



**Subject: KIRK PARK/COMMUNITY CENTER
RULE 20A UNDERGROUND UTILITY
PROJECT**

**Council Agenda: 11-30-10
Item: 2.16**

City Council Action Request

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|-------------------------------------|--|--|--|
| Department: Public Works | CEQA: Addendum to MND, PP10-164 | Coordination: CAO, PBCE, BO, PRNS, PG&E, AT&T and Comcast | CMO Approval:  |
| | | | Dept. Approval: /s/ 11-05-10 |

RECOMMENDED ACTION:

Adoption of a resolution to consider the establishment of a Rule 20A Underground Utility District along Foxworthy Avenue, between Yucca Avenue and Briarwood Avenue, and setting a Public Hearing on January 25, 2011, at 1:30 p.m.

BASIS FOR RECOMMENDATION:

Underground utility districts are defined in Chapter 15.24 of the San José Municipal Code. The Code requires the Council to conduct a public hearing and adopt an ordinance prior to the establishment of an underground utility district. The proposed District meets the California Public Utilities Commission (CPUC) and Municipal Code criteria for establishing underground utility districts. The proposed Kirk Park/Community Center Rule 20A Underground Utility District (District) is included in the adopted work plan and meets criteria approved by the CPUC and the criteria established by the City in 1978 to complete projects that front City facilities such as parks, libraries and fire stations. Overall, the removal of aerial wires and utility poles will provide a significant visual benefit to the public.

Through Rule 20A, the CPUC requires Pacific Gas and Electric Company (PG&E) to annually allocate funds for financing the undergrounding of overhead distribution facilities located on public streets within the City of San José. AT&T and Comcast are also required to allocate funds for these projects.

Establishment of the proposed District will require the conversion of approximately 2,100 linear feet of aerial facilities to underground facilities in the public right-of-way along Foxworthy Avenue, between Yucca Avenue and Briarwood Avenue.

Two of the 35 properties currently receiving overhead service are commercial establishments that will require electrical service conversion work in order to receive electrical power from the underground system. Property owners can elect to perform electrical service panel conversion work on their properties or have PG&E perform the work. The cost for commercial buildings service conversion is typically \$2,000 to \$5,000 or possibly higher. The Public Utilities Commission provides that Rule 20A funds may be utilized to reimburse private property owners' expenses for conversion work up to \$1,500 per service entrance.

A community meeting was held on October 25, 2010 to inform the public of the proposed undergrounding project. Five property owners attended the community meeting and were supportive of the project.

If approved, staff anticipates design to start in March 2011, followed by construction to start in October 2012, and to be completed by October 2014.

COST AND FUNDING SOURCE:

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT: None

COST TO UTILITIES:

| | |
|---------------------------------|-----------|
| PG&E Rule 20A Allocation | \$800,000 |
| AT&T Rule 32A.1 | 600,000 |
| Comcast | 300,000 |
| Total Cost to Utility Companies | 1,700,000 |

COST TO CITY:

| | |
|---|---------|
| Project Development, Administration and Construction Inspection (Fund 416) | 60,000 |
| City Facilities Conversion (20A) (Fund 429) | 40,000 |
| Total Cost to City | 100,000 |

TOTAL PROJECT COSTS (ESTIMATED): **\$1,800,000**

2. COST ELEMENTS OF AGREEMENT/CONTRACT: 0

3. SOURCE OF FUNDING: Fund 416 - Underground Utility Fund
Fund 429 - Building and Structure Construction Tax Fund

4. OPERATING COST: This project has no significant impact on the General Fund operating budget.

FOR QUESTIONS CONTACT: Timm Borden, Deputy Director of Public Works (408) 535-8300



NOT TO SCALE

CITY OF SAN JOSE

FOXWORTHY - YUCCA TO BRIARWOOD
UNDERGROUND UTILITY DISTRICT

LEGEND

BACKYARD CONSTRUCTION EXEMPTED

RULE 20A BOUNDARY

C - ELECTRICAL SERVICE PANEL CONVERSION

E - EXEMPTION

