



**NOTICE OF AND AGENDA FOR  
SPECIAL MEETING OF THE CITY COUNCIL  
TOWN OF COLMA**

**Wednesday, August 5, 2020  
5:00 p.m.**

*On March 17, 2020, the Governor issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings completely telephonically or by other electronic means. Pursuant to the Shelter-in-Place Orders issued by the San Mateo County Health Officer on March 16, 2020 and March 31, 2020, the statewide Shelter-in-Place Order issued by the Governor in Executive Order N-33-20 on March 19, 2020, and the CDC's social distancing guidelines which discourage large public gatherings, the Council Chamber will not be open to the public for this Town of Colma City Council Meeting. The purpose of these orders was to provide the safest environment for Council Members, staff and the public while allowing for public participation.*

*Members of the public may view the meeting by attending, via telephone or computer, the Zoom Meeting listed below:*

**Join Zoom Meeting: <https://us02web.zoom.us/j/89689049615>  
Passcode: 885272**

**Meeting ID: 896 8904 9615**

**Passcode: 885272**

**One tap mobile**

**+16699006833,,89689049615#,,,,,0#,,885272# US (San Jose)**

**+13462487799,,89689049615#,,,,,0#,,885272# US (Houston)**

**Dial by your location**

**+1 669 900 6833 US (San Jose)**

**+1 346 248 7799 US (Houston)**

**+1 253 215 8782 US (Tacoma)**

**+1 312 626 6799 US (Chicago)**

**+1 929 205 6099 US (New York)**

**+1 301 715 8592 US (Germantown)**

**Meeting ID: 896 8904 9615**

**Passcode: 885272**

**Find your local number: <https://us02web.zoom.us/j/k9brrFd0l>**

*Members of the public may provide written comments by email to the City Clerk at [ccorley@colma.ca.gov](mailto:ccorley@colma.ca.gov) before or during the meeting. Emailed comments should include the specific agenda item on which you are commenting, or note that your comment concerns an item that is not on the agenda. The length of the emailed comment should be commensurate with the three minutes customarily allowed for verbal comments, which is approximately 250-300 words.*

**NOTICE IS HEREBY GIVEN that the City Council of the Town of Colma will hold a Special Meeting at the above time and place for transacting the following business:**

**ROLL CALL**

**PUBLIC HEARING**

**1. ESTABLISHING UPPER COLLINS AVENUE UNDERGROUND DISTRICT**

Consider: Motion to adopt a Resolution Establishing the Upper Collins Avenue Utility Underground District.

**ADJOURNMENT**

Posted: August 3, 2020

  
Caitlin Corley, City Clerk



# STAFF REPORT

TO: Mayor and Members of the City Council  
FROM: Brad Donohue, Public Works Director  
VIA: Brian Dossey, City Manager  
MEETING DATE: August 5, 2020  
SUBJECT: Establishing Upper Collins Avenue Underground District

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## RECOMMENDATION

Staff recommends that the City Council adopt the following:

RESOLUTION ESTABLISHING THE UPPER COLLINS AVENUE UTILITY UNDERGROUND DISTRICT

## EXECUTIVE SUMMARY

To approve the creation of an Underground Utility District (UUGD) so that the Town can be re-classified as active in the California Public Utility Commission (CPUC) Rule 20 program. By doing so, the Town can preserve their Rule 20A PG&E work credits by creating an UUGD. Staff is requesting that City Council approve the upper portion of Collins Avenue to be a UUGD.

## FISCAL IMPACT

There is not a fiscal impact on the Town's operations budget to create the District. If the Town is to move forward in creating the Upper Collins UUGD, the Town will keep their existing work credits that are currently banked with PG&E, and would be able to accumulate annual work credits through PG&E's Rule 20A allocation. By taking this action, the Town will be considered active and no longer subject to the reallocation of work credits as directed by the CPUC.

## BACKGROUND

From the mid to late 1960's overhead utilities being converted to underground utilities have been performed under the California Public Utility Commission (CPUC) Tariff Rule 20 program. Rule 20 has three parts, Parts A, B and C. Under Part A, Pacific Gas & Electric (PG&E) is

required to set aside funds (work credits) for the relocation of overhead distribution facilities to underground facilities.

