

CITY CLERK
CITY OF
HUNTINGTON BEACH

Council/Agency Meeting Held: _____	City Clerk's Signature
Deferred/Continued to: _____	
<input type="checkbox"/> Approved <input type="checkbox"/> Conditionally Approved <input type="checkbox"/> Denied	
Council Meeting Date: November 7, 2005	Department ID Number: PW 05-075

**CITY OF HUNTINGTON BEACH
REQUEST FOR CITY COUNCIL ACTION**

SUBMITTED TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

SUBMITTED BY: *Penelope Culbreth Graft*
PENELOPE CULBRETH-GRAFT, CITY ADMINISTRATOR

PREPARED BY: *RFB*
ROBERT F. BEARDSLEY, PE, DIRECTOR OF PUBLIC WORKS

SUBJECT: *00-01*
Adopt Resolution to Amend Beach Boulevard Underground
Utility District No. 00-01 Yorktown Avenue to Pacific Coast
Highway

Statement of Issue, Funding Source, Recommended Action, Alternative Action(s), Analysis, Environmental Status, Attachment(s)

Statement of Issue: This resolution will establish a date to hold a public hearing to extend the deadline to complete the underground utility district, within the public right-of-way, along Beach Boulevard between Yorktown Avenue and Pacific Coast Highway.

Funding Source: No City funds are required. The California Public Utilities Commission requires that public utilities set aside funding for Underground Utility Districts (Rule 20A). Pursuant to this requirement, Southern California Edison Company (SCE) has established a funding program for current and future Underground Utility Districts within the City as set forth in the Engineer's Report. (Attachment 1).

Recommended Action: Motion to: Adopt Resolution No. *2005-71* A resolution of the City of Huntington Beach calling a public hearing to amend Underground Beach Boulevard Utility District No. 00-01.

Alternative Action(s): Deny the recommended action and direct staff to an alternative course of action.

REQUEST FOR ACTION

MEETING DATE: November 7, 2005

DEPARTMENT ID NUMBER:PW 05-075

Analysis: There are many areas within the City where utility service is provided to residential and commercial customers by way of overhead wires from utility poles within the public right-of-way. It is a goal of the City to remove overhead wires and poles along the major arterial roadways. The removal of overhead wires and poles improves the general appearance of the street and reduces the potential for accidents.

Five years ago, the Underground Utility Committee determined that Beach Boulevard between Yorktown Avenue and Pacific Coast Highway was the number one priority for underground utilities. The City Council passed and adopted Resolution 2000-99 to form the establishment of the Underground Utility District (District) on October 16, 2000. A component of the District called for the work to be completed by December 30, 2003. Funding was unavailable to complete the \$8.5 million project prior to the expiration date.

By extending the Underground Utility District deadline to December 30, 2009, Public Works staff will be able to carry out the necessary coordination with Southern California Edison, Time Warner and Verizon to complete the project. The coordination effort includes planning, engineering, and construction components.

The funding of this District is under the authority of the California Public Utilities Commission, which adopted a requirement that public utilities set aside funding for Underground Utility District infrastructure costs (Rule 20A). Pursuant to this requirement, Southern California Edison Company has established a funding program of \$813,519 per calendar year for the current and future Rule 20A Underground Utility Districts in the City of Huntington Beach. Edison allows cities to spend ahead or "mortgage" the funds for the following year's anticipated allocation. The following table indicates the estimated funding, expenditures, and project cost through 2009.

City of Huntington Beach Rule 20A Fund Allocations

Prior Years' Balance		\$ 2,350,942
2002 Allocation		\$ 655,017
2003 Allocation		\$ 645,880
2004 Allocation		\$ 686,062
2005 Allocation		\$ 813,519
2005 Expenditures		(\$74,891)
	Subtotal	\$5,076,529
Projected Cost of Beach Blvd.– Yorktown to PCH		(\$ 8,539,000)
Projected Balance 2005	Balance	(\$ 3,462,471)
2006 Allocation (Est.)		813,519
2007 Allocation (Est.)		813,519
2008 Allocation (Est.)		813,519
2009 Allocation (Est.)		813,519
	Balance (Est.)	(\$208,395)

E-16.2

REQUEST FOR ACTION

MEETING DATE: November 7, 2005

DEPARTMENT ID NUMBER: PW 05-075

The expenditures are anticipated to occur ahead of the availability of Rule 20A annual allocations. The projected negative balance of \$3,462,471 created by the cost of the undergrounding is reduced by future annual Rule 20A allocations estimated at \$813,519 per year. Therefore, the shortfall is zeroed out in 4 years, or at about the time of project completion.

