

RESOLUTION R2024-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANTECA, STATE OF CALIFORNIA, ESTABLISHING AN UNDERGROUND UTILITY DISTRICT FOR AIRPORT WAY BETWEEN WAWONA STREET AND APPROXIMATELY 300 FEET SOUTH OF WATERFALL WAY, AUTHORIZING THE USE OF RULE 20A WORK CREDIT ALLOCATION FUNDING, AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO TAKE ALL APPROPRIATE ACTIONS NECESSARY TO CARRY OUT THE PURPOSE AND INTENT OF THE RESOLUTION

WHEREAS, since 1967, underground conversions in the State of California have been performed under California Public Utility Commission (CPUC) Rule 20 which has three parts: A, B, and C. Under Part A, undergrounding in the City of Manteca (City) is paid for and performed by the local electric utility, Pacific Gas & Electric Company (PG&E); and

WHEREAS, through a Rule 20A program, PG&E is required to annually set aside funds for financing the undergrounding of overhead distribution facilities located on public streets and roads; and

WHEREAS, each year the City 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, telephone and cable utilities pay through their own undergrounding budget; and

WHEREAS, the purpose of undergrounding the utilities is to improve aesthetics and remove exposure of the utilities to the uncertainty of weather or vehicle collisions; 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 Manteca 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; and

ATTACHMENT 1

WHEREAS, the Director of Engineering / City Engineer has consulted with the affected public utilities and such utilities have agreed that the proposed underground conversion district, designated the proposed Underground Utility District as more particularly described in Exhibit A attached hereto and incorporated herein by reference, meets the criteria established by the rules of the CPUC, to wit:

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. Wheelchair access is limited or impeded in a manner that is not compliant with the Americans with Disabilities Act;
4. The street or road or right-of-way adjoins or passes through a civic area or public recreation area or an area of significant scenic, cultural, and/or historic interest to the general public; or
5. The street or road or right-of-way is considered an arterial street or major collector as defined by the California Department of Transportation's California Road System functional classification system; and

WHEREAS, to the extent required, the City of Manteca 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 has now received the report from the Director of Engineering / City Engineer recommending the area identified in Exhibit "A" 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 Engineering / City Engineer, the City Council determined that the proposed Underground Utility District is categorically exempt from environmental review pursuant to the California Environmental Quality Act; and

WHEREAS, the City notified all affected property owners within the proposed Underground Utility District and invited the same to attend a public hearing to discuss formation of the proposed district; and

WHEREAS, the City Council held a public hearing, at which time the Council did receive and consider the recommendation of the Director of Engineering / City Engineer and any and all objections or protests that were raised by the owners of property within

ATTACHMENT 1

the above described district pertaining to designating this area an overhead utility conversion district; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manteca, as follows:

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the City Council's adoption of this Resolution.
2. The City Council hereby 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 A, attached hereto, with such area being designated as the proposed Underground Utility District.
3. The City Council hereby requires that all utility companies, cable television services and other affected services shall commence work on installation of underground facility installation in the proposed 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.
4. The City Council hereby requires that 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 the proposed 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 Manteca.
5. The City Council hereby requires that 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 proposed Underground Utility District, and each property owner shall be financially responsible for any and all costs not covered by the electric utility for the

ATTACHMENT 1

installation and maintenance of the conduit and termination box located on, under or within any structure on the premises served.

6. The City Council hereby requires that upon notification as specified in Section 3, all property owners in the proposed Underground Utility District shall have underground electrical entrance facilities installed and inspected pursuant to the City of Manteca Electrical Code 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 Engineering / 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.
7. The City Council hereby requires 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 the proposed Underground Utility District within 90 days.
8. The City Council hereby authorizes the City Manager or designee to apply for permits, apply for State and Federal grants, solicit project-funding support, complete and execute Rule 20A General Conditions Agreement and all associated documents, and take all appropriate actions necessary to carry out the purpose and intent of this resolution.
9. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Manteca at a public meeting of said City Council held on the 17th day of December 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

MAYOR: _____
GARY SINGH
Mayor

ATTACHMENT 1

ATTEST: _____
CASSANDRA CANDINI-TILTON
City Clerk