The last time the Town utilized its work credits was when it undergrounded the overhead utilities on El Camino Real (the border of Daly City down to the 300 block of F street). At that time, the Town exhausted all its work credits plus it borrowed additional work credits to complete the undergrounding projects. Just recently, after crediting back to PG&E our annual work credits, the Town has now built up a modest amount of work credits with PG&E, approximately 10,000 plus credits.

Under new orders from the CPUC, jurisdictions who have banked work credits over the years and do not have an active UUGD, would be required to surrender and reallocate the bank of Rule 20A work credits per CPUC Resolution E-4971. Even though the Town's bank of work credits is small, it still has some amount of value to the Town of Colma and the future development of Collins Avenue.

## **ANALYSIS**

The City Council approved an UUGD for a portion of Collins Avenue in 1991 called "Underground Utility District NO. 1991-1" (Resolution 91-17). Underground Utility District NO. 1991-1 was extended approximately 228 feet West to include what was then called the land of Verducci, (See attachment B, Map of Colma Utility Underground District NO. 1991-1)

In the recent Serramonte Boulevard/Collins Avenue Master Plan, a portion of Collins Avenue was going to be expanded to incorporate new sidewalks and parking areas for vehicle transport truck and business parking. To accommodate the above improvements on Collins Avenue the existing overhead utility poles and power and communication lines would have to be relocated to underground facilities.

Staff's intent is to extend the 1991-1 UUGD on Collins Avenue continuing West from the eastern boundary line of the UUGD on Collins Avenue to a point where Collins Avenue joins with Serramonte Boulevard. (See attachment C - proposed Collins Avenue Utility Underground District Map).

### **Creating a Utility Underground District:**

CPUC Rules allow municipalities/districts to create the legislation authorizing or approving a UUGD where existing overhead electrical, and telecommunication systems along with any other overhead service facilities will be converted to underground facilities.

To comply with the CPUC Rule 20, UUGD projects are to be constructed in areas of a community that are used most often by the public. Rule 20A projects are nominated by the city or county and are paid for by the electric utility ratepayers. Under Rule 20A, the CPUC requires the utility to allocate a certain amount of work credits each year to the cities and unincorporated counties for conversion projects. Because ratepayers contribute the bulk of the costs of Rule 20A programs through utility rates, the projects must be in the public interest by meeting one or more of the following public interest criteria:

1. Eliminate an unusually heavy concentration of overhead lines.

2. Involve a street or road with a high volume of public traffic.
3. Benefit a civic or public recreation area or area of unusual scenic interest.
4. Be listed as an arterial street or major collector as defined in the Governor's Office of Planning and Research (OPR) Guidelines.

The determination of "general public interest" under these criteria is made by the local government, after holding public hearings, in consultation with the utility.

The Upper Collins Avenue proposed Utility Underground project qualifies, meeting the CPUC's criteria for establishing an UUGD. (Items 1, 2, and 4).

The Town of Colma has also adopted an ordinance in Chapter 5.09 of the Municipal Code "Regulations and Procedures for the Removal of Overhead Utility Facilities and Installation of Underground Facilities in Underground Districts." This code allows City Council to designate areas where existing poles, overhead wires, and all associated overhead equipment with the distribution of those utilities are to be removed and relocated to underground systems.

Prior to the public hearing and per the Town's Ordinance for establishing an underground District, the City Clerk notified all effective property owners and effected utility companies of the proposed establishment of the Upper Collins Avenue UUGD.

### **Work Credits**

The CPUC oversees the progress of the Rule 20A with the Utilities for Performance. It has been revealed that several jurisdictions have not completed or have active UUGD. Those jurisdictions will have their Rule 20 A Work Credits reallocated to other agencies for their active Rule 20 projects.

To preserve the current work credits along with the annual accumulation additional work credits annually, the Town needs to establish an "Active" UUGD. As stated above, staff is recommending that City Council approve the upper portion of Collins Avenue, (see attachment B, Upper Collins Utility Underground District).

The intent of the establishing the Upper Collins UUGD can be summarized by the following:

1. By establishing the UUGD, the Town will have the ability to preserve their existing work credits and accumulate future years credits.
2. By setting up an UUGD for the upper portion of Collins Avenue, the City Council will be making the first step in creating the vision that was set forth in the Serramonte Boulevard/Collins Avenue Beautification Master Plan.

