

RESOLUTION NO. 2014-048

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK ESTABLISHING SNYDER LANE UNDERGROUND UTILITY DISTRICT ALONG A PORTION OF SNYDER LANE AND AUTHORIZE AND APPROVE AN AGREEMENT TO PERFORM TARIFF SCHEDULED RELATED WORK, RULE 20A GENERAL CONDITIONS WITH PACIFIC GAS AND ELECTRIC COMPANY

WHEREAS, the California Public Utilities Commission (CPUC) has authorized electric and telecommunication utilities to convert overhead utility lines and facilities to underground pursuant to Electric Rule 20 and Telecommunication Rule 32, and

WHEREAS, pursuant to certain criteria, CPUC rules allow participating cities and counties to establish legislation authorizing the creation of underground utility districts within which existing overhead electric distribution and telecommunication distribution and service facilities will be converted to underground, and

WHEREAS, the City of Rohnert Park has adopted an ordinance authorizing the City Council to designate areas within which all existing overhead poles, overhead wires and overhead equipment associated with the distribution of electric power, telecommunication services and cable television should be removed and replaced with underground wires and facilities (Ordinance 101, 1968); and

WHEREAS, the City Engineer for the City of Rohnert Park has consulted with the affected public utilities (PG&E, Comcast, and AT&T) ("Utility Companies") and such Utility Companies have agreed that the proposed underground conversion district, designated the Snyder Lane Underground Utility District and more particularly described in Exhibit 1 attached hereto and incorporated herein by reference, meets the criteria established by the rules of the CPUC, to wit,

that such undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities; and

that 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; and

that 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

that 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; and

WHEREAS, each year the City of Rohnert Park is notified by PG&E regarding the allocation of work credits for conversion of overhead electric distribution lines and facilities to underground, known as Rule 20A allocations; and

WHEREAS, the City Engineer for City of Rohnert Park has consulted with PG&E and determined that the City has accumulated Rule 20A work credits or PG&E has agreed that the City may borrow against future credits sufficient to complete the proposed overhead to underground conversion project; and

WHEREAS, the City of Rohnert Park and the Utility Companies have agreed by letter that each utility shall complete the engineering of their respective portion of the Snyder Lane Overhead to Underground Utility Conversion Project; and

WHEREAS, the City of Rohnert Park and the affected utilities have agreed by letter that PG&E shall be responsible for preparation of the trench profile and composite drawings and that PG&E shall be designated as “trench lead” to manage trenching, installation of substructures, and pavement restoration and such other work; and

WHEREAS, the City Engineer of the City of Rohnert Park and the Utility Companies have agreed on a work schedule which meets their respective capabilities and further agreed to waive any administrative fees, costs or special street restoration requirements for purposes of this project; and

WHEREAS, to the extent required, the City of Rohnert Park has agreed to provide easements or rights of way on private property as may be necessary for installation of utility facilities in a form satisfactory to the affected utilities; and

WHEREAS, the City Council of the City of Rohnert Park has now received the report from the City Engineer recommending that the area identified in Exhibit 1 should be designated as an underground utility district within which all existing overhead poles, overhead wires and overhead equipment associated with the distribution of electric power, telecommunication services and cable television should be removed and replaced with underground wires and facilities; and

WHEREAS, upon the recommendation of the City Engineer, the City Council of the City of Rohnert Park has determined that the proposed Snyder Lane Underground Utility District is categorically exempt from environmental review pursuant to the California Environmental Quality Act pursuant to Section 15061 (b)(3) of the CEQA Guidelines; and

WHEREAS, removal of overhead utilities and relocation of the utilities underground within the proposed District will advance the health, safety, and welfare of City residents and businesses by providing an improved pedestrian and bicycle environment, increasing foot traffic, and improving aesthetics within the Snyder Lane Underground Utility District; and

WHEREAS, the City of Rohnert Park has notified all affected property owners within the proposed Snyder Lane Underground Utility District and inviting same to attend a public hearing to discuss formation of the proposed district (Exhibit 2); and

WHEREAS, the City Council of the City of Rohnert Park held public hearings at which time the Council did receive and consider the recommendation of the City Engineer and did hear

any and all objections or protests that were raised by the owners of property within the above described district pertaining to designating this area an underground utility district.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Rohnert Park that:

Section 1. The public health, safety and welfare require the removal of all existing utility poles, overhead wires and associated overhead structures and installation of underground wires and facilities for supplying electric power, communication, or similar associated services within the areas as shown in Exhibit 1, attached hereto, with such area being designated as the Snyder Lane Underground Utility District, and

Section 2. Relocating overhead utility infrastructure underground within the proposed District is in the public interest for the following reasons: (1) undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities; and (2) the road is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic; and (3) the road is considered an arterial street or major collector as defined in the Governor's Office of Planning and Research General Plan Guidelines.

Section 3. The Snyder Lane Underground Utility District is hereby established for the purposes described herein. The District boundaries are more particularly described in Exhibit 1 Snyder Lane, Underground Utility District, which is incorporated herein by this reference.

Section 4. That the Utility Companies, cable television services, and other affected services shall commence work on installation of underground facility installation in the Snyder Lane Underground Utility District and that as each phase of the project is complete and ready for conversion from overhead to underground utility facilities; and

Section 5. PG&E shall use the underground conversion allocation computed pursuant to decisions of the California Public Utilities Commission for the purpose of providing to each premises requiring it in Snyder Lane Underground Utility District a maximum of one hundred feet of individual electric service trenching and conductor (as well as backfill, paving and conduit, if required) and each other serving utility shall provide service trenching and conductor in accordance with its rules and tariffs on file with the California Public Utilities Commission or as required by its Franchise Agreement with the City of Rohnert Park; and

Section 6. PG&E shall use said underground conversion allowance allocation, up to a maximum amount of \$1500 per service entrance excluding permit fees, for the conversion of electric service panels to accept underground service in the Snyder Lane Underground Utility District, and THE CITY OF ROHNERT PARK shall be financially responsible for any and all costs not covered by the electric utility for the installation and maintenance of the conduit and termination box located on, under or within any structure on the premises served; and

Section 7. That upon notification of the need for panel conversions by PG&E, all property owners in Snyder Lane Underground Utility District shall have underground electrical entrance facilities installed and inspected pursuant to the City of Rohnert Park Electrical Code within

sixty (60) days and that should any property owner fail to install satisfactory underground electrical entrance facilities by the date specified in the notice, the electric utility shall notify the City Engineer who shall, within thirty (30) days, direct the electric utility in writing to discontinue electrical service to the property, without recourse, pursuant to Rule 11 until electrical entrance facilities are ready to accept underground electrical conductors and have passed the necessary inspection requirements; and

Section 8. That once all services have been converted from overhead to underground, the utility companies, cable television services and other affected services shall remove all poles (except as specified above) and associated overhead facilities in Snyder Lane Underground Utility District, by August 21, 2015.

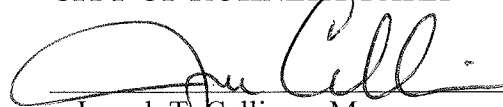
Section 9. The City Clerk is hereby directed to mail the following documents to each property owner within the District, as shown on the most recent equalized assessment roll, and all affected utilities, within 10 days after the adoption of this resolution pursuant to Municipal Code section 12.12, a copy of this resolution; a copy of Municipal Code section 12.12; and a notice stating that if the property owner, or any person occupying the property, desires to continue to receive services from PG&E, Comcast, and AT&T, the property owner or occupant shall provide necessary facility changes on the property and/or grant utilities a permit-to-enter, as specified in the resolution, so as to receive that utility service after the utility-undergrounding work is completed, subject to applicable rules, regulations, and tariffs of PG&E on file with the Public Utilities Commission.

Section 10. Execution of Agreement to Perform Tariff Scheduled Related Work, Rule 20A General Conditions. The City Manager is hereby authorized and directed to execute the Agreement to Perform Tariff Scheduled Related Work, Rule 20A General Conditions in substantially similar form to the attached Exhibit 3, which is attached hereto and incorporated by this reference, and to take all actions necessary to effectuate the Agreement to Perform Tariff Scheduled Related Work, Rule 20A General Conditions for and on behalf of the City of Rohnert, subject to approval by the City Attorney.