All aerial wires are included in this District except the SCE 66 kilovolt (kV) electrical transmission poles and wires, which are exempt from undergrounding by Municipal Code 17.64. Therefore, the top three aerial lines located on poles on the east side of Beach Boulevard from Atlanta Avenue to Pacific Coast Highway will remain. All lower aerial wires on the poles are to be removed.

The proposed District along Beach Boulevard from Yorktown Avenue to Pacific Coast Highway will likely be constructed in one phase. The utility companies responsible for telephone (Verizon) and cable television (Time Warner) will prepare designs and allocate funding to concurrently place their aerial facilities underground based on the SCE plans and shall share in joint trenches where applicable.

The public hearing to adopt a resolution to extend the District completion date will be held on December 19, 2005. At that time, all interested parties will be given the opportunity to comment on the amendment to Underground Beach Boulevard Utility District No. 00-01.

Environmental Status: This project has been determined to be categorically exempt pursuant to Class 2, Section 15302 of the California Environmental Quality Act.

Attachment(s):

City Clerk's Page Number	No.	Description
	1.	Engineer's Report
	2.	Resolution <u>2005-71</u>
	3.	Location Map

E-16.3

**INTENTIONALLY
LEFT
BLANK**

ATTACHMENT 1

E-16.4

**INTENTIONALLY
LEFT
BLANK**

ENGINEER'S REPORT

October 17, 2005

Beach Boulevard Underground Utility District No. 00-01
Yorktown Avenue to Pacific Coast Highway

DEFINITION OF AN UNDERGROUND UTILITY DISTRICT:

An underground utility district is an area in the City within which poles; overhead wires and associated overhead structures are prohibited. The procedure for establishing an underground utility district is clearly defined in Chapter 17.64 of the City's Municipal Code.

PURPOSE OF THE UNDERGROUND UTILITY DISTRICTS:

Currently, there are areas within the City where utility services are still provided to residential and commercial customers by way of overhead wires from utility poles within the public right-of-way. It has been an on-going goal of the City to have overhead wires and poles removed along the major arterial roadways of the city. The removal of overhead wires and poles improves the general appearance of the street and reduces the potential for accidents. (i.e. a vehicle hitting the power pole or possible power outage due to a storm.)

TYPES OF UTILITY DISTRICTS:

There are two basic types of underground utility districts. The first is a Rule 20A project. "Rule 20A" refers to the California Public Utility Commission (CPUC) rule that requires utility companies to set aside funds for the undergrounding of utilities. The establishment of a Rule 20A district is based upon the recommendations of the City and the applicable utility companies. The second district type is "Rule 20B" which is a developer requested district. The developer generally coordinates these districts and any costs are borne by the developer.

METHODS OF ESTABLISHING DISTRICTS:

In 1977, the Huntington Beach City Council adopted Huntington Beach Municipal Code, Chapter 17.64. This chapter set forth guidelines for the procedures for the establishment of the Underground Utility Districts. In the case of the Beach Boulevard Underground Utility District Yorktown Avenue to Pacific Coast Highway Beach Boulevard, there were two resolutions. The first resolution called for the public hearing to establish the District and the second resolution called for the establishment of the District.

METHODS OF AMENDING DISTRICTS:

The procedure follows Chapter 17.64 (previous section) and consist of holding a public hearing and passing a resolution. There will be two resolutions: the first resolution calling for the public hearing to allow a time extension to complete the district and the second resolution to officially extend the deadline for the District to December 30, 2009.

E-16.5

UTILITY UNDERGROUND COORDINATION COMMITTEE:

Huntington Beach Municipal Code, Chapter 17.64.020 requires the formation of an Underground Utilities Coordinating Committee. The duty of the committee is to determine the location and priority of conversion work, and to advise the City Council on all technical aspects of undergrounding public utilities.

The committee has determined that the number one priority is the completion of Beach Boulevard between Yorktown Avenue and PCH.

DISTRICT TIME-LINE:

Action/ Event	Date
1. Call for public Hearing to amend District expiration date	November 7, 2005
2. Resolution to extent completion date to December 30, 2009	November 21, 2005
3. Design Phase, permits, agreements, other pre-construction	2 years
4. Construction Phase	2 years

FUNDING SOURCE:

The California Public Utilities Commission requires that public utilities set aside funding for Underground Utility Districts (Rule 20A). Pursuant to this requirement, Southern California Edison Company has established a funding program for current and future Underground Utility Districts within the City as set forth in the Public Works Commission Section.

City of Huntington Beach Rule 20A Fund Allocations

Prior Years Balance		\$ 2,350,942
2002 Allocation		\$ 655,017
2003 Allocation		\$ 645,880
2004 Allocation		\$ 686,062
2005 Allocation minus 2005 Expenditures (\$74,891)		\$ 738,628
	Subtotal	\$5,076,529
Projected Cost of Beach Blvd.– Yorktown to PCH		(\$ 8,539,000)
	Balance	(\$3,462,471)

There is an allowance to complete the project ahead of available funds by a Rule 20A accepted practice called "mortgaging" the shortfall. The projected \$3,462,471 shortfall is subtracted from future annual Rule 20A allocations estimated at \$813,519 per year. Therefore the shortfall is zeroed out in 4.2 years, or in the year 2010.

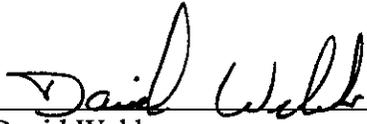
SUMMARY AND STAFF RECOMMENDATIONS:

Staff recommends that Council:

1. Call a public hearing to ascertain whether the public necessity, health, safety or welfare requires the time extension for the removal of these poles and the associated structures.

E-16.6

2. Adopt by affirmative vote of at least five members of the Council a Resolution declaring that portion of Beach Boulevard an Underground Utility District, and order the extension of time to complete the removal of the overhead facilities.



David Webb
City Engineer

10-18-05

E-16.7

**INTENTIONALLY
LEFT
BLANK**

ATTACHMENT 2

E-16.8

**INTENTIONALLY
LEFT
BLANK**

RESOLUTION NO. 2005-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
HUNTINGTON BEACH CALLING A PUBLIC HEARING TO
AMEND UNDERGROUND BEACH BOULEVARD
UTILITY DISTRICT NO. 00-01

WHEREAS, pursuant to Huntington Beach Municipal Code Chapter 17.64, Underground Beach Boulevard Utility District No. 00-01 was established in 2000; and

A component of District No. 00-01 called for all poles, overhead wires and associated overhead structures to be removed and underground installation to be made no later than December 30, 2003; and

The public necessity, health, safety or welfare requires District No. 00-01 to be modified to extend its deadline up to and through December 30, 2009; and

The City Council wishes to amend Utility District No. 00-01 to extend the deadline of December 30, 2003 up to and through December 30, 2009; and

NOW, THEREFORE, the City Council of the City of Huntington Beach does resolve as follows:

SECTION 1. NOTICE IS HEREBY GIVEN that a public hearing will be held by the City Council of the City of Huntington Beach on December 19, 2005 at the hour of 6:00 p.m. in the Council Chambers of the Civic Center, or as soon thereafter as the matter may be heard, to ascertain whether to extend the deadline of Utility District No. 00-01 for the removal of poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication, or similar associated service.

SECTION 2. At such hearing all persons interested shall be given an opportunity to be heard. Said hearing may be continued from time to time as may be determined by the City Council.

SECTION 3. The City Clerk shall notify all affected property owners as shown on the last equalized assessment roll and utilities concerned of the time and place of such hearing by mailing a copy of this resolution to such property owners and utilities concerned at least ten (10) days prior to the date thereof.

SECTION 4. The areas proposed to be included in the district are shown on those certain maps entitled "Beach Boulevard Underground Utility District" which is on file in the Department of Public Works of the City of Huntington Beach.

E-16.9

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2005.

Mayor

REVIEWED AND APPROVED:

Penelope Culbertson
City Administrator

APPROVED AS TO FORM:

Jennifer McGeach
City Attorney *RC PDR 7/14/05*

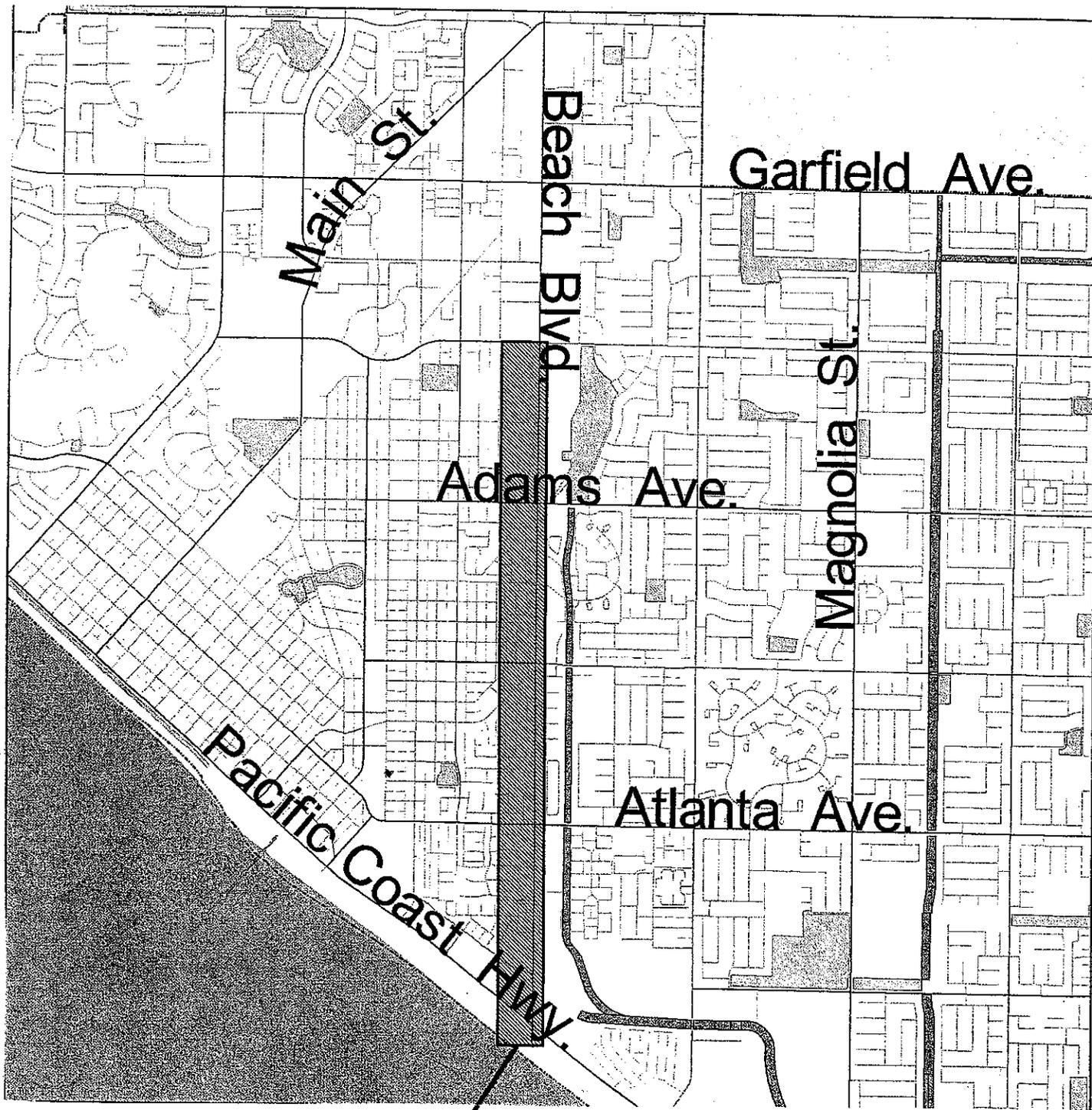
INITIATED AND APPROVED:

W. Beasley
Director of Public Works

E-16.10

ATTACHMENT 3

E-16!!



**PROJECT
SITE**

Beach Boulevard Underground Utility District
Yorktown Avenue to Pacific Coast Highway

E-16.12 VICINITY MAP