

Los Angeles  Department of Water & Power

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Mayor

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DAVID H. WRIGHT
General Manager

April 17, 2018

The Honorable City Council
c/o Office of the City Clerk
Room 395, City Hall
Mail Stop 160

Attention: Councilmember Nury Martinez
Chair – Energy, Climate Change, and Environmental Justice Committee

Honorable Members:

Subject: Council File No. 17-0724 (Huizar-Koretz)
Feasibility Study for Creating a Rule 20A Underground Wiring District in
Council District Fourteen Pursuant to Ordinance No. 145148

In response to Council File No. 17-0724, adopted by the Energy, Climate Change, and Environmental Justice (ECCEJ) Committee on August 1, 2017, enclosed is a report assessing the feasibility of declaring an Underground Utility District along portions of the area bounded by the 101 Freeway on the east, 7th Street on the south, 4th Street on the north, and Mateo Street on the west.

It is feasible to proceed with the Underground Utility District based on our assessment. The estimated total cost to the Los Angeles Department of Water and Power is \$29 million. The total estimated cost to private or governmental entity property owners is \$1 million.

If you have any questions or if additional information is required, please contact me at (213) 367-1338, or you may have a member of your staff contact Ms. Winifred J. Yancy, Director of Legislative and Intergovernmental Affairs, at (213) 367-0025.

Sincerely,



David H. Wright
General Manager

SRM:hh/ps

Enclosure

c/enc: Councilmember Paul Koretz, Vice Chair, ECCEJ Committee
Councilmember Paul Krekorian, Member, ECCEJ Committee
Councilmember Gilbert A. Cedillo, Member, ECCEJ Committee
Councilmember Mitch O'Farrell, Member, ECCEJ Committee
Mr. Adam Lid, Legislative Assistant, ECCEJ Committee
Dr. Frederick H. Pickel, Office of Public Accountability
Board of Water and Power Commissioners
Ms. Winifred J. Yancy

Putting Our Customers First 

Feasibility Study for an Underground Utility District in Council District Fourteen

Description

The Los Angeles Department of Water and Power (LADWP), with help from the Los Angeles Department of Public Works (LADPW), has studied the feasibility of creating a Underground Utility District (UUD) along portions of the area bounded by the 101 Freeway on the east, 7th Street on the south, 4th Street on the north, and Mateo Street on the west removing 2.6 miles of poles and utility lines. This study was prepared in response to the Motion (Huizar – Koretz) adopted by the Los Angeles City Council, File No. 17-0724 on August 8, 2017. The UUD will complement the following projects investing over \$500 million in the area.

- Sixth Street Viaduct
- Sixth Street Park, Arts, River and Connectivity Improvements Project
- Active Transportation Program (ATP) Improvements

Authority

The Los Angeles City Council (Council) has the authority pursuant to City of Los Angeles Ordinance No. 145,148 (Approved on October 5, 1973), to establish a UUD. Each utility will be required to remove overhead utility facilities and install underground facilities if the UUD is approved by Council. California Public Utilities Commission Rule 32 authorizes telecommunication companies to underground facilities. All private or governmental entity property owners will be required to make necessary modifications to received underground utility service.

Justification

Council District Fourteen asserts the UUD is needed to:

- Create a safe and accessible public space
- Eliminate interference with the park space
- Reduce the visual blight for the community
- Support the \$25 million in multimodal connections to the surrounding neighborhoods

Feasibility and Deliverables

Creating a UUD in the defined areas is feasible. Some overhead electric facilities on East 6th Street between Mesquite and Mateo Street and north of the 6th Street Bridge on South Mission Road may have to remain to support the overhead wire crossing the Los Angeles River. Poles located on the boundaries of the proposed UUD may also remain to support overhead wire crossings. The areas to remain are excluded from this study.

The removal of overhead utility facilities will be along the listed streets. Construction may encompass surrounding streets to connect the underground and overhead utilities.