### **Environmental Impact**

The Town of Colma as the lead agency regarding the California Environmental Quality Act (CEQA), has determined that the proposed Upper Collins Avenue Utility Underground District is categorically exempt under Section 15302 (d) from environmental review under CEQA as the project fits squarely within the exemption as the conversion of overhead electricity to undergrounding with the surface restored to the condition existing prior to undergrounding.

## **Council Values**

Approval of the proposed resolution is consistent with the City Council's value of being **Visionary**, approving a resolution will preserve the Town's accumulated work credits for a future project and by establishing and UUGD, the City Council has also demonstrated that they are making the first step in promoting the various improvements to Collins Avenue to assist in revitalizing that portion of the business community.

## **ALTERNATIVES**

Though not recommended, City Council can reject the establishing an UUGD in that portion of Collins Avenue, by doing so the Town would lose current and future work credits until a future UUGD is established.

## **CONCLUSION**

Staff recommends that the City Council Conduct a Public Hearing and adopt the resolution.

## **ATTACHMENTS**

- A. Resolution
- B. Map of amended 1991-1 Utility Under Ground District
- C. Proposed Boundary and Area Map of the Upper Collins Underground Utility District

**RESOLUTION NO. 2020-##  
OF THE CITY COUNCIL OF THE TOWN OF COLMA**

**RESOLUTION ESTABLISHING THE UPPER  
COLLINS AVENUE UTILITY UNDERGROUND DISTRICT**

The City Council of the Town of Colma hereby resolves:

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**1. Background.**

(a) The California Public Utilities Commission (CPUC) has authorized electric and telecommunication utilities to convert overhead utility lines and facilities to underground pursuant to Electric Rule 20 and Telecommunication Rule 32, and

(b) Pursuant to certain criteria, CPUC rules allow participating cities and counties to establish legislation authorizing the creation of underground utility districts within which existing overhead electric distribution and telecommunication distribution and service facilities will be converted to underground, and

(c) The Town of Colma, has adopted Colma Municipal Code, Subchapter 5.09, which is an ordinance authorizing the City Council to designate areas within which all existing overhead poles, overhead wires and overhead equipment associated with the distribution of electric power, telecommunication services and cable television should be removed and replaced with underground wires and facilities; and

(d) The Director of Public Works for the Town of Colma has consulted with the affected public utilities and such utilities have agreed that the proposed underground conversion district, designated the Upper Collins Avenue Utility Underground District and more particularly described in Exhibit 1 attached hereto and incorporated herein by reference, meets the criteria established by the rules of the CPUC regarding public welfare and Colma Municipal Code 5.09.020, to wit,

1. that such undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities, AND
2. that the street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic, AND
3. that the street or road or right-of-way is considered an arterial street or major collector as defined in the Governor's Office of Planning and Research General Plan Guidelines, and

(e) Each year the Town of Colma is notified by PG&E regarding the allocation of work credits for conversion of overhead electric distribution lines and facilities to underground, known as Rule 20A allocations, and

(f) The Director of Public Works for the Town of Colma has consulted with PG&E and determined that the Town has accumulated Rule 20A work credits or PG&E has agreed that the City may borrow against future credits sufficient to complete the proposed overhead to underground conversion project.

## **2. Findings.**

(a) The City Council of the Town of Colma has now received the report from the Director of Public Works recommending that the area identified in Exhibit 1 should be designated as an underground utility district within which all existing overhead poles, overhead wires and overhead equipment associated with the distribution of electric power, telecommunication services and cable television should be removed and replaced with underground wires and facilities; and

(b) Upon the recommendation of the Director of Public Works, the City Council of the Town of Colma has determined that the proposed Upper Collins Avenue Utility Underground District is categorically exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15302(d), and

(c) The City Council of the Town of Colma held public hearings at which time the Council did receive and consider the recommendation of the City Engineer and did hear any and all objections or protests that were raised by the owners of property within the above described district pertaining to designating this area an underground utility district;

## **3. Order.**

Now, therefore, the City Council does hereby order that:

(a) Pursuant to Colma Municipal Code, Section 5.09.030, the City Council hereby finds that the public necessity, health, safety, and welfare requires the removal of all existing utility poles [excepting those poles supporting streetlights or traffic signals] , overhead wires and associated overhead structures and installation of underground wires and facilities for supplying electric power, communication, or similar associated services within the areas as shown in Exhibit 1, attached hereto, with such area being designated as the Upper Collins Avenue Underground Utility District (the "District"), and

(b) That the utility companies, cable television services and other affected services shall commence work on installation of underground facility installation in Upper Collins Avenue Underground Utility District and that as each phase of the project is complete and ready for conversion from overhead to underground utility facilities, all fronting property owners shall be notified by first class letter, postage pre-paid, of the schedule for conversion of all utility service lines, and

(c) The electric utility shall not use the underground conversion allocation computed pursuant to decisions of the California Public Utilities Commission for the purpose of providing to each premises requiring it in Upper Collins Avenue Underground Utility District a maximum of one hundred feet of individual electric service trenching and conductor (as well as backfill, paving and conduit, if required) and each other serving utility shall provide service trenching and conductor in accordance with its rules and tariffs on file with the California Public Utilities Commission or as required by its Franchise Agreement with the Town of Colma, and



(d) The electric utility shall not use said underground conversion allowance allocation, up to a maximum amount of \$1500 per service entrance excluding permit fees, for the conversion of electric service panels to accept underground service in the Upper Collins Avenue Utility Underground District, and the Town of Colma shall be financially responsible for any and all costs not covered by the electric utility for the installation and maintenance of the conduit and termination box located on, under or within any structure on the premises served, and

(e) That upon notification as specified in Section (b), all property owners in Upper Collins Avenue Utility Underground District shall have underground electrical entrance facilities installed and inspected pursuant to the Town of Colma Electrical Code within sixty (60) days. Should any property owner fail to install satisfactory underground electrical entrance facilities by the date specified in the notice, the City Engineer may provide the required underground facilities and assess the cost against the property in accordance with Colma Municipal Code, Section 5.09.090, or the electric utility may discontinue electrical service to the property pursuant to Rule 11 until electrical entrance facilities are ready to accept underground electrical conductors and have passed the necessary inspection requirements, and

(f) That once all services have been converted from overhead to underground, the utility companies, cable television services and other affected services shall remove all poles (except as specified above) and associated overhead facilities in Upper Collins Avenue Utility Underground District, by December 1, 2022, unless that date is extended in writing back by the City Manager.

(g) Within ten (10) days after adoption of this resolution, the City Clerk shall mail a copy hereof and a copy of Colma Municipal Code, Subchapter 5.09, to affected property owners and to the affected utilities in the manner required by Colma Municipal Code Section 5.09.070.

(h) The City Manager may take all actions necessary and reasonable to effectuate the establishment and administration of the District.

(i) This resolution shall become effective upon its adoption.

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### Certification of Adoption

