




Date: July 13, 2010

To: Honorable Mayor Foster and Members of the City Council

From: Gary DeLong, Councilmember, 3rd District 

Subject: Long Beach Municipal Code Governing Utility Undergrounding

The Long Beach Municipal Code (LBMC) section 15.48.020(A) provides that the City Council hold a hearing to determine the public interest in undergrounding of utilities. The Code reads as follows:

LBMC 15.48.020:

A. The council may from time to time call public hearings to ascertain whether it is in the general public interest to replace utility poles, overhead wires and associated overhead structures within designated areas of the city with the underground installation of wires and facilities for distributing or supplying electric, communication, or similar or associated service. The criteria for making the determination shall be one or more of the following:

1. Such undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities;
2. 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; or
3. The street or road or right-of-way adjoins or passes through a civic area or public recreation area or an area of unusual scenic interest to the general public.

The Code applies to undergrounding projects that are funded by utility revenues allocated for this purpose. However, the Code does not account for projects funded by property owners. Therefore, it is appropriate to add a fourth subsection be added as follows:

4. The City has received a request for the undergrounding of utilities from property owners, such request conforms to PUC requirements for Rule 20B projects, and the City Council has established a utility district to provide funding for the undergrounding.

Recommended Action: Request the City Attorney modify the Long Beach Municipal Code section 15.48.020.A, with the addition of subsection (4) as set forth above.