

- 1 a. That such undergrounding will avoid or eliminate an unusually heavy
2 concentration of overhead electric facilities, and
3
4 b. That the streets or roads or right-of-ways in the proposed district are
5 extensively used by the general public and carries a heavy volume of
6 pedestrian or vehicular traffic, and
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8 c. That the streets or roads or right-of-ways in the proposed district adjoins
9 or passes through a civic area or public recreation area or an area of
10 unusual scenic interest to the general public, and
11
12 d. That the streets or roads or right-of-ways in the proposed district are
13 designated arterial streets or major collectors as defined in the Governor's
14 Office of Planning and Research General Plan Guidelines and identified in
15 the adopted General Plan of the City of Albany, and
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17 **WHEREAS**, each year the City of Albany is notified by PG&E regarding the
18 allocation of work credits for conversion of overhead electric distribution lines and
19 facilities to underground, known as Rule 20A allocations, and
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21 **WHEREAS**, the Director of Community Development for City of Albany has
22 consulted with PG&E and determined that the City has accumulated Rule 20A work
23 credits or PG&E has agreed that the City may borrow against future credits sufficient to
24 complete the proposed overhead conversion project, and
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26 **WHEREAS**, the City of Albany and the affected utilities have agreed by letter
27 that each utility shall complete the engineering of their respective portion of the
28 Buchanan/Marin Overhead Utility Conversion Project, and
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1 **WHEREAS**, the City of Albany and the affected utilities have agreed by letter
2 that PARTY shall be responsible for preparation of the trench profile and composite
3 drawings and that PARTY shall be designated as “trench lead” to manage trenching,
4 installation of substructures, and pavement restoration and such other work, and
5

6 **WHEREAS**, the Director of Community Development of the City of Albany and
7 the affected utilities have agreed on a work schedule which meets their respective
8 capabilities and further agreed to waive any administrative fees, costs or special street
9 restoration requirements for purposes of this project, and
10

11 **WHEREAS**, to the extent required, the City of Albany has agreed to provide
12 easements or rights of way on private property as may be necessary for installation of
13 utility facilities in a form satisfactory to the affected utilities, and
14

15 **WHEREAS**, the City Council of the City of Albany has now received the report
16 from the Director of Public Works recommending that the area identified in Exhibit C
17 should be designated as a overhead utility conversion area within which all existing
18 overhead poles, overhead wires and overhead equipment associated with the distribution
19 of electric power, telecommunication services and cable television should be removed
20 and replaced with underground wires and facilities; and
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22 **WHEREAS**, upon the recommendation of the Director of Community
23 Development, the City Council of the City of Albany has determined that the proposed
24 Buchanan/Marin Overhead Utility Conversion District is categorically exempt from
25 environmental review pursuant to the California Environmental Quality Act, and
26

27 **WHEREAS**, the City of Albany has notified all affected property owners within
28 the proposed Buchanan/Marin Overhead Utility Conversion District and inviting same to
29 attend a public hearing to discuss formation of the proposed district, and

1
2 **WHEREAS**, the City Council of the City of Albany held public hearings at
3 which time the Council did receive and consider the recommendation of the City
4 Engineer and did hear any and all objections or protests that were raised by the owners of
5 property within the above described district pertaining to designating this area an
6 overhead utility conversion district;

7
8 **NOW THEREFORE, BE IT RESOLVED**, that:

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10 Section 1. The public interest requires the removal of all existing utility poles [excepting
11 those poles supporting streetlights, traffic signals or trolley lines], overhead wires and
12 associated overhead structures and installation of underground wires and facilities for
13 supplying electric power, communication, or similar associated services within the areas
14 as shown in Exhibit C, attached hereto, with such area being designated as the
15 Buchanan/Marin Overhead Utility Conversion District, and

16
17 Section 2, That the utility companies, cable television services and other affected services
18 shall commence work on installation of underground facility installation in the
19 Buchanan/Marin District and that as each phase of the project is complete and ready for
20 conversion from overhead to underground utility facilities, all fronting property owners
21 shall be notified by first class letter, postage pre-paid, of the schedule for conversion of
22 all utility service lines, and

23
24 Section 3, The electric utility shall use the underground conversion allocation computed
25 pursuant to decisions of the California Public Utilities Commission for the purpose of
26 providing to each premises requiring it in Buchanan/Marin District a maximum of one
27 hundred feet of individual electric service trenching and conductor (as well as backfill,
28 paving and conduit, if required) and each other serving utility shall provide service
29 trenching and conductor in accordance with its rules and tariffs on file with the California

1 Public Utilities Commission or as required by its Franchise Agreement with the City of
2 Albany, and

3
4 Section 4. The electric utility shall use said underground conversion allowance allocation,
5 up to a maximum amount of \$1500 per service entrance excluding permit fees, for the
6 conversion of electric service panels to accept underground service in the Buchanan/Marin
7 Overhead Utility Conversion District, and each property owner shall be financially
8 responsible for any and all costs not covered by the electric utility for the installation and
9 maintenance of the conduit and termination box located on, under or within any structure
10 on the premises served, and

11
12 Section 5. That upon notification as specified in Section 2, all property owners in the
13 Buchanan/Marin Overhead Utility Conversion District shall have underground electrical
14 entrance facilities installed and inspected pursuant to the City of Albany Electrical Code
15 within sixty (60) days and that should any property owner fail to install satisfactory
16 underground electrical entrance facilities by the date specified in the notice, the electric
17 utility shall notify the Director of Community Development who shall, within thirty (30)
18 days direct the electric utility in writing to discontinue electrical service to the property,
19 without recourse, pursuant to Rule 11 until electrical entrance facilities are ready to
20 accept underground electrical conductors and have passed the necessary inspection
21 requirements, and

22
23 Section 6. That once all services have been converted from overhead to underground, the
24 utility companies, cable television services and other affected services shall remove all
25 poles (except as specified above) and associated overhead facilities in Buchanan/Marin
26 Overhead Utilities Conversion District, within ninety (90) days.

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Joanne Wile, MAYOR