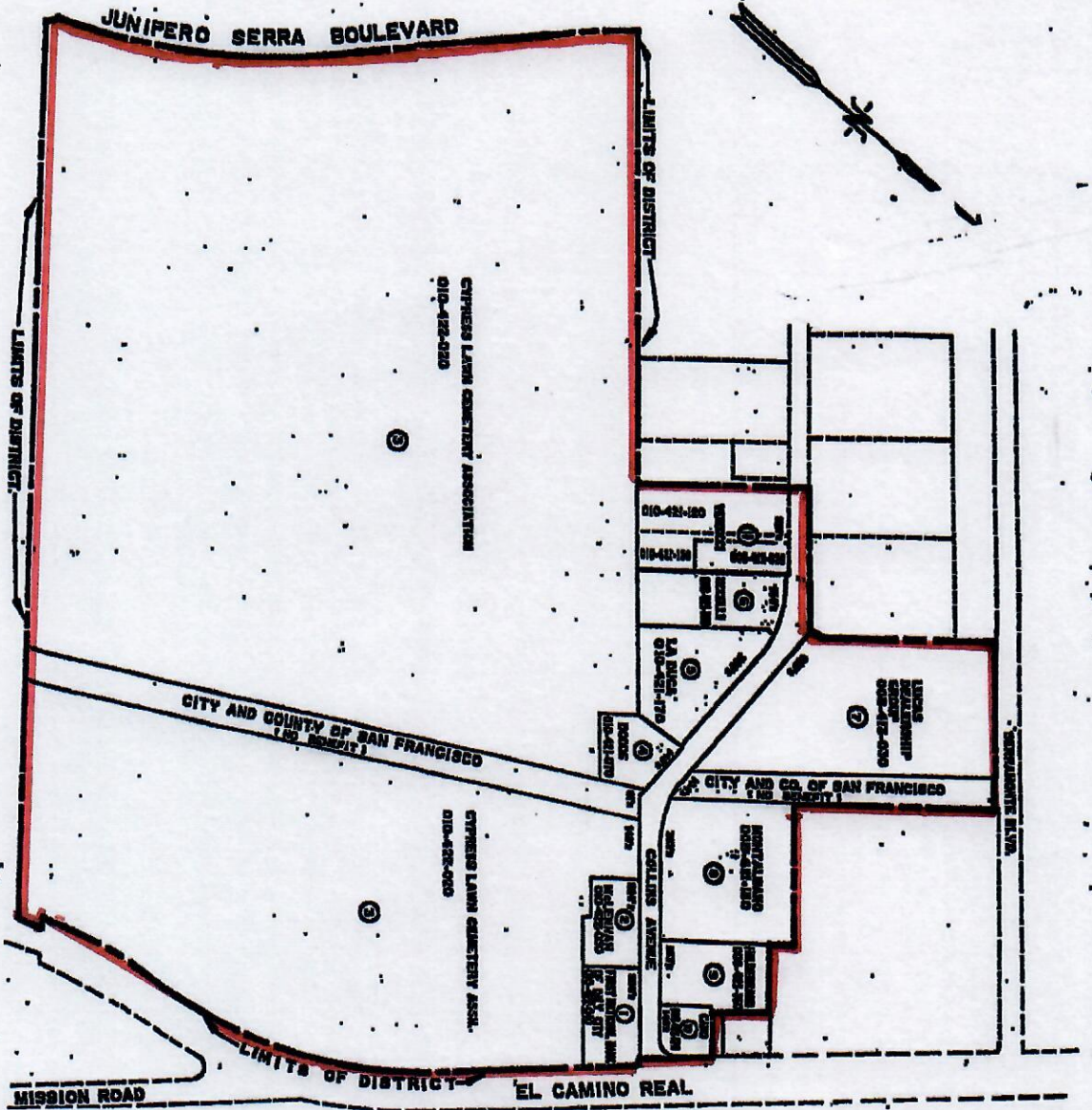
I certify that the foregoing Resolution No. 2020-\_\_ was duly adopted at a regular meeting of the City Council of the Town of Colma held on August 5, 2020, by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
John Irish Goodwin, Mayor					
Diana Colvin					
Helen Fisicaro					
Raquel "Rae" Gonzalez					
Joanne F. del Rosario					
<i>Voting Tally</i>					

Dated \_\_\_\_\_

\_\_\_\_\_  
John Irish Goodwin, Mayor

Attest: \_\_\_\_\_  
Caitlin Corley, City Clerk



SCALE 1" = 200'  
 0 10 20 30 40 50  
 FEET  
 REDUCED SCALE

REVISED 8-28-11 AND RACE, II

EXHIBIT "B"

MAP OF COLMA UTILITY UNDERGROUND DISTRICT (NOV. 1991) BEING THE EASTERNLY 1400 FEET OF COLLINS AVENUE TOWN OF COLMA, CALIFORNIA	
SMITH, KANDOLLETT, FOLLS & SIOCK, INC. CIVIL ENGINEERS AND LAND SURVEYORS 1000 COLMA AVENUE, SUITE 200 COLMA, CALIFORNIA 94014	
SHEET NO. 1 OF 1	TOWN OF COLMA
DATE: 11/11/11	SHEET NO. 1



