

REPORT TO CITY COUNCIL

DATE: APRIL 27, 2022

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: NATHAN HAMBURGER, CITY MANAGER

BY: JESSICA FORTE, DIRECTOR OF PUBLIC WORKS/CITY ENGINEER

SUBJECT: CONDUCT A PUBLIC HEARING TO CONSIDER THE ADOPTION OF RESOLUTION NO. 22-2003; ESTABLISHING UNDERGROUND UTILITY DISTRICT NO. 2 IN CONJUNCTION WITH THE SOUTHERN CALIFORNIA EDISON "RULE 20A" PROGRAM

Southern California Edison (SCE) has looked to counties and cities it serves to prioritize the undergrounding of public utility facilities according to the rules of the State of California Public Utilities Commission (CPUC). The Tariff Rule 20A, Replacement of Overhead with Underground Electric Facilities (Rule 20A) Program funds the undergrounding of overhead power lines, and was originally created to address the aesthetic impacts of the power lines. Local projects are completed through ratepayer-funded work credits that are allocated to communities based on the number of meters in that jurisdiction.

Pursuant to the Rule 20A Program, allocated work credits not committed to a qualifying project in a given year were permitted to be accrued until an agency had enough funding to complete a project. The City's current credit balance is approximately \$1,308,622.

In June 2021, the CPUC made significant changes to the Rule 20 program which stated cities will no longer be receiving work credits through the program after Dec. 31, 2022. In addition, cities were no longer able to sell or borrow Rule 20A work credits with other agencies.

Recently, City staff was informed by SCE that the City's Rule 20A funds were at risk of being taken away and given to other agencies that have projects ready to move forward but is in need of additional funding.

On May 28, 2008, the City Council approved the establishment of Underground District No. 1, along Roadside Drive, which includes transmission and distribution utility lines. Based on an estimate provided by SCE, the City would only be able to underground approximately 1,700 linear feet of distribution lines. It should be noted the existing transmission lines/poles would have to remain.

Due to the limited amount of undergrounding that could be done on Roadside, staff began evaluating other areas throughout the City and identified Cornell Road as a potential undergrounding location.

The advantages of undergrounding in this area include:

- Reduced fire risk
- Improved aesthetics
- Potential road widening for bike lanes

After a preliminary evaluation of the area was completed by SCE, it was estimated that approximately 2,060 feet of distribution lines could be undergrounded starting 140-feet south of Agoura Road to Cornell Way. This alignment was supported by the Public Works Subcommittee in February 2022.

If approved, the design and construction would be overseen by SCE, with the City only being required to provide inspection services for pavement repair. In order to use Rule 20A funding for the project, the City would be required to establish Underground Utility District No. 2 for this area.

RECOMMENDATION

Staff respectfully recommends the City Council conduct a public hearing to consider the adoption of Resolution No. 22-2003; establishing Underground Utility District No. 2 in conjunction with the Southern California Edison "Rule 20A" program.

Attachments: Resolution No. 22-2003 with Exhibit A
Rough Order of Magnitude Cost Estimate

RESOLUTION NO. 22-2003

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ESTABLISHING UNDERGROUND UTILITY DISTRICT NO. 2 IN CONJUNCTION WITH THE SOUTHERN CALIFORNIA EDISON "RULE 20A" PROGRAM

WHEREAS, a public hearing was duly called and held on April 27, 2022, at the hour of 6:00 P.M. in the Council Chambers of the Agoura Hills City Hall, 30001 Ladyface Court, Agoura Hills, California, to ascertain whether the public necessity, health, safety, and welfare requires the removal of poles, overhead wires, and associated structures within that certain area of the City described on Exhibit "A" attached hereto, and;

WHEREAS, notice of such hearing was duly posted around the City in the manner and within the time required by law;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AGOURA HILLS HEREBY RESOLVES AS FOLLOWS:

Section 1. The proposed project relates to the replacement and reconstruction of existing utility systems described in "Class 2" of the categorical exemptions under the State CEQA Guidelines and the Local CEQA Guidelines and is therefore exempt from the requirement for preparation of environmental documents.

Section 2. Pursuant to Southern California Edison's approved Advice 1399-E, Rule 20A funds will be used for the conversion of affected property owners' meter panels from overhead to underground service. The cost of such meter conversions using Rule 20A funds shall be limited to existing meters and shall not include permit fees or any upgrades requested by affected property owners.