- ATP 1 (S Mission Street)
 - South Mission Road from Jesse Street to 6th Street Bridge
 - Jesse Street from South Mission Road to Myers Street
- ATP 1 (Myers Street)
 - Myers St from East 7th to Jesse Street

- ATP 2
 - Jesse Street from Anderson Street to Clarence Street
 - Anderson Street from Jesse Street to East 6th Street
 - Clarence Street from Jesse Street to East 4th Street
- ATP 3 and 6th Street Parc
 - Mateo Street from East 4th to East 7th Street
 - South Santa Fe Street from East 4th to East 7th Street
 - 6th Street from Mesquit to Mateo Street

LADWP will also provide electric vehicle chargers in accordance with the LADWP Electric Transportation Program and investigate the feasibility of installing curbside chargers. LADWP requests Council to provide an LADPW Above Ground Facilities exemption for the installation of electric vehicle chargers.

Phasing Plan

Should the UUD be established by December 2018, construction will be completed by 2026. The estimated project completion schedules per phase are:

<u>Phases</u>	<u>Estimated Construction Completion</u>
• ATP 1 (S Mission Street)	January 2020
• ATP 1 (Myers Street)	March 2021
• ATP 2	October 2022
• ATP 3 and 6 th Street Parc	September 2026

Cost

The estimated cost for the below stakeholders if the UUD is declared are:

- LADWP.....\$29 million
- Private or governmental entity property owners...\$1 million

Approximately 70 private or governmental entity property owners will be required to make modifications to receive underground utility service. Most property owner's modification expense will be less than \$10,000. Customers with pad mounted transformers or pole top industrial power stations may have modifications expenses exceeding \$100,000.

LADPW will need to request cost estimates from several telecommunication companies to determine the total cost of the project.

Risks

The following project risks may impact the schedule, cost, and quality.

- DOT Traffic control plan requiring Saturday work only and LADPW street moratoriums
- LADPW Above Ground Facility permit for electric vehicle chargers and related equipment
- Staffing stability for all stakeholders involved in project design and execution
- Impact of 2028 Olympics
- Timely modifications to receive underground utilities by private or governmental entity property owners
- Underground substructure congestion
- Easement acquisitions for underground structures for power system reliability

- ATP 2
 - Jesse Street from Anderson Street to Clarence Street
 - Anderson Street from Jesse Street to East 6th Street
 - Clarence Street from Jesse Street to East 4th Street
- ATP 3 and 6th Street Parc
 - Mateo Street from East 4th to East 7th Street
 - South Santa Fe Street from East 4th to East 7th Street
 - 6th Street from Mesquit to Mateo Street

LADWP will also provide electric vehicle chargers in accordance with the LADWP Electric Transportation Program and investigate the feasibility of installing curbside chargers. LADWP request Council facilitate installation of electric vehicle chargers with an LADPW Above Ground Facilities exception.

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EXHIBIT "A"







<u>Project</u>	<u>Line Color</u>
ATP 1 / Net Toll	
ATP 2	
ATP 3	
6th St PARC	

EXHIBIT "B"

HOLLY L. WOLCOTT
CITY CLERK

SHANNON D. HOPPE
EXECUTIVE OFFICER

City of Los Angeles
CALIFORNIA



ERIC GARCETTI
MAYOR

OFFICE OF THE
CITY CLERK

Council and Public Services Division

200 N. SPRING STREET, ROOM 395
LOS ANGELES, CA 90012
GENERAL INFORMATION - (213) 978-1133
FAX: (213) 978-1040

BRIAN E. WALTERS
DIVISION CHIEF

CLERK.LACITY.ORG

When making inquiries relative to
this matter, please refer to the
Council File No.: 17-0724

OFFICIAL ACTION OF THE LOS ANGELES CITY COUNCIL

August 9, 2017

Council File No.: 17-0724
Council Meeting Date: August 08, 2017
Agenda Item No.: 12
Agenda Description: ENERGY, CLIMATE CHANGE AND ENVIRONMENTAL JUSTICE COMMITTEE REPORT relative to creating a Rule 20A underground wiring district in Council District 14 pursuant to Ordinance No. 145148.

