CITY OF HAYWARD

AGENDA REPORT

AGENDA DATE 02/13/01

AGENDA ITEM 5

WORK SESSION ITEM

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Adoption of a Resolution to Establish Underground District No. 25 for Mission Boulevard, from Sycamore Avenue to Harder Road

RECOMMENDATION:

It is recommended that the City Council:

1. Adopt a resolution to establish Underground District No. 25 for Mission Boulevard, from Sycamore Avenue to Harder Road; and

2. Introduce the attached ordinance relating to the establishment of Underground District No. 25.

BACKGROUND:

The City Council, at its meeting of January 09, 2001, adopted a Resolution of Intention to consider establishment of Underground District No. 25 for Mission Boulevard, from Sycamore Avenue to Harder Road, as shown on the attached map, and set a hearing date of February 13, 2001. It is now appropriate for the City Council to conduct the public hearing on the establishment of this district. City staff sent a notice of this meeting to all affected property owners on January 29, 2001, and notices were sent to all affected utility companies on January 16, 2001. City staff also worked with affected utility companies in order to establish this new Underground District No. 25 (see Exhibit A).

Based on past experience working with both Caltrans and the various utility companies, the connection to the underground wiring system is estimated to be completed by January 15, 2003, and removal of all poles and overhead wires will be completed by February 15, 2003. These dates may be moved up or postponed by the City upon notification to the affected property owners. Under the Improvement Act of 1911, the City Council may establish an underground district and pay the cost of conversion using Rule 20 funds, which are allocated each year to the City by PG&E to replace overhead distribution facilities with underground facilities along public streets. The City has available Rule 20 Program funding in the amount of approximately $4,981,400, or $3,565,100 after deducting for the current Mission Boulevard Underground work near Industrial Parkway. The estimated cost for the Rule 20 portion of this Underground District No. 25 is approximately $2,500,000.

Construction of the underground electrical, telephone, and cable TV facilities from the property line to the buildings will be the responsibility of each property owner. Staff and the utility companies will work with each property owner to ensure they are aware of this requirement. Costs of individual residential service conversion will vary, depending on the circumstances involved, and will generally range from $1,000 to $3,000. Commercial building service conversions range from $2,000 to $5,000, or possibly higher. The proposed district includes 83 properties: four residential, 75 commercial, and four vacant lots or transmission line easements.

In all previous underground wiring districts, the City has not paid the cost of undergrounding any service runs to private property or of converting individual services to underground service. In consideration of past practices, and in order to avoid a potentially costly precedent, it is recommended that the City continue its practice of not paying for individual or commercial service conversions.

Because the proposed underground district will remove existing utility poles, it is necessary for the City to install a new street lighting system along this portion of Mission Boulevard. Since costs for the new street lighting system are not eligible for Rule 20 monies, funding is included in the Street Lighting Fund - $65,000 in the 2000/01 and $430,000 in the proposed 2001/02 Capital Improvement Program.

PG&E will prepare the composite plans for the utility undergrounding work and will administer the construction contract. The City will oversee the design and construction of the new street lighting system.

Prepared by:

Robert A. Bauman, Deputy Director of Public Works

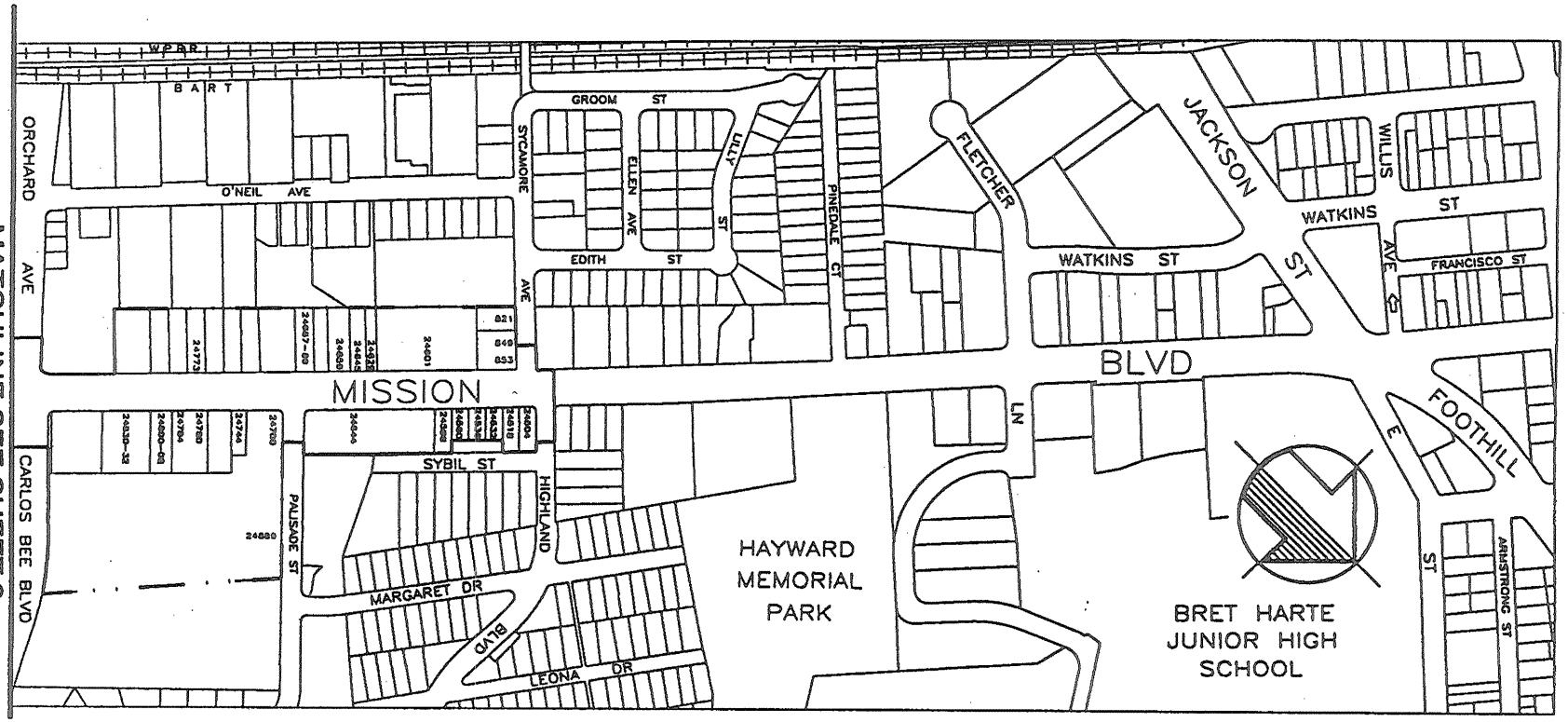
Recommended by:

Dennis L. Butler, Director of Public Works

Approved by:

Jesús Armas, City Manager

Attachments: Exhibit A: Underground District No. 25 Boundary Map



LEGEND

— · · — UNDERGROUNDING DISTRICT BOUNDARY

SCALE: 1"=500'