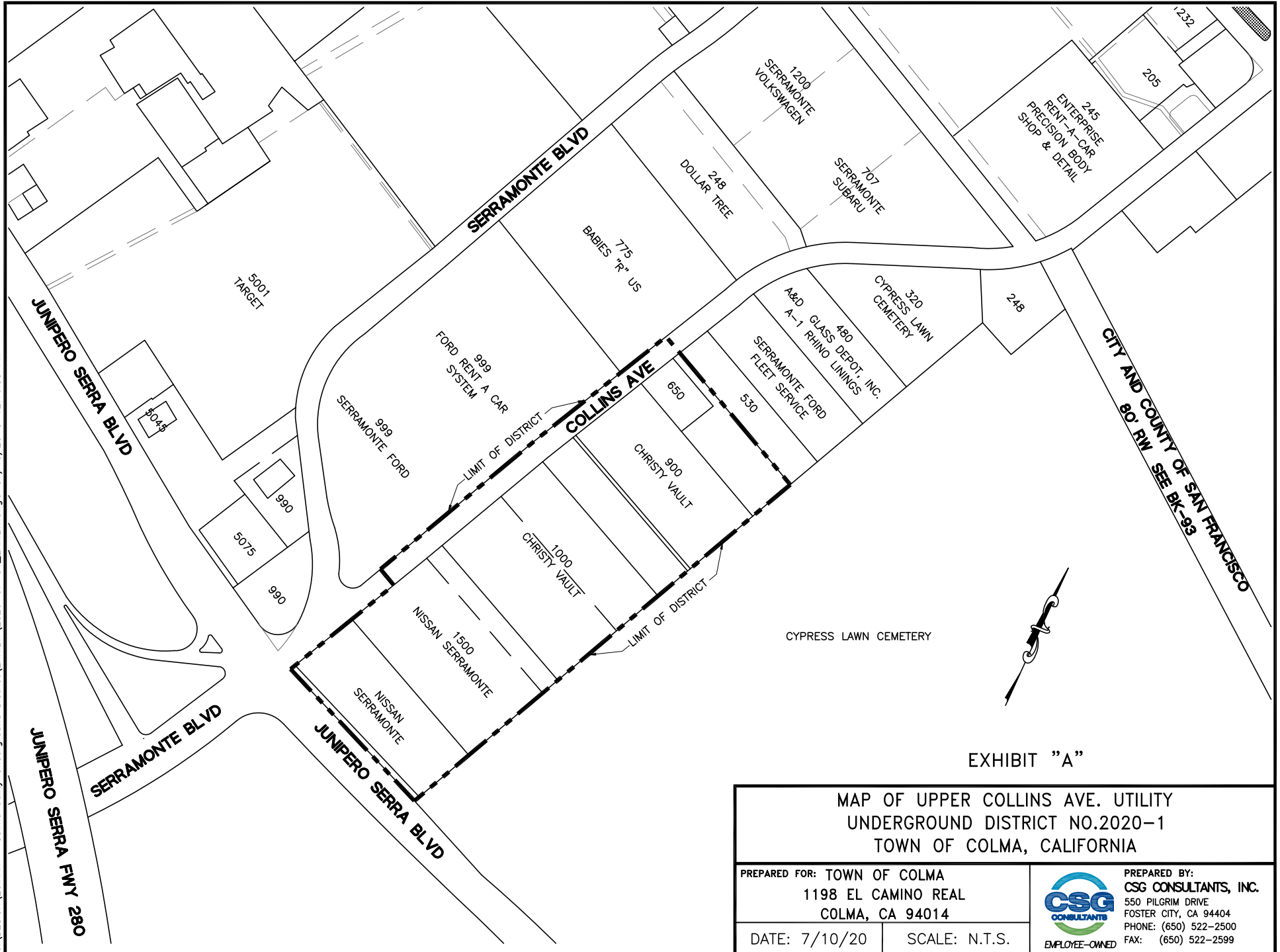


EXHIBIT "A"

MAP OF UPPER COLLINS AVE. UTILITY  
 UNDERGROUND DISTRICT NO.2020-1  
 TOWN OF COLMA, CALIFORNIA

PREPARED FOR: TOWN OF COLMA  
 1198 EL CAMINO REAL  
 COLMA, CA 94014

DATE: 7/10/20      SCALE: N.T.S.

PREPARED BY:  
**CSG** CONSULTANTS, INC.  
 550 PILGRIM DRIVE  
 FOSTER CITY, CA 94404  
 PHONE: (650) 522-2500  
 FAX: (650) 522-2599

EMPLOYEE-OWNED