Council Action: ENERGY, CLIMATE CHANGE AND ENVIRONMENTAL JUSTICE COMMITTEE REPORT - ADOPTED

Council Vote:

ABSENT	BOB BLUMENFIELD
YES	MIKE BONIN
YES	JOE BUSCAINO
YES	GILBERT A. CEDILLO
YES	MITCHELL ENGLANDER
YES	MARQUEECE HARRIS-DAWSON
YES	JOSE HUIZAR
ABSENT	PAUL KORETZ
ABSENT	PAUL KREKORIAN
YES	NURY MARTINEZ
YES	MITCH O'FARRELL
ABSENT	CURREN D. PRICE
YES	MONICA RODRIGUEZ
YES	DAVID RYU
YES	HERB WESSON

HOLLY L. WOLCOTT
CITY CLERK

ENERGY, CLIMATE CHANGE AND ENVIRONMENTAL JUSTICE COMMITTEE
REPORT relative to creating a Rule 20A underground wiring district in Council District 14
pursuant to Ordinance No. 145148.

Recommendations for Council action, pursuant to Motion (Huizar - Koretz):

1. DIRECT the Department of Public Works (DPW) and REQUEST the Los Angeles Department of Water and Power (LADWP) prepare for consideration a study detailing the feasibility of creating a Rule 20A underground wiring district in the area bounded by the 101 Freeway on the east, 7th Street on the south, 4th Street on the north, and Mateo Street on the west.
2. DIRECT the DPW and REQUEST the LADWP to report in regard to a phasing plan in order to implement the proposed underground wiring district as detailed above in Recommendation No. 1.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

Summary:

On August 1, 2017, your Committee considered a Motion (Huizar - Koretz) relative to creating a Rule 20A underground wiring district in Council District 14 pursuant to Ordinance No. 145148. According to the Motion, the City is currently constructing the new Sixth Street Viaduct between Boyle Heights and the Arts District in Downtown Los Angeles. As part of the project, the City will be constructing a new 12-acre \$29 million park below the bridge, as well as \$25 million in multimodal connections from the surrounding neighborhoods to the new park. The existing infrastructure on both sides of the bridge has been designed for industrial uses, not high pedestrian volumes. Sidewalks and pedestrian lighting do not exist, and these and other significant infrastructure upgrades are needed to create a safe, and accessible public space.

Currently, many overhead power lines crisscross the site and should be relocated so that they do not interfere with the usable park space and to reduce visual blight for this 12 acre public park. Other power poles could provide an impediment for direct access to the park for the neighboring residents. In order to provide the maximum public benefit and to maximize public safety and accessibility, creating an underground utility district adjacent to the bridge is necessary.

After consideration and having provided an opportunity for public comment, the Committee recommend approval of the Motion as detailed in the above recommendations. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

ENERGY, CLIMATE CHANGE AND ENVIRONMENTAL JUSTICE COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
MARTINEZ:	YES
KORETZ:	ABSENT
KREKORIAN:	YES
CEDILLO:	YES
O'FARRELL:	YES

ARL
8/1/17

-NOT OFFICIAL UNTIL COUNCIL ACTS-

EXHIBIT "C"

ATTACHMENT C

Ordinance No. 145,148

An Ordinance of the City of Los Angeles establishing regulations and procedures for the removal of overhead utility facilities and the installation of underground facilities by means of underground utility districts.

THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:

Section 1. Definitions. Whenever in this ordinance the words or phrases hereinafter in this section defined are used, they shall mean:

(a) "Commission" - the Public Utilities Commission of the State of California or the Board of Water and Power Commissioners of the City of Los Angeles, whichever has jurisdiction over the respective utility involved herein.

