

**RESOLUTION NO. 102-22**

**RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA,  
AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO CREATE AN  
UNDERGROUND UTILITY DISTRICT TO CONVERT UTILITY LINES AND  
FACILITIES TO UNDERGROUND ON PIERCE STREET AND SAN MATEO STREET  
PURSUANT TO ELECTRIC RULE 20**

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**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 Richmond (City), has adopted a Resolution for 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; and

**WHEREAS**, the Director of Public Works for the City has consulted with the affected public utilities and such utilities have agreed that the proposed underground conversion district, designated the Pierce Street/San Mateo Street 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/OR

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/OR

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/OR

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 Richmond 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 Director of Public Works for City has consulted with PG&E and determined that the City has accumulated Rule 20A work credits; and

**WHEREAS**, the City and the affected utilities have agreed by letter that each utility shall complete the engineering of their respective portion of the Pierce Street/San Mateo Street Underground Utility District Conversion Project; and

**WHEREAS**, the City 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 Director of Public Works of the City and the affected utilities 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 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 Richmond has now received the report from the Director of Public Works 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 Director of Public Works, the City Council of the City of Richmond has determined that the Pierce Street/San Mateo Street Underground Utility District is categorically exempt from environmental review pursuant to the California Environmental Quality Act; and

**WHEREAS**, the City has notified all affected property owners within the proposed Pierce Street/San Mateo Street Underground Utility District and inviting same to attend a public hearing to discuss formation of the proposed district; and

**WHEREAS**, the City Council of the City of Richmond held public hearings at which time the Council did receive and consider the recommendation of the Director of Public Works 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 RICHMOND that:

Section 1. The public interest requires the removal of all existing utility poles [excepting those poles supporting streetlights, traffic signals or trolley lines], 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 Pierce Street/San Mateo Street Underground Utility District; and

Section 2. That the utility companies, cable television services and other affected services shall commence work on installation of underground facility installation in the Pierce Street/San Mateo Street Underground Utility District and that as each phase of the project is complete and ready for conversion from overhead to underground utility facilities, all fronting property owners shall be notified by first class letter, postage pre-paid, of the schedule for conversion of all utility service lines; and

Section 3. The electric utility 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 Pierce Street/San Mateo Street 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 Richmond; and

Section 4. The electric utility 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 Central Avenue/Pierce Street/San Mateo Street Underground Utility District, and EACH PROPERTY OWNER 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 5. That upon notification as specified in Section 2, all property owners in the Pierce Street/San Mateo Street Underground Utility District shall have underground electrical entrance facilities installed and inspected pursuant to the City of Richmond 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 Director of Public Works 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 6. 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 Pierce Street/San Mateo Street Underground Utility District.

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I certify that the foregoing resolution was passed and adopted by the City Council of the City of Richmond at a regular meeting thereof held July 5, 2022, by the following vote:

AYES:	Councilmembers Bates, Jimenez, Johnson III, McLaughlin, Willis, Vice Mayor Martinez, and Mayor Butt.
NOES:	None.
ABSTENTIONS:	None.
ABSENT:	None.

PAMELA CHRISTIAN  
CLERK OF THE CITY OF RICHMOND  
(SEAL)

Approved:

THOMAS K. BUTT  
Mayor

Approved as to form:

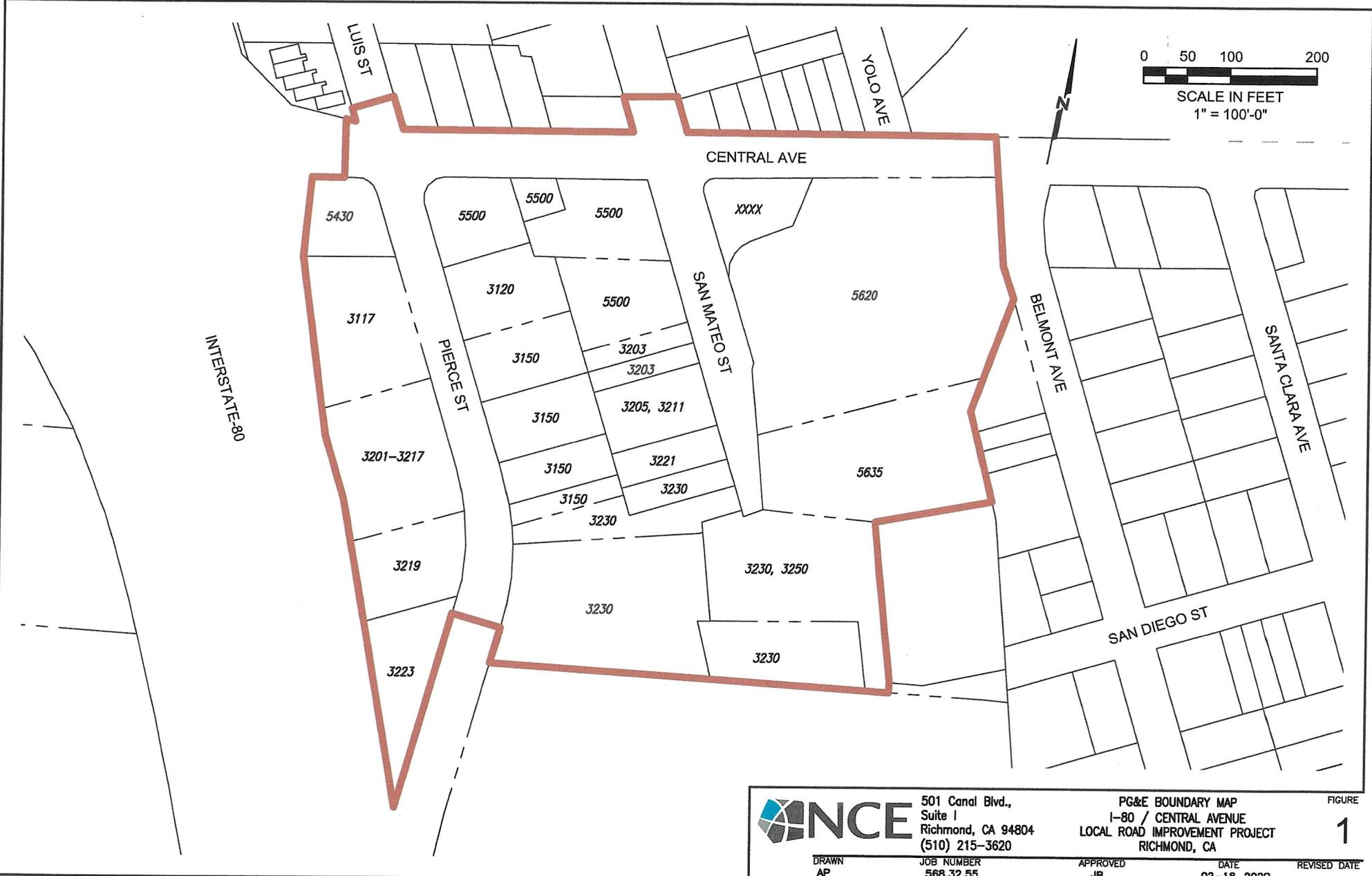
DAVE ALESHIRE  
Interim City Attorney

State of California	}	
County of Contra Costa	}	: ss.
City of Richmond	}	

I certify that the foregoing is a true copy of **Resolution No. 102-22**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on July 5, 2022.

  
Pamela Christian, Clerk of the City of Richmond

# EXHIBIT 1



The City of Richmond, California, is the City Engineer. The City Engineer is responsible for the accuracy of the information shown on this map. The City Engineer is not responsible for the accuracy of the information shown on this map.

	501 Canal Blvd., Suite 1 Richmond, CA 94804 (510) 215-3620		PG&E BOUNDARY MAP I-80 / CENTRAL AVENUE LOCAL ROAD IMPROVEMENT PROJECT RICHMOND, CA		FIGURE <b>1</b>
	DRAWN AP	JOB NUMBER 568.32.55	APPROVED JB	DATE 02-18-2020	REVISED DATE