages has been fully improved in accordance with the improvement standards specified in Section 12.16.050, or unless said improvements have been assured to the satisfaction of the City Engineer as