

RESOLUTION NUMBER R-292223

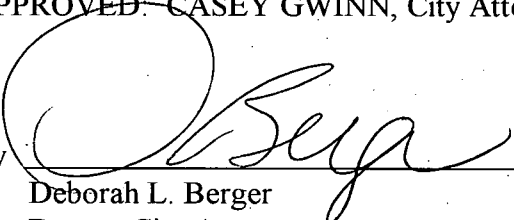
ADOPTED ON SEP 27 1999

RESOLUTION AMENDING COUNCIL POLICY NO. 600-8
REGARDING UNDERGROUND CONVERSION OF UTILITY
LINES AT COMPANY EXPENSE.

BE IT RESOLVED, by the Council of The City of San Diego, that Council Policy No. 600-8 entitled, "Underground Conversion of Utility Lines at Company Expense," be and it is hereby amended as set forth in the Council Policy filed in the office of the City Clerk as Document No. RR-292223.

BE IT FURTHER RESOLVED, that the City Clerk is hereby instructed to add the aforesaid to the Council Policy Manual.

APPROVED: CASEY GWINN, City Attorney

By 
Deborah L. Berger
Deputy City Attorney

DLB:pev
9/2/99
Or.Dept:E&CP
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CITY OF SAN DIEGO, CALIFORNIA
COUNCIL POLICY

CP-600-08

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SUBJECT: UNDERGROUND CONVERSION OF UTILITY LINES AT COMPANY EXPENSE

POLICY NO.: 600-08

EFFECTIVE DATE:

BACKGROUND:

Underground conversion of utility lines may be required:

1. When the City Council determines that undergrounding of utilities is in the interest of the public health, safety and welfare and asserts its right to require conversion in the exercise of its police power;
2. When the City Council finds the existence of one or more of the conditions enumerated under the Public Utilities Commission Interim Order, Decision No. 73078 (Case No. 8209) ("A" part of appendices "D" and "E"). The conditions which may require undergrounding in the public rights-of-way are:
 - a. "Such undergrounding will avoid or eliminate an unusually heavy concentration of overhead distribution facilities;"
 - b. "Said street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic;"
 - c. "Said street or road or right-of-way adjoins or passes through a civic area or an area of unusual scenic interest to the general public."

PURPOSE:

To establish a policy for conversion of overhead utility lines to underground at utility company expense which recognizes the rights of the City to require such conversion and the programs of the utility companies to convert such overhead lines.

POLICY:

It shall be the policy of the Council to:

1. Exercise the City's police powers to order the utility companies to convert overhead utilities to underground when it is in the interest of the public health, safety and welfare; for example, where streets are being widened because of heavy vehicular traffic or for pedestrian safety and relocation of utilities in the right-of-way is required.

DOCUMENT NO. 292223

FILED SEP 27 1999

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

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2. In other circumstances, permit the utility companies to convert to underground under the Public Utilities Commission Interim Order, Decision No. 73078 (Case No. 8209), at a rate consistent with the intent of the order, and based on the findings utilizing the following criteria:
 - a. Major and collector streets carrying a heavy volume of pedestrian or vehicular traffic which are being widened but which do not qualify for utility conversion under the City's police powers.
 - b. Streets located within or adjoining improved parks, or parks in the process of development.
 - c. Scenic highways or streets having vistas of scenic areas.
 - d. Major or collector streets which parallel or are visible from freeways or provide principal vehicular entries to the City, visitor facilities, historic districts or major scenic areas.
 - e. Other major and collector streets which carry a heavy volume of pedestrian or vehicular traffic in the various communities. Special consideration will be given to projects where there is a high level of citizen interest in improving the surrounding area, especially where community plan implementation is involved or where a school is adjacent to the street.
 - f. Locations where undergrounding will avoid or eliminate an unusually heavy concentration of overhead utilities.

Note: City staff will confer with the utility companies from the standpoint of engineering feasibility and costs of projects to insure optimum utilization of funds expended.

3. Tree-lined streets will be evaluated by City staff to determine if they qualify under item 2e above as a cultural or environmental resource as defined in the California Environmental Quality Act.
4. Undergrounding shall be uniformly accomplished throughout the City.
5. No 69 kv lines shall be converted to underground until all 12 kv lines have been converted, provided however, that 69 kv lines may be converted to underground if they are within a 12 kv conversion district.