Section 3. The City Council hereby finds that the public necessity, health, safety or welfare interest requires the removal and underground installation of utilities for the following reasons:

A. The undergrounding to be accomplished adjoins and passes through a traveled public right-of-way area which also will be an area of scenic interest to the general public;

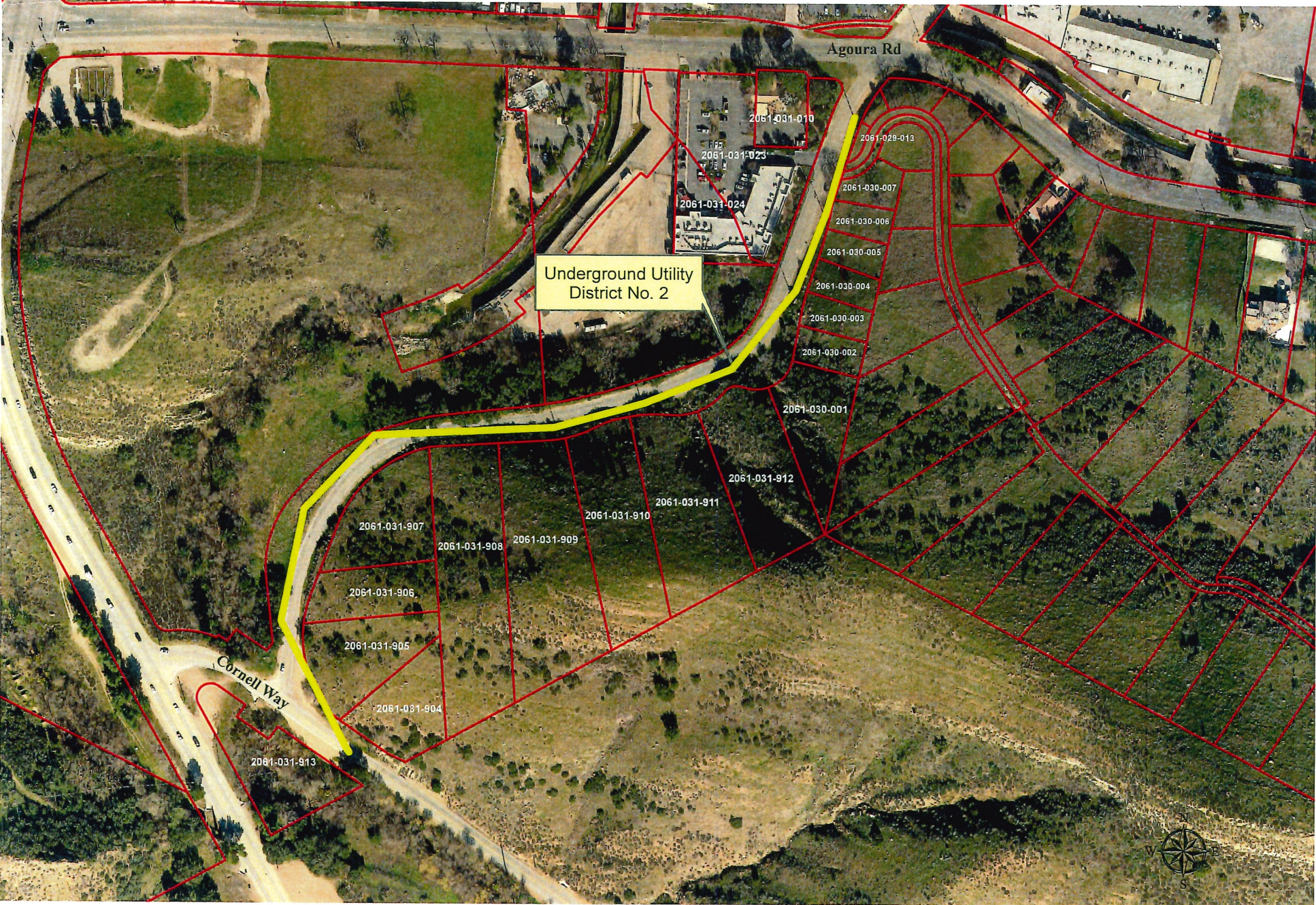
B. The removal of the Overhead Facilities and installation of the Underground Facilities will avoid or eliminate an unusually heavy concentration of overhead transmission facilities.

C. The affected streets are extensively used by the general public and carry a substantial volume of pedestrian and vehicular traffic.

