



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: April 21, 2020

TO: Christine Daniel, City Manager

FROM: Mary Grace Houlihan, Public Works Director

SUBJECT: **Resolution Of The City Council Of The City Of Emeryville Setting A Public Hearing Date Of May 5, 2020, At 7:16 p.m., To Be Held At City Hall, 1333 Park Avenue, Emeryville, Or Via Teleconference If Governor's Executive Order EO-N-29-20 Is Extended Past May 3, 2020, To Consider The Formation Of The North Hollis Underground Utility District For The Conversion Of Aerial To Underground Utilities In An Area Generally Located On Hollis Street From Approximately 45 Feet South Of 59th Street To Approximately 135 Feet North Of 67th Street; On 61st Street From Doyle Street To Hollis Street; And On 62nd Street From Hollis Street To Doyle Street**

RECOMMENDATION

Staff recommends that the City Council adopt the above-entitled resolution.

BACKGROUND

The current Capital Improvement Program identifies the North Hollis Underground District Project (ST-14) the scope of which includes the conversion of aerial utilities to underground throughout the North Hollis Area, which is generally comprised of the area north of Powell Street and bounded by the Union Pacific Railroad Tracks to the west, the northern City Limit, and the eastern City Limit. Underground utilities are less likely to cause damage and be damaged during storm and earthquake events and undergrounding aerial utilities improves service reliability. Furthermore, overhead utility lines obstruct views and create the need for more aggressive street tree pruning resulting in the selection of smaller tree species when new street trees are planted.

The California Public Utilities Commission (CPUC) Rule 20A Program allocates Pacific Gas and Electric (PG&E) ratepayer work credits to cities for use in eligible undergrounding projects. The City of Emeryville is considered an inactive Rule 20A agency until it forms an eligible underground district passed by City Council Resolution. At this point in time, the City of Emeryville Rule 20 work credit balance is \$939,000; however, PG&E has informed City staff that, due to Emeryville's inactive status, .48% of these funds will be reallocated to the City of Live Oak and it is uncertain whether additional reallocations will be required of the City in the future.

DISCUSSION

Pursuant to Chapter 4 of Title 7 of the Emeryville Municipal Code regarding Underground Utility Facilities, the City Council is required to set and hold a public hearing "to ascertain whether public necessity, health, safety, or welfare requires the removal of poles,

overhead wires, and associated overhead structures within designated areas of the City and the underground installation of wires and facilities for supplying electric, communication, or similar or associated services.¹ Furthermore “If, ...the Council finds that the public necessity, health, safety, or welfare requires such removal and such underground installations within a designated area, the Council, by resolution, shall declare such designated area an Underground Utility District and order such removal and underground installations.²”

Because there is limited funding available in the Capital Improvement Program’s North Hollis Underground District Project (ST-14), only streets that meet the CPUC criteria for Rule 20A Program work credit usage are included in the proposed undergrounding district. As indicated on the attached Exhibit A, the proposed project would underground all existing overhead utilities on Hollis Street from approximately 45 feet south of 59th Street to approximately 135 feet north of 67th Street; on 61st Street from Doyle Street to Hollis Street; and on 62nd Street from Hollis Street to Doyle Street.

The next opportunity for a Public Hearing on the matter is May 5th, 2020. Pursuant to the Governor’s Executive Order EO-N-29-20, the public hearing will be held via teleconference if the Order is extended beyond May 3, 2020; otherwise the hearing will be held at City Hall, 1333 Park Avenue, Emeryville.

FISCAL IMPACT

Creation of the North Hollis Underground Utility District will preserve the City of Emeryville’s Rule 20 work credit balance.

STAFF COMMUNICATION WITH THE PUBLIC

None.

CONCLUSION

Staff concludes that it is in the public’s interest for City Council to adopt the above-entitled resolution.

PREPARED BY: Michael Roberts PE, Senior Civil Engineer

¹ Emeryville Municipal Code (EMC) section 7-4.02

² EMC section 7-4.03

**APPROVED AND FORWARDED TO THE
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



Christine Daniel, City Manager

ATTACHMENTS

- Draft Resolution
- Exhibit A