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6. Where property owners desire an underground conversion in situations other than those meeting one of the criteria for conversion at company expense, property owners are required to pay the cost of undergrounding, less those credits as set forth in the applicable company rules as approved by the Public Utilities Commission. The cost for such conversion work, inclusive of the conversion of the property owner's service, may be financed by the use of the appropriate assessment district proceedings.
7. In any conversion project, the City shall exert its best efforts to ensure the use of Decision No. 73078 (Case No. 8209) funds for the undergrounding of distribution lines serving areas outside the conversion district boundary, to the end that residential areas are not unduly burdened by the expense of undergrounding such facilities.

HISTORY:

Adopted by Resolution R-194286 07/23/1968

Revised by Resolution R-205402 04/20/1972

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SUBJECT: UNDERGROUND CONVERSION OF UTILITY LINES AT COMPANY EXPENSE

POLICY NO.: 600-08

EFFECTIVE DATE: ~~April 20, 1972~~

BACKGROUND:

Underground conversion of utility lines may be required:

1. When the City Council determines that undergrounding of utilities is in the interest of the public health, safety and welfare and asserts its right to require conversion in the exercise of its police power;
2. When the City Council finds the existence of one or more of the conditions enumerated under the Public Utilities Commission Interim Order, Decision No. 73078 (Case No. 8209) ("A" part of appendices "D" and "E"). The conditions which may require undergrounding in the public rights-of-way are:
 - a. "Such undergrounding will avoid or eliminate an unusually heavy concentration of overhead distribution facilities;"
 - b. "Said street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic;"
 - c. "Said street or road or right-of-way adjoins or passes through a civic area or an area of unusual scenic interest to the general public."

PURPOSE:

To establish a policy for conversion of overhead utility lines to underground at utility company expense which recognizes the rights of the City to require such conversion and the programs of the utility companies to convert such overhead lines.

POLICY:

It shall be the policy of the Council to:

1. Exercise the City's police powers to order the utility companies to convert overhead utilities to underground when it is in the interest of the public health, safety and welfare; for example, where streets are being widened because of heavy vehicular traffic or for pedestrian safety and relocation of utilities in the right-of-way is required.

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2. In other circumstances, permit the utility companies to convert to underground under the Public Utilities Commission Interim Order, Decision No. 73078 (Case No. 8209), at a rate consistent with the intent of the order, and based on the findings utilizing the following criteria:
- a. Major and collector streets carrying a heavy volume of pedestrian or vehicular traffic which are being widened but which do not qualify for utility conversion under the City's police powers.
 - b. Streets located within or adjoining improved parks, or parks in the process of development.
 - c. Scenic highways or streets having vistas of scenic areas.
 - d. Major or collector streets which parallel or are visible from freeways or provide principal vehicular entries to the City, visitor facilities, historic districts or major scenic areas.
 - e. Other major and collector streets which carry a heavy volume of pedestrian or vehicular traffic in the various communities. Special consideration will be given to projects where there is a high level of citizen interest in improving the surrounding area, especially where community plan implementation is involved or where a school is adjacent to the street.
 - f. Locations where undergrounding will avoid or eliminate an unusually heavy concentration of overhead utilities.

Note: City staff will confer with the utility companies from the standpoint of engineering feasibility and costs of projects to insure optimum utilization of funds expended.

3. Tree-lined streets will be evaluated by City staff to determine if they qualify under item 2e above as a cultural or environmental resource as defined in the California Environmental Quality Act.
4. ~~In situations that do meet the criteria for conversion as set out in Decision No. 73078 (Case No. 8209), but which are of low priority and not scheduled for current conversion, the City will make the findings required by Decision No. 73078 (Case No. 8209), and in agreement with the company and property owners, limit the company's share of financing to those excess costs related to the~~

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~~undergrounding of concentrated distribution facilities primarily serving areas outside the conversion district boundary. Such facilities must meet the criteria established under Paragraph 2. Undergrounding shall be uniformly accomplished throughout the City.~~

5. ~~No transmission lines, herein defined as 60kv or higher, shall be converted to underground until all 12 kv lines have been converted, provided however, that these transmission lines may be converted to underground if they are within a 12 kv conversion district.~~
6. Where property owners desire an underground conversion in situations other than those meeting one of the criteria for conversion at company expense, property owners are required to pay the cost of undergrounding, less those credits as set forth in the applicable company rules as approved by the Public Utilities Commission. The cost for such conversion work, inclusive of the conversion of the property owner's service, may be financed by the use of the appropriate assessment district proceedings.
7. In any conversion project, the City shall exert its best efforts to ensure the use of Decision No. 73078 (Case No. 8209) funds for the undergrounding of distribution lines serving areas outside the conversion district boundary, to the end that residential areas are not unduly burdened by the expense of undergrounding such facilities.

HISTORY:

Adopted by Resolution R-194286 07/23/1968

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