Section 4. Pursuant to Article VII, Chapter 2 of the Agoura Hills Municipal Code, the hereinafter described area is hereby declared an Underground Utility District, and is

Exhibit "A"

Underground Utility District No. 2





December 27, 2021

Mr. Nathan Hamburger
City Manager
30001 Ladyface Court
Agoura Hills, CA 91301

Subject: Rough Order of Magnitude (ROM) Cost Estimate
City of Agoura Hills Public Works Rule 20A Undergrounding Project
Cornell Road – 140' S/O CL Agoura Road to Cornell Way

Dear Mr. Hamburger,

Rule 20A Project Management has reviewed the Rule 20A project in the City of Agoura Hills: Cornell Road – 140' S/O CL Agoura Road to Cornell Way. The Rough Order of Magnitude cost estimate for the project is **\$1,300,000** expressed in **2023** dollars. The estimated trench footage for the project is **2,060 feet**, which includes all mainline trenching as well as crossings, streetlights and service laterals (if applicable). The cost of the project is escalated to the year 2023, which is the earliest anticipated year that construction would be scheduled and includes an estimated accuracy variance of approximately 40%. This assumes all the other utilities involved in the project can complete their design and prepare construction documents in the same timeframe as SCE has estimated. Should the City and SCE agree to proceed with the Rule 20A project, the scope of work and SCE estimated cost for the project can be updated and with greater accuracy following the completion of SCE's final engineering design.

According to the California Public Utilities Commission (CPUC) Decision 01-12-009, SCE may mortgage a maximum of five years of a city's future Rule 20A annual allocations. The City of Agoura Hills has enough allocation at this time and would not require mortgaging for this project.

SCE's ability to proceed with this project is dependent upon the annual CPUC approved budget for the Rule 20A Program, which provides for the availability of capital funding and resources for Rule 20A projects. Funding levels for the Rule 20A Program may directly impact future allocations and the anticipated year of construction for this proposed project.

The ROM estimate is based on the following assumptions:

- SCE has an available budget to proceed with the project.
- The City of Agoura Hills has accumulated an adequate allocation balance within the allowable five-year mortgage
- The City of Agoura Hills has established an underground utility district by resolution or ordinance for this project and/or area.
- The City of Agoura Hills will allow and provide for the granting of easement(s) to SCE for trench installation within the project boundary, as necessary.

Additional terms and conditions assumed in the ROM estimate are outlined in the attached **Rule 20A General Conditions Policy** document, which further defines the responsibilities of SCE and the City of Agoura Hills to ensure the success of this project.

Please communicate the current ROM estimate and the information included regarding allocations and assumptions to the appropriate City of Agoura Hills staff.

Thank you for your assistance in this matter and should you have any questions please feel free to call me directly.

Sincerely,

Andrew Scott

Andrew Scott
New Development Planning & Project Management
Rule 20 Project Manager
Metro East Region

cc:

Elias Bermudez, Senior Manager New Development Planning & Project Management
Talisa Lee, SCE Rule 20 Project Management

Appendix A: SCE General Conditions Policy



Rule20A General Conditions

General Conditions:

SCE will, at its expense, replace its existing overhead electric facilities with underground electric facilities as outlined in the Rule 20 Tariff. To ensure the success of this program, this policy document further defines the responsibilities of SCE and the sponsoring governmental agency (applicant) as follows:

Responsibilities of SCE:

1. Provide initial project assessment including qualification under Rule 20A, suggestions as to cost-effective use of 20A allocations and possible exemptions for poles that are not cost-effective to underground.
2. Provide a Rough Order of Magnitude (ROM) estimate for the undergrounding of SCE's facilities and a preliminary schedule based on an analysis of available allocations.
3. Provide consultation to the Applicant to establish or modify the project boundary map for SCE's operational benefits and if necessary, to improve wheelchair access adjacent to SCE's facilities, and to facilitate approval of the project resolution or ordinance.
4. After approval and formation of the Underground Utility District (UUD) and, as requested by the Applicant, meet at least once every other month with the Applicant to discuss project status and progress.
5. Initiate and complete SCE's preliminary design identifying SCE's trench route and location of structures.
6. Provide an electronic copy (CADD) of SCE's preliminary design to the Applicant for distribution to the joint utilities.
7. Identify locations that require an easement for the placement of SCE's facilities on private property.
8. Prepare necessary easement documents, make initial contact with affected property owners, and make reasonable efforts to secure the necessary easements. If SCE cannot obtain easements, SCE will solicit the Applicant's assistance to do so.
9. Replace existing SCE-owned overhead fed streetlights with new underground fed marbelite streetlights within the UUD.
10. Provide approved Storm Water Pollution Prevention Plans (SWPPP) where required.
11. Provide temporary traffic control consistent with the California Joint Utility Traffic Control Manual.