(b) "Committee" - the Technical Advisory Committee which shall consist of representatives of the City Engineer (Chairman), the Department of Water and Power, the Chief Engineer and General Manager of the Department of Public Utilities and Transportation and the affected communication utilities.

(c) "District" or "Underground Utility District" - that area in the City within which poles, overhead wires, and associated overhead structures are prohibited as such area is described in a Resolution adopted pursuant to the provisions of Section 4 of this ordinance.

(d) "Person" - any private or governmental entity including individuals, firms, corporations, partnerships, and their agents and employees.

(e) "Poles, overhead wires and associated overhead structures" - poles, towers, supports, wires, conductors, guys, stubs, platforms, crossarms, braces, transformers insulators cutouts, switches, communication circuits, appliances, attachments and appurtenances located above ground within a District and used or useful in supplying electric, communication or similar or associated service.

(f) "Resolution" - a resolution adopted by the Council pursuant to Section 4 of this ordinance.

(g) "Utility" - includes all persons supplying electric, communication or similar or associated service by means of electrical materials or devices. For the purposes of this ordinance, and without limitation of the definition herein, the Bureau of Street Lighting, Department of Public Works, of the City of Los Angeles, shall be a "utility."

(h) "Conversion" - the removal of existing poles, overhead wires and associated overhead structures and the installation of new underground facilities to serve new or existing customers.

Sec. 2. Public Hearing. The Council may from time to time call public hearings to ascertain whether the public necessity, health, safety or welfare requires conversion within designated areas of the City. The City Clerk shall notify all utilities concerned, and all affected property owners as shown on the last equalized assessment roll, by mail of the time and place of such hearing at least 15 days prior to the date thereof. Each such hearing shall be open to the public and may be continued from time to time. At each such hearing all persons interested shall be given an opportunity to be heard. The decision of the Council on all matters involved in the creation of a district shall be final and conclusive.

Sec. 3. Reports. Prior to the Council's calling such public hearing, the Committee shall submit a report to Council containing, among other information, the extent of each utility's participation and estimates of the total costs to the City, to the utilities and to each affected property owner within a designated area of the City. Such report shall also contain an estimate of the time required to complete such conversion. In addition, the Committee shall report to Council, annually, a recommended orderly program for the creation of districts within the City of Los Angeles where existing overhead lines will be converted to underground.

Sec. 4. Resolution. If, after any such public hearing the Council finds that the public necessity, health, safety or welfare requires such conversion within the designated area, the Council shall, by Resolution, declare all or part of such area an Underground Utility District, and order such work. The Resolution shall include a description of the area and shall fix a reasonable time within which such conversion shall be accomplished and within which affected property owners must be ready to receive underground service, giving due regard to the availability of necessary labor, materials and equipment.

Sec. 5. Unlawful Acts. Whenever the Council adopts a Resolution, it shall be unlawful for any person or utility to erect, construct, place, keep, maintain, continue, employ or operate poles, overhead wires and associated overhead structures in the District after the date when said overhead facilities are required to be removed by such Resolution, except as otherwise provided in this ordinance.

Sec. 6. Exception - Emergency or Unusual Circumstances. Notwithstanding the provisions of this ordinance, overhead facilities may be installed to provide emergency service. Further, the Board of Public Works may grant special permission on such terms as the Board may deem appropriate, in cases of unusual circumstances, without discrimination as to any person or utility, to erect, construct, install, maintain, use or operate poles, overhead wires and associated overhead structures.

Sec. 7. Other Exceptions. This ordinance and any Resolution adopted pursuant to Section 4 shall, unless otherwise provided in such Resolution, not apply to the following types of facilities:

(a) Overhead wires (exclusive of supporting structures) crossing any portion of a District within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a District, when such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited.

(b) Poles, overhead wires and associated overhead structures used for the transmission of electric energy at nominal voltages in excess of 34,500 volts.