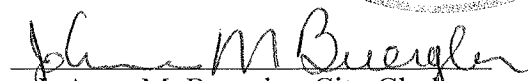
DULY AND REGULARLY ADOPTED this 13th day of May, 2014.



CITY OF ROHNERT PARK

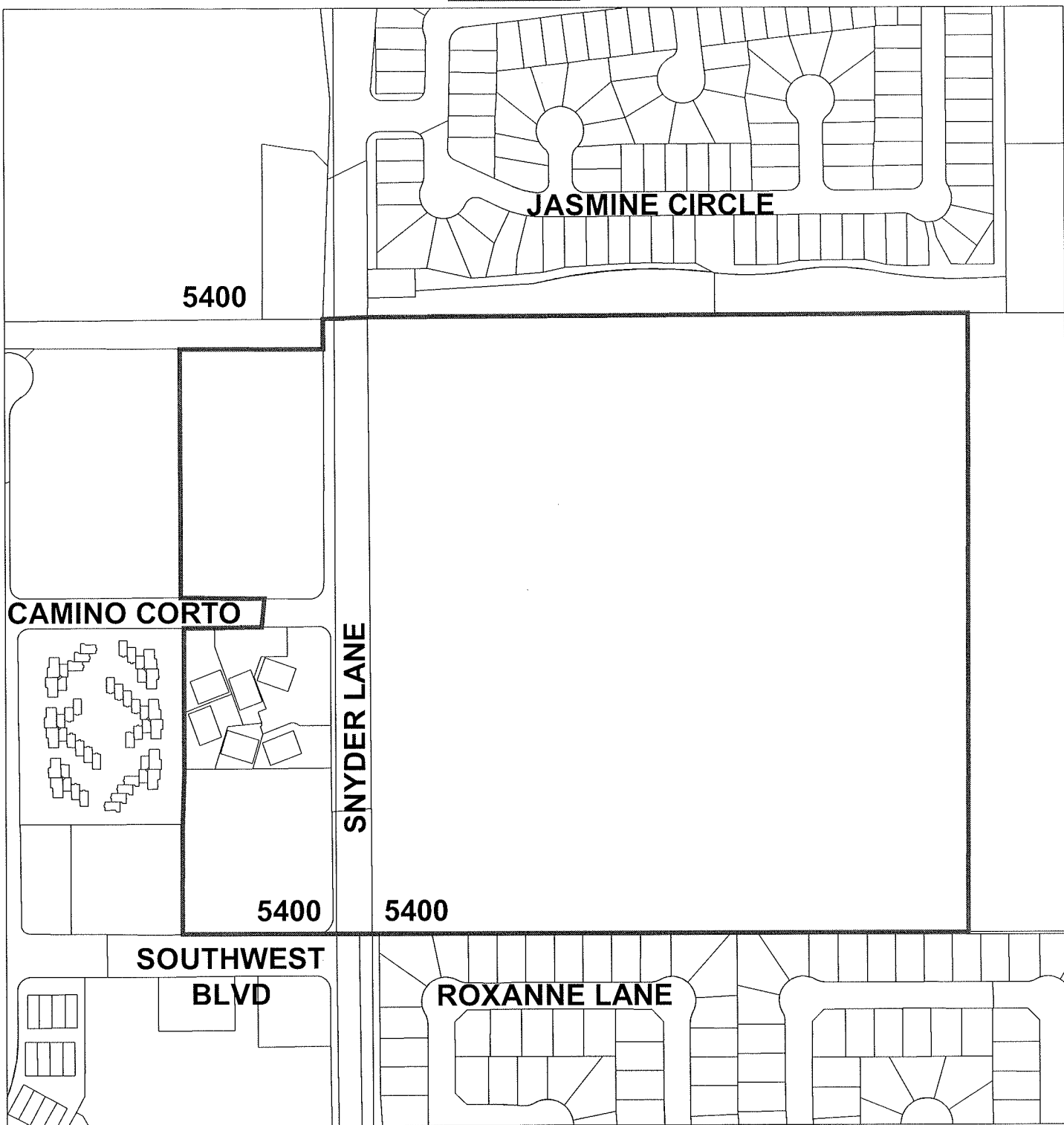

Joseph T. Callinan, Mayor

ATTEST:


JoAnne M. Buergler, City Clerk

Attachments: Exhibit 1, Exhibit 2, and Exhibit 3

BELFORTE: ABSENT MACKENZIE: AYE STAFFORD: AYE AHANOTU: AYE CALLINAN: AYE
AYES: (4) NOES: (0) ABSENT: (1) ABSTAIN: (0)



PROPOSED SNYDER LANE
UNDERGROUND UTILITY DISTRICT



SCALE



1" = 300'

EXHIBIT 1
SNYDER LANE UNDERGROUND UTILITY DISTRICT



GHD Inc.
2235 Mercury Way Suite 150 Santa Rosa California 95407 USA
T 1 707 523 1010 F 1 707 527 8679
W www.ghd.com

JOB NO. 02056 8411099



NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council of the City of Rohnert Park will hold a public hearing on the proposed Snyder Lane Underground Utility District.

WHERE: Rohnert Park City Hall – Council Chamber
130 Avram Avenue
Rohnert Park, California

WHEN: Tuesday, May 13, 2014, at the hour of 6:00 p.m.
or as soon thereafter as the matter is reached on the agenda.

PURPOSE: To solicit input regarding Snyder Lane Underground Utility District to ascertain whether the public necessity, health, safety or welfare requires the removal of poles, overhead wires, and associated overhead structures within the designated area and the underground installation of facilities when supplying electric, communication, or similar or associated service.

DESCRIPTION: Create the Snyder Lane Underground Utility District. Relocate utility lines (PG&E, AT&T, and Comcast) currently on poles within the frontage area of Rancho Cotate High School.

MAP LOCATION: Utility undergrounding along Snyder Lane. See attached Exhibit 'A'.

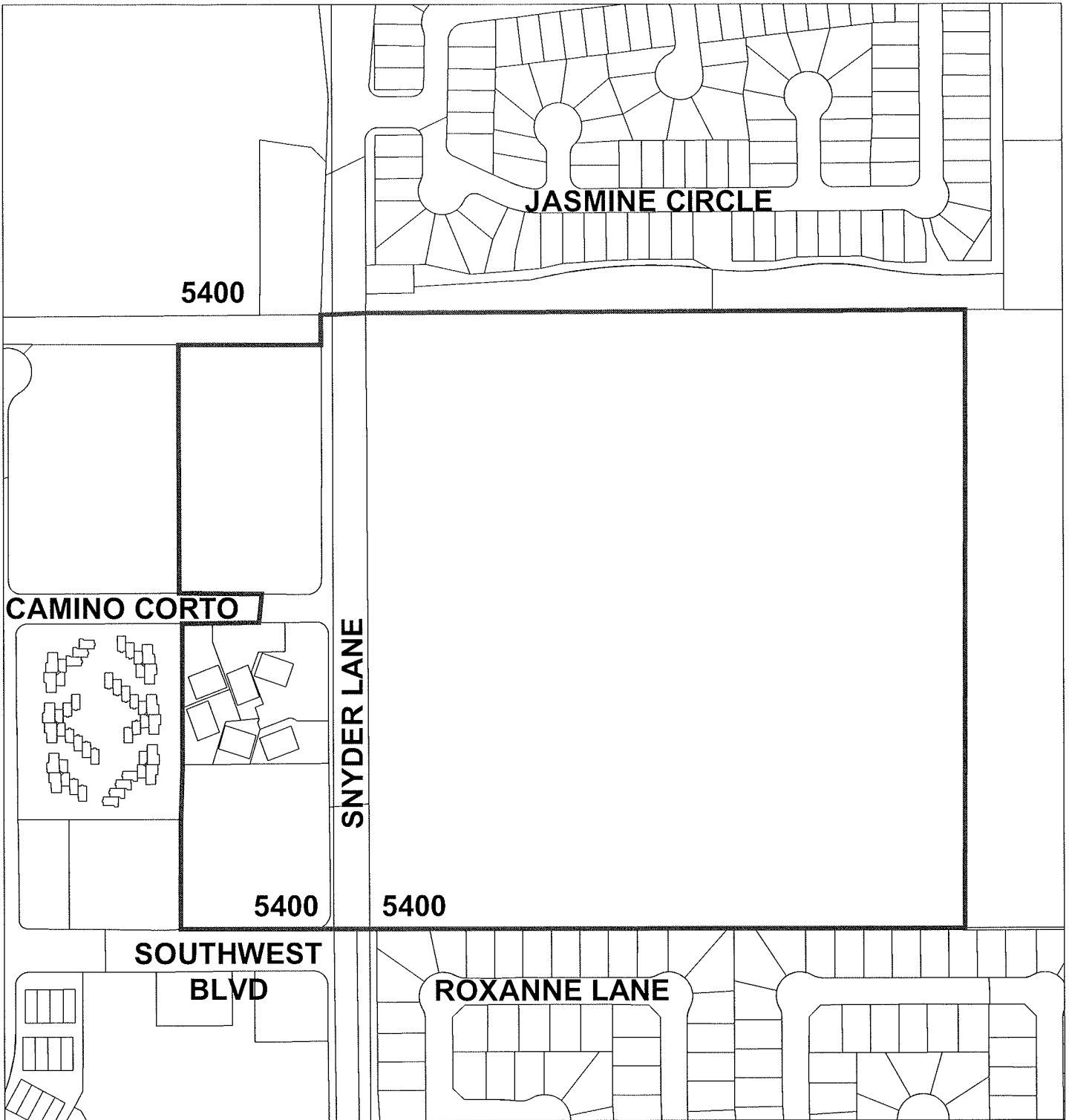
HOW BEING INCLUDED IN THE SNYDER LANE UNDERGROUND UTILITY DISTRICT AFFECTS YOUR PROPERTY: You have received this notice of public hearing because your property is located within the proposed Snyder Lane Underground Utility District. The project will consist of digging a trench within the frontage area of Rancho Cotate High School and having the respective overhead utilities be rerouted into the trench. As part of the undergrounding project, new service laterals may have to be installed and the existing electrical panel may have to be converted on your property.

The public hearing to consider the proposed Snyder Lane Underground Utility district map on Snyder Lane will be held on **Tuesday, May 13, 2014** at 6:00 p.m. (or as soon thereafter as the matter is reached on the agenda) in the Council Chambers, City Hall, 130 Avram Avenue, Rohnert Park.

If you have any questions regarding this project, please call Patrick Barnes at (707) 588-2234 before the public hearing. You may also submit comments or questions in writing to the attention of Development Services, City Hall 130 Avram Avenue, Rohnert Park, CA 94928. Representatives of this proposal will be available to respond to questions.

Dated: 5/01/2014

JoAnne Buergher, City Clerk



PROPOSED SNYDER LANE
UNDERGROUND UTILITY DISTRICT



SCALE



1" = 300'

EXHIBIT 1
SNYDER LANE UNDERGROUND UTILITY DISTRICT



GHD Inc.
2235 Mercury Way Suite 150 Santa Rosa California 95407 USA
T 1 707 523 1010 F 1 707 527 8679
W www.ghd.com

JOB NO. 02056 8411099



Agreement to Perform
Tariff Scheduled Related Work,
Rule 20A General Conditions

Lizette Burtis, Program Liaison
PROJECT MGR.
PM #

PROJECT NAME: Snyder Lane Rohnert Park R20A

LOCATION: Snyder Lane, CALIFORNIA

City: Rohnert Park

City/County of Rohnert Park, (Applicant) has requested PACIFIC GAS AND ELECTRIC COMPANY, a California corporation (PG&E) to perform the tariff scheduled related work as located and described herein.

General Conditions:

PG&E will, at its expense, replace its existing overhead electric facilities with underground electric facilities as outlined in the Rule 20 Tariff. To ensure the success of this program, the Applicant agrees to support the Rule 20A Program as follows:

Responsibilities of the Applicant:

1. Consult with PG&E to confirm the requirements and location of the project.
2. Provide a resolution and boundary map as required in Electric Rule 20.
3. Provide a list of all recorded property owners, APN#, phone number and address.
4. Provide a list of the most recent tenant (for rental properties).
5. Provide Base Map (in AutoCAD) showing the following: boundary, roads, future road improvements, sidewalks, curbs, property lines, buildings, existing water and sewer, easements, and any other known utilities or obstacles.
6. Secure all required rights-of-way and easements, which must be satisfactory to and approved by PG&E.
7. Own and manage all contaminated soils. (Rule 20A funding cannot be used for environmental remediation costs)
8. Own and manage all cultural resource findings. (Rule 20A funding cannot be used for managing cultural resource findings).
9. Provide recent pot holing/core samplings and soils/paving information from projects that were recently completed.
10. Provide acceptable construction yard for materials and equipment storage.
11. Pay for paving and restoration costs beyond the standard excavations and restorations necessary for the construction of the project. Joint trench participants will replace paving, landscaping, sidewalk, etc. that is removed during construction. (Rule 20A funding cannot be used for additional restoration costs).
12. Waive paving moratorium requirements, or pay for additional costs above PG&E's responsibility for restoration.
13. Stake and survey for any associated future grade changes.
14. Should applicant require additional traffic control beyond that which PG&E provides (per California Joint Utility Traffic Control Committee), Applicant will pay for the additional costs.
15. Should Applicant require a traffic control plan, Applicant will prepare or pay to prepare such a plan.
16. Pay for streetlight costs per Street Light Agreement.
17. Remove Applicant owned streetlights attached to utility poles and located within the underground district at Applicant cost.
18. Issue and waive cost of encroachment permit.
19. Waive work hour restrictions for construction, including holiday and/or special construction limitations.
20. Waive all permit fees and other incidental project specific costs, including but not limited to: parking charges; rental cost of city or county properties; and lost revenues.

Responsibilities of PG&E:

1. Provide consultation to Applicant to establish resolution and boundary map.
2. If designated as the design/trench lead, prepare the Intents, Composite and Form B (costs will be shared by all joint trench participants).
3. Provide electric design to the design/trench lead agency, if lead is other than PG&E.
4. Identify all locations that require an easement.
5. Prepare easement documents for signature.
6. Upon request of the Applicant, Rule 20A allocation may be used for the installation of no more than 100 feet of each customer's underground electric service lateral.
7. Upon request of the Applicant, the Rule 20A allocation may be used for the conversion of electric service panels to accept underground service, up to \$1,500 per service entrance (excluding permit fees). Alternatively, if the Applicant requests that PG&E manage the panel conversion work, perform such conversions by agreement (Form 79-1113, Agreement to Perform Tariff Schedule Related Work, Rule 20A).



Pacific Gas and Electric Company

Agreement to Perform
Tariff Scheduled Related Work,
Rule 20A General Conditions

Lizette Burtis, Program Liaison
PROJECT MGR.
PM #

8. Provide inspection services for the installation of PG&E facilities.
9. Remove poles, or portions of poles, from the underground district as required by the Joint Pole Utility Agreement.
10. Provide proper notification to all affected customers when electrical outages are necessary to complete project conversion to the new underground system.

We have read the above information and understand and agree with the provisions and responsibilities as described above/.

Executed this _____ day of _____ 20__

City/County of: Rohnert Park
Applicant

PACIFIC GAS AND ELECTRIC COMPANY

By: _____

By: _____

(Print or Type Name)

Andrea Samonek

(Print or Type Name)

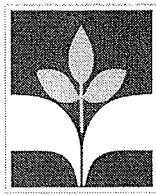
Title:

Program Supervisor

Title:

Mailing Address: 130 Avram Avenue, Rohnert Park, CA 94928

City/County of: Rohnert Park



COTATI-ROHNERT PARK
UNIFIED SCHOOL DISTRICT
SUPERINTENDENT
Learning for a Lifetime

Attachment 5

April 25, 2014

Mr. Darrin Jenkins
Rohnert Park City Manager
City Hall, 130 Avram Avenue
Rohnert Park, CA 94928

Dear Darrin,

As part of the Snyder Lane widening project, Cotati-Rohnert Park Unified School District requests that the utilities in front of Rancho Cotate High School be moved underground, off the current poles. As we work towards creating a new look to the school, we feel moving the utilities underground is a step in the right direction. In addition, it will be safer for students and traffic.

Thank you for considering moving the utilities underground.

Sincerely,

Robert A. Haley, Ed.D.
Superintendent