

RESOLUTION NO. 2010-585

Adopted by the Sacramento City Council

October 12, 2010

APPROVE AGREEMENTS FOR IMPLEMENTATION OF RICHARDS BOULEVARD UTILITY UNDERGROUND PROJECT

BACKGROUND

- A. The relocation or undergrounding of primary voltage overhead power lines is very desirable to the City as it can help improve aesthetics, economic vitality, safety, and disabled access along corridors.
- B. The Sacramento Municipal Utility District (SMUD) recognized these benefits and established the System Enhancement Program in order to fund selected distribution system enhancements by relocating or undergrounding existing power lines below 69 kV.
- C. SMUD will fund the cost to relocate or underground its facilities and will fund the costs to construct the utility trench provided that: (i) the City has established the project and determined that it is in the public interest, (ii) the relocation of all telecommunication company facilities with leases and rights to the existing joint pole facilities have been funded and approved by those companies, (iii) the plans and specifications for the relocation of SMUD's facilities has been completed by others, (iv) the underground improvements have been constructed to SMUD's satisfaction, (v) all required building permits have been approved, (vi) all private property right of way requirements and easements and service relocation agreements with all affected property owners have been executed, and (viii) any easements that may be required by SMUD for its above-ground utility boxes have been granted.
- D. On March 9, 2010 the City Council approved the SMUD System Enhancement Program priority selection criteria and approved a list of priority ranked projects for the SMUD System Enhancement Program. The Richards Boulevard Utility Undergrounding Project was the highest ranked project.
- E. The Richards Boulevard Utility Underground Project consists of undergrounding utilities adjacent to the Township 9 development project in the River District.
- F. Township 9 is being developed by Capitol Station 65, LLC.
- G. Capitol Station 65, LLC has prepared plans for this work, will undertake construction of the trench and will grant SMUD an easement for this facility.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The Richards Boulevard Utility Underground Project is hereby established (B18219100).
- Section 2. The SD-14 Agreement is approved and the City Manager or his designee is authorized to execute the Agreement with SMUD to accept SD-14 funds for the Richards Boulevard Utility Underground Project in an amount not to exceed \$800,000.
- Section 3. Establish revenue and expenditure budgets for the project in an amount not to exceed \$800,000 in the Capital Grants Fund (Fund 3702).
- Section 4. The Assignment Agreement with Capitol Station 65, LCC is approved and the City Manager or his designee is authorized to execute the Agreement, allowing Capitol Station 65, LLC to design and undertake construction of the Richards Boulevard Utility Underground Project and the City to allocate SMUD SD-14 funds to Capitol Station 65, LLC for reimbursement of Richards Boulevard Utility Underground Project construction costs incurred in an amount not to exceed \$800,000.

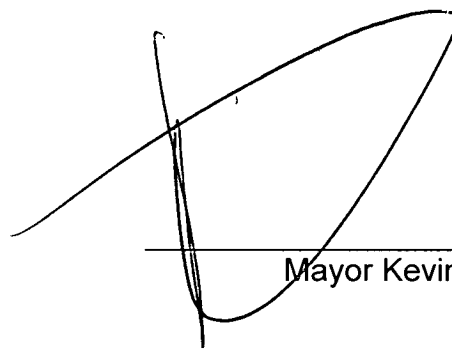
Adopted by the City of Sacramento City Council on October 12, 2010 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: None.



Mayor Kevin Johnson

Attest:



Shirley Concolino, City Clerk