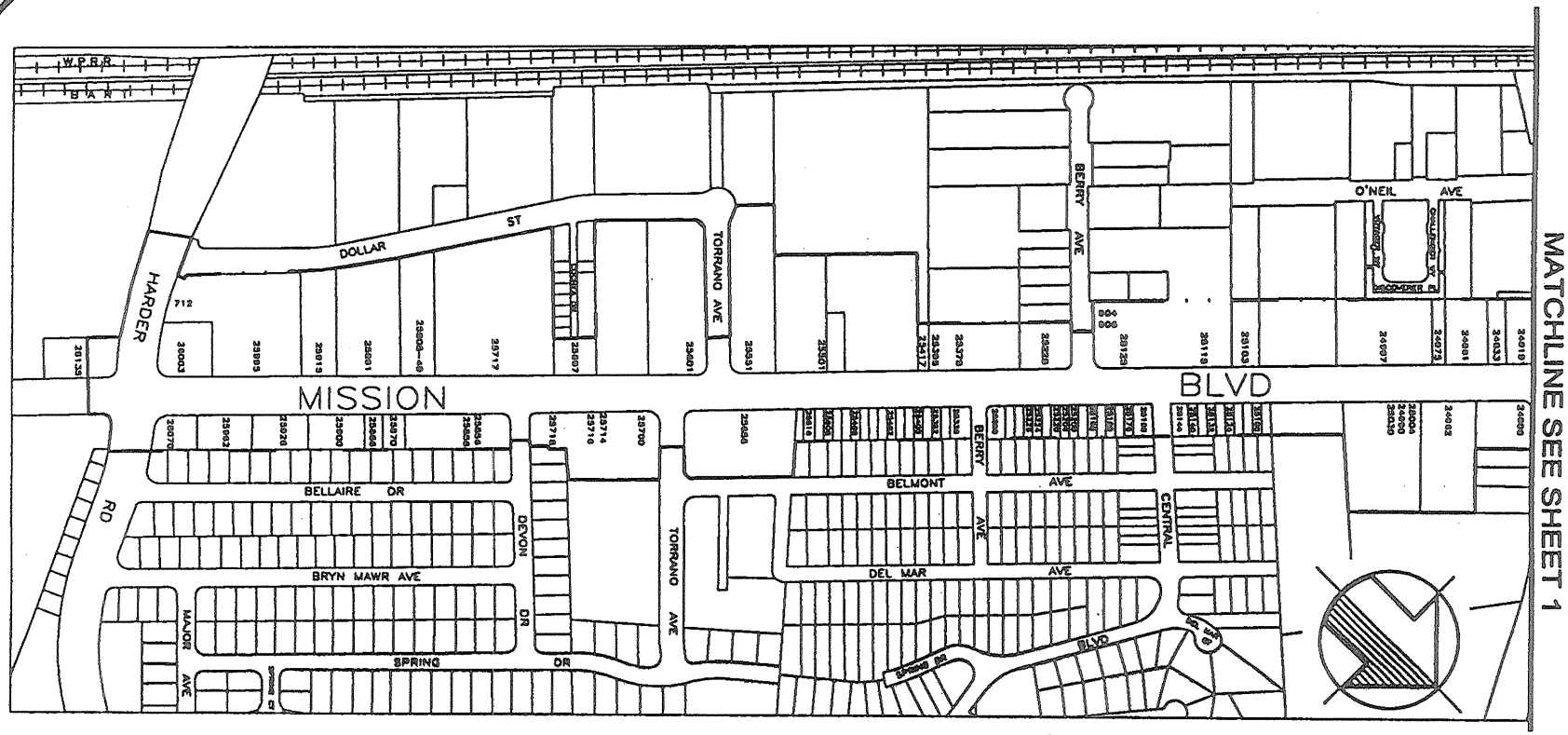
DRAFT UNDERGROUNDING DISTRICT NO. 25

MISSION BLVD: SYCAMORE AVE TO HARDER RD

SHEET 1

CITY OF HAYWARD - JANUARY 2, 2001

Exhibit A



LEGEND

— · · — UNDERGROUNDING DISTRICT BOUNDARY

SCALE: 1"=500'

DRAFT UNDERGROUNDING DISTRICT NO. 25

MISSION BLVD: SYCAMORE TO HARDER RD

SHEET 2

CITY OF HAYWARD - JANUARY 2, 2001

DRAFT

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE 4, CHAPTER 11 OF THE HAYWARD MUNICIPAL CODE BY ADDING SECTION 11-4.25 THERETO RELATING TO UNDERGROUND DISTRICT NO. 25

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Article 4, Chapter 11 of the Hayward Municipal Code is hereby amended by adding thereto Section 11-4.25, to read in full as follows:

"SEC. 11-4.25 UNDERGROUND DISTRICT NO. 25. The following described area in the City of Hayward is hereby designated as an underground district, to-wit:

Mission Boulevard from Sycamore Avenue to Harder Road

The following exceptions apply to this District:

(a) Any municipal facilities or equipment installed under the supervision and to the satisfaction of the City Engineer.