(c) Overhead wires attached to the exterior of a building by means of a bracket or other fixture and extending from one location on the building to another location on the same building or to an adjacent building without crossing any public street.

(d) Antennae, associated equipment and supporting structures.

(e) Equipment appurtenant to underground facilities, such as surface mounted transformers, pedestal-mounted terminal boxes and meter cabinets, concealed ducts, and electrolier standards.

(f) Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects.

(g) Lighted signs or marquees encroaching within public streets or public utilities easements, existing under proper legal authority, provided the electrical service does not require overhead wires.

Sec. 8. Notification. Within 15 days after the effective date of a Resolution, the City Clerk shall so notify all affected utilities and all persons owning real property within the District and shall notify such affected property owners of the necessity that, if they or any person occupying such property desires to continue to receive utility service, they or such occupant shall provide all necessary facility changes on their premises so as to receive such service from the lines of the supplying utility or utilities at a new location, subject to the applicable rules, regulations and tariffs of the respective utility or utilities on file with the Commission. Notification by the City Clerk shall be made by mailing a copy of the Resolution, together with a copy of this ordinance, to the affected utilities, and to affected property owners as shown on the last equalized assessment roll.

Pursuant to Section 38793 of the Government Code of the State of California, if any property owner, after due notice, refuses to comply within a reasonable time to effect the removal of his existing overhead utility lines and prepare his property to accept underground utility lines, the City may cause such work to be done and assess the costs thereof against the property, and such assessment shall become a lien against the property. The assessment may be collected at the same time and in the same manner as ordinary municipal ad valorem taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for such taxes. All laws applicable to the levy, collection and enforcement of municipal ad valorem taxes shall be applicable to such assessment.

Sec. 9. Responsibility of Utility Companies. The supplying utility shall furnish that portion of the conduits, conductors and associated equipment required to be furnished by it under its applicable rules, regulations and tariffs on file with the Commission.

Sec. 10. Responsibility of City. City shall remove at its own expense all City-owned equipment from all poles required to be removed hereunder in ample time to enable the owner or user of such poles to remove the same within the time specified in the Resolution.

Sec. 11. Extension of Time. In the event that any act required by this ordinance or by a Resolution cannot be performed within the time provided on account of shortage of materials, war, restraint by public authorities, strikes, labor disturbances, civil disobedience, or any other circumstances beyond the control of the actor, then the time within which such act will be accomplished shall be extended for a period equivalent to the time of such limitation.

Sec. 12. Penalty. Any person violating any provision or failing to comply with any of the requirements of this ordinance shall be deemed guilty of a misdemeanor punishable by a fine not exceeding \$500.00 or by imprisonment not exceeding 6 months, or by both such fine and imprisonment. Each such person shall be deemed guilty of a separate offense for each day during any portion of which any violation of any of the provisions of this ordinance is committed, continued or permitted by such person, and shall be punishable as provided for in this ordinance.

Sec. 13. Constitutionality. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Council hereby declares that it would have adopted the ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

Sec. 14. Publication. The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of September 26, 1973.

REX E. LAYTON, City Clerk.

By M. B. Wilson, Deputy.

Approved October 5, 1973

JOHN S. GIBSON, JR., Acting Mayor.

File No. 136265 Sup. #2

(J65308) Oct 12

ENERGY, CLIMATE CHANGE AND ENVIRONMENTAL JUSTICE COMMITTEE
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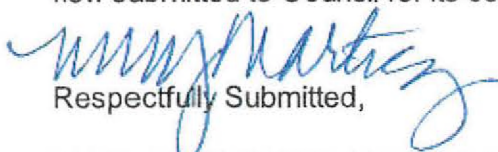
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<u>MEMBER</u>	<u>VOTE</u>
MARTINEZ:	YES
KORETZ:	ABSENT
KREKORIAN:	YES
CEDILLO:	YES
O'FARRELL:	YES

ARL
8/1/17

-NOT OFFICIAL UNTIL COUNCIL ACTS-