12. Provide overall coordination of the bid process for the civil portion of the project (underground ducts and structures) for affected joint utilities. After installation and completion of the ducts and structures, each utility is solely responsible for its cabling and overhead removal.
13. Upon request of the Applicant, SCE may use Rule 20 allocations for the installation of no more than 100 feet of each customer's underground electric service lateral and for the conversion of electric service panels to accept underground service, excluding permit fees.
14. Provide necessary materials and construction to complete the new underground electrical system.
15. Provide proper notification to affected customers when electrical outages are necessary to complete conversion to the new underground electrical system and when access is needed to private property.
16. Upon completion of SCE's underground system, remove SCE's existing overhead electrical facilities within the UUD in accordance with the Joint Pole Agreement.
17. Provide the Applicant with an updated schedule when the project is anticipated to experience a delay of three or more months.
18. Provide the Applicant with a revised project estimate when costs are anticipated to exceed the estimate by 10% or more.
19. Provide the Applicant with a "Letter of Completion" after removal of SCE's overhead facilities to document completion of the new underground system and to report on the estimated cost at completion.

Responsibilities of the Applicant:

1. Consult with SCE to confirm the requirements and location of the project.
2. Once the project's boundary has been determined, identify, and notify all utilities within the proposed project's boundary.
3. Provide an approved resolution or ordinance forming a UUD and a boundary map as required by SCE's Tariff Rule 20.
4. Notify each property owner and affected utility in writing of the conversion with a copy of the adopted resolution/ordinance and boundary map.
5. Provide any studies or information if available regarding known environmental, biological, geological and or cultural areas within the approved UUD, including recent pot holing/core samplings and soils/paving information from recently completed projects.
6. Provide overall coordination of all utilities involved in the project, including project scheduling and status meetings and ensure each utility performs its required agreed-upon scope of work.
7. The applicant may provide SCE with the locations of all known utilities within the project boundary including boundary, roads, future road improvements, sidewalks, curbs, property lines, buildings, existing water and sewer, easements, and any other known utilities or obstacles. The Applicant may also opt to provide SCE with complete base maps including all utilities. If no base map information is provided, SCE will perform its own research and lookups and complete the necessary base maps.
8. Although SCE will prepare all necessary easement documents and meet with the affected property owners in person to secure easements, the applicant will assist in the process as needed and meet with the property owners to help secure the easements.

9. Review, comment upon, and approve SCE's design plans, street light authorization form, and traffic control plans within 30 days of receipt from SCE.
10. Manage and pay all costs associated with the remediation of contaminated soils and cultural resource findings. Rule 20A funding may not be used for environmental remediation costs.
11. Stake and survey for any associated future grade changes.
12. If available, provide SCE or SCE's contractor with an acceptable construction yard for material and equipment laydown.
13. Limit the paving and restoration requirements to SCE's standard excavation and restoration (APWA Standard 133-2) necessary for construction of the project. SCE and joint trench participants will replace paving, landscaping, sidewalks, etc. that are removed during construction. Rule 20A funding may not be used for additional restoration costs or street improvements beyond that necessitated by the project.
14. Waive pavement moratorium requirements or pay for additional costs above SCE's standard for pavement and restoration.
15. Should applicant require any additional traffic control planning beyond that which SCE provides (per California Joint Utility Traffic Control Manual), Applicant will prepare or pay to prepare such a plan.
16. Pay for the installation of any additional streetlights or decorative streetlights requested by the Applicant in accordance with SCE's Street Light Agreement.
17. Remove Applicant-owned streetlights attached to utility poles and located within the UUD at Applicant expense.
18. Minimize work hour restrictions for construction, including holiday and/or special construction limitations.
19. Waive all permit fees and other incidental project specific costs, including, but not limited to, inspection, parking charges, rental cost of Applicant properties and lost revenues.
20. Guarantee to authorize SCE to proceed with the conversion of a minimum 600 feet of existing continuous overhead electrical facilities to underground facilities within the area of the approved UUD. This is the minimum length of undergrounding that can be constructed and capitalized under SCE's Rule 20A tariff, allowing SCE to recover its investment from its ratepayers. Once approved by SCE, a Rule 20A project may not be cancelled by the applicant.