(b) Overhead wires (exclusive of supporting structures) crossing any portion of a District within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a District, when such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited.

(c) Antennae, associated equipment and supporting structures, used by a utility for furnishing communication service.

(d) Equipment appurtenant to underground facilities, such as surface mounted transformers, pedestal mounted terminal boxes and meter cabinets, and concealed ducts.

(e) Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects.

The underground system hereby approved and the connection to be made to the system shall be completed by January 15, 2003, and the removal of all poles and overhead wires shall be completed by February 15, 2003. These dates may be postponed by the City upon notification to the affected property owners.

Section 2. In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective 30 days from and after the date of its adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the ____ day of_____ , 2001, by Council Member_____ .

ADOPTED at a regular meeting of the City Council of the City of Hayward held the _____ day of_____ , 2001, by the following votes of members of said City Council.

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: _____
Mayor of the City of Hayward

DATE: _____

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward

HAYWARD CITY COUNCIL

RESOLUTION NO. 01-025

Introduced by Council Member HILSON

RESOLUTION TO ESTABLISH UNDERGROUND DISTRICT NO. 25 FOR MISSION BOULEVARD FROM SYCAMORE AVENUE TO HARDER ROAD

WHEREAS, by Resolution No. 01-001 dated January 9, 2001. the City Council declared its intention to establish an underground wiring district for Mission Boulevard from Sycamore Avenue to Harder Road; and

WHEREAS, February 13, 2001, at the hour of 8:00 p.m., in the Council Chambers, City Hall, 777 B Street, Hayward, California, was fixed as the time and place for hearing protests to the proposed underground wiring district; and

WHEREAS, a copy of the resolution of intention was published, posted, and mailed as directed; and

WHEREAS, the City Council of the City of Hayward hereby finds and determines that the streets are used extensively by the general public and carry a heavy volume of pedestrian or vehicular traffic, and therefore the public peace, safety, comfort, convenience, interest, and welfare require the establishment of the underground wiring district.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby orders the establishment of an underground wiring district for certain portions of Mission Boulevard, as follows:

UNDERGROUND DISTRICT NO. 25. Mission Boulevard from Sycamore Avenue to Harder Road

as indicated on those certain maps entitled:

UNDERGROUNDING DISTRICT NO. 25
MISSION BOULEVARD: SYCAMORE AVENUE TO HARDER ROAD
Sheets 1 and 2

The maps delineating the boundaries of said district are attached hereto as Exhibit "A" and incorporated herein as if set forth in full.

BE IT FURTHER RESOLVED that the following exceptions in Underground Utility District No. 25 are hereby authorized:

(a) Any municipal facilities or equipment installed under the supervision and to the satisfaction of the City Engineer.

(b) Overhead wires (exclusive of supporting structures) crossing any portion of a District within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a District, when such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited.

(c) Antennae, associated equipment and supporting structures, used by a utility for furnishing communication service.

(d) Equipment appurtenant to underground facilities, such as surface mounted transformers, pedestal mounted terminal boxes and meter cabinets, and concealed ducts.

(e) Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects.

BE IT FURTHER RESOLVED that the underground wiring system hereby approved and the connections to be made to the system shall be completed by January 15, 2003, and the removal of all poles and overhead wires shall be completed by February 15, 2003. These dates may be postponed by the City upon notification to the affected property owners.

IN COUNCIL, HAYWARD, CALIFORNIA February 13, 2001

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS: Jimenez, Hilson, Rodriquez, Ward, Dowling
MAYOR: Cooper

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Henson

ATTEST: Angelina Reyes
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward