

AGENDA REPORT SUMMARY

Meeting Date: March 28, 2023

Subject 389 and 425 1st Street Administrative Appeal

Prepared by: Jolie Houston, City Attorney

Approved by: Gabriel Engeland, City Manager

Attachment(s):

1. Annotated Response to Appeal by City Attorney
2. Appellant's Appeal
3. Los Altos Municipal Code section 12.68
4. Los Altos Municipal Code section 13.20.160
5. Correspondence between Appellant, City, and PG&E
 - Email Thread A
 - Email Thread B (including attachments)
 - Email Thread C (including attachments)
 - Email Thread D
 - Email Thread E
 - Email Thread F (including attachment)

Initiated by:

Jeff Warmoth – Appellant

Previous Council Consideration:

None

Fiscal Impact:

Undetermined

Environmental Review:

The Council's consideration and action on this Appeal is exempt from environmental review under California Environmental Quality Act (CEQA), CEQA Guidelines Section 15061(b)(3) since there would be no possibility of a significant effect on the environment.

Policy Question(s) for Council Consideration:

- Is the Appellant's request to move two utility poles consistent with the Los Altos Municipal Code?
- Shall the City Council overturn staff's determination and grant the appeal?



Subject: 389 and 425 1st St Administrative Appeal

Summary:

Appellant has submitted an Appeal to the City Council of staff's determination that the proposed relocation of two utility poles is not consistent with the Los Altos Municipal Code ("LAMC"), specifically LAMC chapter 12.68 and section 13.20.160. (See Attachments 3 and 4). Appellant asserts that the relocation is consistent with the City's Municipal Code, including these relevant portions of the LAMC.

Staff has determined that the relocation of the two utility poles is not consistent with the LAMC because:

1. Chapter 12.68.020 states that the City's intent is that relocated existing utility services are placed underground;
2. Section 13.20.160(G) prohibits relocations and extensions of existing overhead facilities;
3. Although Section 13.20.160(K) allows maintenance, repair, and alteration of overhead power systems built before August 24, 1965. Appellant is neither maintaining, repairing or altering the existing utility poles, nor is it undisputed that the relevant poles were built before the specified date; and
4. There is no community benefit exception to compliance with the LAMC.

The City Attorney conducted a separate review of this matter and determined that staff's conclusion is consistent with the LAMC.

Appeal Hearing Procedures:

Pursuant to the City Council Norms and Procedures, Section 11.8, Appeal Procedures, Appellant will be given the opportunity to speak first for ten (10) minutes to present his position prior to the City's opportunity to present its position. The City will also be given ten (10) minutes to present its position on the Appeal. The City Council may ask the Appellant or the City staff questions prior to public comments. After the public comments, Appellant shall be given up to five (5) minutes for rebuttal.

Recommendation

The City Council, after considering the full oral and written record before it, approve or deny the Appeal, or give such other direction as necessary.



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Appeal

LAMC section 1.12.010 provides the opportunity for any interested party to appeal to the City Council his or her objections to the whole or any portion of an administrative decision made by a City official that involves the exercise of administrative discretion or personal judgment. The City Council's conduct of the appeal shall be *de novo* (i.e., anew, as if the decision had not been previously rendered) (LAMC § 1.12.060.). The Appeal is appropriate as the Appellant is appealing staff's exercise of administrative discretion when it determined that the relocation of the two utility poles is not consistent with the LAMC.

Background

The Appellant has submitted two separate applications to the City which include plans to relocate two utility poles located in the alley behind 389 and 425 1st Street. However, staff has determined both applications to be incomplete. Because neither application has been deemed complete, staff has neither accepted nor denied the applications. Staff had been attempting to work with Appellant to complete the applications so staff could move forward with either accepting or denying the applications.

On February 1, 2023, Appellant submitted to the City Manager a letter and what appeared to be an appeal of staff's statement in a call with Appellant and PG&E that relocating two existing utility poles would not be consistent with the LAMC. (See Attachment 5-B).

On February 27, 2023, at the request of Appellant, the City Manager forwarded both the letter and the apparent appeal to the City Attorney. (See Attachment 5-B). The City Attorney emailed Appellant on February 28, 2023, responding to this apparent Appeal requesting that the Appellant clarify the details of his Appeal. Appellant responded the same day stating that what he had submitted was a draft Appeal. (See Attachment 5-C).

On March 7, 2023, the City Attorney emailed Appellant's attorney stating that she reviewed the LAMC and the materials submitted in Appellants draft Appeal and that she agreed with staff's position that the relocation of the two utility poles would be inconsistent with the LAMC. (See Attachment 5-D).

On March 11, 2023, Appellant submitted a letter to the City Council regarding the relocation of the two utility poles. (See Attachment 5-E).

On March 17, 2023, Appellant filed the present Appeal of the City Attorney's determination in her email dated March 7, 2023, where she agreed with staff's conclusion that the relocation of the two poles would not be consistent with the LAMC. (See Attachment 5-F).

ATTACHMENT 1

ATTACHMENT 1



Subject: 389 and 425 1st St Administrative Appeal

Annotated Response to Appeal by City Attorney

Below are the City's responses to each of the Appellant's claims asserted in his Appeal.

Appellant's Claim 1

We are the owners of the properties located at 389 and 425 1st Street in the City of Los Altos. Both properties currently are under construction and are scheduled to be completed in May 2023. Upon completion, the two projects would provide 30 much-needed housing units in the City, four of which will be affordable. For years, these two projects have been designed to PG&E's plan for utility undergrounding, which (in addition to undergrounding the new services to the two new buildings themselves) would underground over 325 feet of overhead power and communications lines located along the alley that runs behind the buildings between 1st Street and 2nd Street. This undergrounding would be done at no cost to the City and would result in a significant undergrounding of lines in a highly visible downtown area. It also is the first step in eventually undergrounding the entirety of the alley running from Lyell Street to Whitney Street.

Only recently, Public Works and the City Attorney have taken the position that the proposed undergrounding, which would require an adjustment to the location of two existing utility poles in the alley, is inconsistent with the Los Altos Municipal Code. This interpretation, however, is contrary to the language and basic purpose of the Municipal Code's undergrounding provisions and, if allowed to stand, not only would result in significant delay in completion of the two residential projects but also the only alternative would be to revise PG&E's plans to have no undergrounding (other than to the new buildings themselves, as required).

City's Response 1

Despite the current status of the two projects, requiring compliance with the LAMC regarding utility poles in the City does not impose any sort of undue burden on the Appellant. Additionally, Appellant cannot rely on being in compliance with PG&E's plans/rules to avoid also being in compliance with LAMC requirements.

The completion of the two projects is also not contingent on the relocation of the two utility poles. In a call with City staff and PG&E, PG&E stated that there are multiple other alternatives to removing the two utility poles and erecting them elsewhere. Specifically, PG&E stated that one alternative is to place two underground transformers



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instead of relocating the two poles at issue after they are removed. Installing two underground transformers, instead of installing two new utility poles where there previously were none, would be consistent with the LAMC.

The undergrounding of utilities is consistent with the City's overall goals found in the LAMC. Appellant's claim of a community benefit of the voluntary undergrounding of utilities cannot be used to evade the prohibition of relocating the existing poles under the LAMC. There is no community benefit exception to LAMC sections 12.68 or 13.20.160.

The LAMC sections at issue here have been in place since the start of these projects. City staff and the City Attorney have had consistent interpretations of the applicable LAMC sections.

Appellant's Claim 2

By way of background, the City's undergrounding provisions are in Municipal Code chapter 12.68 ("Undergrounding Utilities") and Municipal Code section 13.20.160 ("Utilities"). Under the City's requirements, our two projects only are required to underground service from the existing overhead utility poles to our two newly constructed buildings. In addition to this work, however, we also voluntarily began the Rule 20 process with PG&E to underground over 325 feet of overhead utility lines that also run along the alley in this highly visible area of Los Altos and across Lyell Street. We originally submitted the PG&E-approved Rule 20 plans to the City on November 11, 2021. PG&E had submitted the plans sometime prior to that date.

The proposed work, including the two utility poles to be moved, has always been shown on the submitted plans. To facilitate the undergrounding of the over 325 feet of overhead power and communication lines, the two poles would need to be moved as follows: (i) the pole currently behind 389 1st Street would be moved about 20+/- feet north; and (ii) the pole currently behind 425 1st Street would be moved across Lyell Street (to the east) next to another existing pole with a transformer on it, in the alley behind First Republic Bank. Both utility poles would remain within a public utility easement that has existed for at least 75 years in this location. PG&E's safety rules will not allow for termination of the undergrounding to the pole that already is behind First Republic Bank due to the transformer being there.

Once PG&E's utility undergrounding is complete, it will set the stage for the future undergrounding of the rest of the alley between Lyell Street and Whitney Street by the



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alley-adjacent property owners. When the current and future undergrounding projects are complete, the entire alley between Lyell Street and Whitney Street will have been undergrounded at no cost to the City. We also anticipate that the remainder of the overhead utility lines currently located in the alley behind First Republic Bank (including the transformer) would be undergrounded by the property owner of 400, 420 and 428 S. San Antonio Road when he ultimately redevelops those properties, as he has expressed to the City an interest in doing. In short, the work now proposed is an important first step toward what could be an even more significant future undergrounding.

City's Response 2

The plans submitted by the Applicant on November 11, 2021 were deemed to be incomplete by staff. As a result, staff had been attempting to work with Applicant to complete the application to be able to move forward to the approval/denial phase. Applicant subsequently submitted another application, which staff also deemed incomplete.

The Appellant has provided no additional evidence to support his belief that "the entire alley between Lyell Street and Whitney Street will have been undergrounded at no cost to the City." Furthermore, the Appellant wanting to relocate two utility poles, instead of installing underground transformers is not consistent with his vision of undergrounding all the facilities in the alley between Lyell Street and Whitney Street. Finally, the placement of the new, relocated utility poles will result in a foreseeable undue burden for a future developer who chooses to develop the parcels where the new utility poles are placed.

Appellant's Claim 3

We did not learn that the City had a problem with the adjustment in location of the two utility poles until December 15, 2022. This position was further explained in a February 1, 2023, meeting, at which Public Works told PG&E that the proposed undergrounding is contrary to the LAMC. After that meeting, we sought out the input of the City Manager and, then, the City Attorney. On March 7, the City Attorney stated to us as follows:

After thoroughly reviewing Mr. Warmoth's letters and documents he submitted to the City Manager, I believe that the City's Public Works staff had the correct interpretation of the Los Altos Municipal Code (LAMC) and properly



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stated that the City would reject the permits allowing the relocation of the two utility poles. The removal of two utility poles and the installation of two new utility poles where there previously were no utility poles is inconsistent with the LAMC. Should you disagree with this position, your client may appeal the decision to the City Council pursuant to LAMC section 1.12.010.

Pursuant to the City Attorney's direction, we have filed this appeal to the City Council pursuant to Municipal Code section 1.12.010, which broadly allows for appeals of decisions or determinations by City officials where such action involves exercise of administrative discretion or personal judgment under any of the provisions of the Municipal Code. This appeal was timely filed within 15 days of the City Attorney's March 7, 2023, e-mail. (Muni. Code, § 1.12.030.)

City's Response 3

Appellant may appeal this decision, pursuant to LAMC section 1.12, to the City Council. LAMC section 1.12 states that "Except where an appeals procedure is otherwise specifically set forth in this code, any interested person objecting to the whole or any portion of an administrative determination or decision made by a commission, committee or an official of the city, where such determination or decision involves the exercise of administrative discretion or personal judgment pursuant to any of the provisions of this code, may appeal to the city council by filing with the city clerk a notice of appeal clearly identifying the determination or decision from which the appeal is taken and stating the grounds for the appeal. The notice of appeal shall be accompanied by the payment of a filing fee in such amount as established from time to time by resolution of the city council." The City Attorney interpreted LAMC section 1.12 broadly and determined that this decision may reasonably be viewed as an "administrative determination or decision made by a commission, committee or an official of the city".

Appellant's Claim 4

For at least three reasons, the proposed work is consistent with the City's undergrounding provisions. First, the language likely being relied upon by Public Works and the City Attorney should not apply in the first instance. Municipal Code section 13.20.160, which addresses the relocation of poles, states: "The provisions of this section apply to new extensions of public or private utility distribution facilities for power and



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communication only *and shall not prohibit the maintenance, repair, or alteration of overhead power and communication systems existing on August 24, 1965.*" (Muni. Code, § 13.20.160(K) [emphasis added].) PG&E has provided documentation to Public Works that overhead facilities have existed in this location for over 75 years (since at least 1947), well before August 24, 1965. The work now proposed would at most be an alteration of long-existing overhead lines, within a long-existing public utility easement, which alteration is required to now underground the lines, consistent with City goals. Nor does the proposed work otherwise constitute a "new extension" of utility distribution facilities.

City's Response 4

LAMC 13.20.160 (K) in its entirety states that "The provisions of this section apply to new extensions of public or private utility distribution facilities for power and communication only and shall not prohibit the maintenance, repair, or alteration of overhead power and communication systems existing on August 24, 1965." (See Attachment 4).

*LAMC 13.20.160(K) does not state that if a pole existed prior to 1965, it can be relocated. This interpretation of "alteration" is not consistent with LAMC 13.20.160(G) which prohibits any relocation or extension of existing facilities. The definition of "alteration" means change, adjustment, adaptation, modification, or variation to something or of something. Relocation of a pole is more than just a modification of an existing pole, thus it cannot be interpreted to merely be an "alteration."*¹

Furthermore, PG&E provided Appellant with an as-built from 1947 showing the facilities in the alley. However, emails from PG&E also state that facilities along the alley have been modified between 1971 and 2019. Emails from PG&E also stated that one of the poles to be relocated was modified in 1989. As a result, it is disputed whether the facilities that are represented in the as-built from 1947 are still in existence and whether the facilities presently in the alley can be traced back to the 1947 as-built. (See Attachments 5-A & 5-D).

¹ See *City of Walnut Creek v. County of Contra Costa* (1980) 101 Cal.App.3d 1012, 1021 ("There is a strong policy reason for allowing the governmental body which passed legislation to be given a chance to interpret or clarify its intention concerning that legislation.")



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Appellant's Claim 5

Second, even if the undergrounding requirements could apply, the work complies with such requirements. Indeed, the basic purpose of the City's undergrounding provisions is "*to improve and maintain the visual quality and public and private views in the city, as well as to protect and enhance the health and quality of life of its citizens, by reducing hazards along with the visual blight created by overhead utilities.*" (Muni. Code, § 12.68.010 [emphasis added].) That is precisely what is proposed—a significant section of overhead lines would be undergrounded and would facilitate further undergrounding in the future. While Municipal Code section 12.68.020 generally prohibits "relocations and extensions of existing overhead facilities" (which we presume is the language Public Works and the City Attorney are relying on), the fact that two poles would be moved to accommodate the undergrounding is neither a "relocation" nor an "extension" of overhead facilities. It simply is an adjustment of poles within an existing utility line orientation, to facilitate a significant undergrounding. The work would not "extend" existing overhead facilities; it simply would underground a portion of lines within an existing corridor. Nor would it "relocate" overhead facilities; the lines would remain within the existing public utility easement, along the same orientation, with the poles only being moved to allow a longer run of undergrounding than otherwise would be possible given the existing site conditions. The work also plainly furthers City goals toward undergrounding.

City's Response 5

LAMC 12.68.010 states that "The purpose of this chapter is to improve and maintain the visual quality and public and private views in the city, as well as to protect and enhance the health and quality of life of its citizens, by reducing hazards along with the visual blight created by overhead utilities." (See Attachment 3).

*LAMC 12.68.020 clearly states that "It is the intent of the city to ensure that **all new utility services and relocated existing utility services are placed underground...**" (See Attachment 3).*

LAMC 12.68.020(B) states that "Relocations and extensions of existing overhead facilities shall be prohibited; provided, however, relocation of existing poles shall be permitted in some instances pursuant to Section 13.20.160 of this municipal code." (See Attachment 3).



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LAMC section 12.68 supports the general prohibition on the relocation of existing overhead facilities except as provided under LAMC section 13.20.160. The LAMC section 13.20.160 (G) and (K) exceptions do not apply for reasons discussed above and below. Appellant will be relocating two utility poles to two new locations where there were previously no poles, not replacing the two utility poles in the same location they are currently in.

Appellant's Claim 6

Third, even if undergrounding requirements could apply *and* the language prohibiting "relocations and extensions of existing overhead facilities" was triggered, relocation of the poles *still* would be permitted under Municipal Code section 13.20.160(G), which allows for individual pole relocations (when they do not constitute an extension or reconstruction) where "required to accommodate the location of ... other overhead or underground utilities in the public right-of-way." (See also Muni. Code, § 12.68.020(B) [refencing section 13.20.160(G)].) Here, the two poles would be moved to, among other things, accommodate the undergrounding of lines under Lyell Street, a public right-of-way, and eliminate overhead lines currently above that portion of Lyell Street, resulting in an aesthetic upgrade. Again, this is the type of outcome envisioned in the undergrounding requirements and is consistent with the stated purpose.

City's Response 6

LAMC section 13.20.160 (G) in its entirety states that "Relocations and extensions of existing overhead facilities shall be prohibited; provided, however, relocation of existing poles shall be permitted, when they do not constitute an extension or reconstruction of existing facilities, as follows:

- 1. Where up to a maximum of four pole relocations shall reduce the total number of poles on a public right-of-way; and*
- 2. Where individual pole relocations are required to accommodate the location of driveways, trees, hydrants, pathways, curbs, and gutters, curb returns, storm drains, sewers, and other overhead or underground utilities in the public right-of-way." (See Attachment 4).*

In addition to undergrounding some utility lines, Appellant is also relocating utility poles which is not permitted. The two poles being relocated are not extensions or reconstructions of existing facilities. The existing facilities are being removed in favor of erecting two new poles elsewhere. The current pole locations are not affecting the right-



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of-way in the alley and the poles may remain in place without any impact to the right-of-way in the alley.

Appellant's Claim 7

For each of the above reasons, we therefore ask the City Council to direct staff to allow the proposed Rule 20 undergrounding reflected in the submitted plans and to issue all needed approvals for such work to occur. The work would underground a considerable portion of line in furtherance of the City's undergrounding goals (at no cost to the City), would be consistent with City requirements, and would facilitate the further undergrounding of lines in the future. It also would be done in the context of a project supplying much-needed housing in the City.

City's Response 7

As discussed above, the City maintains that the relocation of the two utility poles is inconsistent with the LAMC.

Furthermore, the lack of a net increase in utility poles as a result of this pole relocation effort is not applicable. Nevertheless, the net number of new utility poles is irrelevant to the LAMC requirements. Two utility poles being removed while two new utility poles are erected elsewhere does not change the fact that two utility poles are being erected where none previously were.

Moreover, receiving consent from the current landowners to place new utility poles on those parcels does not permit Appellant to avoid the requirements of the LAMC.

Options

1. Deny Appeal

Advantages: Denies the Appeal and upholds City staff's determination that the Appellant may not relocate the two utility poles at issue because such an action is inconsistent with the LAMC.

Disadvantages: Appellant may not relocate two utility poles as a part of his development projects.



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2. Grant Appeal

Advantages: Grants the Appeal and overturns City staff's determination that the Appellant may not relocate the two utility poles at issue because such an action is inconsistent with the LAMC. Provides for the undergrounding of the two utility poles.

Disadvantages: Ignores City staff's and the City Attorney's interpretation of the LAMC. May result in more developers seeking to relocate utility poles, instead of undergrounding them pursuant to the language and intent of the LAMC. May impose hardship on future developer of a parcel where one of the two utility poles was relocated to.

Recommendation

The City Council, after considering the full record before it, approve or deny the Appeal, or give such other direction as necessary.

ATTACHMENT 2

ATTACHMENT 2



CITY OF LOS ALTOS APPEAL FORM

1 North San Antonio Road, Los Altos, CA 94022; (650) 947-2700

NOTE TO APPLICANT:

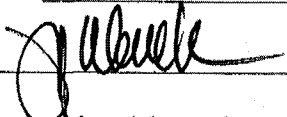
Please attach any supplemental documents to this form as part of your appeal.

Type of Appeal:

<input checked="" type="checkbox"/> Appeal of Administrative Determination	Fees – Please Refer to Master Fee Schedule: https://www.losaltosca.gov/communitydevelopment/page/forms-and-handouts-0
<input type="checkbox"/> Appeal of Development Review Commission Decision	
<input type="checkbox"/> Appeal of Planning Commission Decision	

Appellant Contact Information:

Name: Jeff Warmoth Telephone Number: (650) 400-6293
 Mailing Address: PO Box 1087, Santa Barbara, CA 93102
 Email Address jeffwarmoth@gmail.com

Signature: 

Project Information (about the project for which the appeal is being submitted):

Planning Commission/DRC Meeting Date: _____
 Administrative Determination Date: March 7, 2023
 Planning Division File #: _____
 Property Address: 389 and 425 1st Street, Los Altos
 Assessor's Parcel Number: 167-41-066 and 167-41-019 (Can be found on staff report)

Reason for Appeal / Explanation of Error or Abuse of Discretion.

Please describe the alleged error or abuse, or how the decision is not supported by substantial evidence in the record. Please identify if this appeal will be under Chapter 1.12 of the Municipal Code (Appeal Ordinance) or an appeal under Section 14.76.100 of the Municipal Code (Design Review Appeal). Attach additional pages if necessary.
 Please see attached

The Los Altos Planning Department Counter is open Monday – Friday (closed alternate Fridays)
From 7:30 p.m. – 5:00 p.m.
Telephone: (650) 947-2700
If you need assistance from the City Clerk's office, please call 650-947-2610.

Appeal of City Attorney Determination Regarding Proposed Utility Undergrounding
Reason for Appeal / Explanation of Error or Abuse of Discretion

We are the owners of the properties located at 389 and 425 1st Street in the City of Los Altos. Both properties currently are under construction and are scheduled to be completed in May 2023. Upon completion, the two projects would provide 30 much-needed housing units in the City, four of which will be affordable. For years, these two projects have been designed to PG&E's plan for utility undergrounding, which (in addition to undergrounding the new services to the two new buildings themselves) would underground over 325 feet of overhead power and communications lines located along the alley that runs behind the buildings between 1st Street and 2nd Street. This undergrounding would be done at no cost to the City and would result in a significant undergrounding of lines in a highly visible downtown area. It also is the first step in eventually undergrounding the entirety of the alley running from Lyell Street to Whitney Street.

Only recently, Public Works and the City Attorney have taken the position that the proposed undergrounding, which would require an adjustment to the location of two existing utility poles in the alley, is inconsistent with the Los Altos Municipal Code. This interpretation, however, is contrary to the language and basic purpose of the Municipal Code's undergrounding provisions and, if allowed to stand, not only would result in significant delay in completion of the two residential projects but also the only alternative would be to revise PG&E's plans to have no undergrounding (other than to the new buildings themselves, as required).

By way of background, the City's undergrounding provisions are in Municipal Code chapter 12.68 ("Undergrounding Utilities") and Municipal Code section 13.20.160 ("Utilities"). Under the City's requirements, our two projects only are required to underground service from the existing overhead utility poles to our two newly constructed buildings. In addition to this work, however, we also voluntarily began the Rule 20 process with PG&E to underground over 325 feet of overhead utility lines that also run along the alley in this highly visible area of Los Altos and across Lyell Street. We originally submitted the PG&E-approved Rule 20 plans to the City on November 11, 2021. PG&E had submitted the plans sometime prior to that date.

The proposed work, including the two utility poles to be moved, has always been shown on the submitted plans. To facilitate the undergrounding of the over 325 feet of overhead power and communication lines, the two poles would need to be moved as follows: (i) the pole currently behind 389 1st Street would be moved about 20+/- feet north; and (ii) the pole currently behind 425 1st Street would be moved across Lyell Street (to the east) next to another existing pole with a transformer on it, in the alley behind First Republic Bank. Both utility poles would remain within a public utility easement that has existed for at least 75 years in this location. PG&E's safety rules will not allow for termination of the undergrounding to the pole that already is behind First Republic Bank due to the transformer being there.

Once PG&E's utility undergrounding is complete, it will set the stage for the future undergrounding of the rest of the alley between Lyell Street and Whitney Street by the alley-adjacent property owners. When the current and future undergrounding projects are complete, the entire alley between Lyell Street and Whitney Street will have been undergrounded at no cost to the City. We also anticipate that the remainder of the overhead utility lines currently located in

the alley behind First Republic Bank (including the transformer) would be undergrounded by the property owner of 400, 420 and 428 S. San Antonio Road when he ultimately redevelops those properties, as he has expressed to the City an interest in doing. In short, the work now proposed is an important first step toward what could be an even more significant future undergrounding.

We did not learn that the City had a problem with the adjustment in location of the two utility poles until December 15, 2022. This position was further explained in a February 1, 2023, meeting, at which Public Works told PG&E that the proposed undergrounding is contrary to the Municipal Code. After that meeting, we sought out the input of the City Manager and, then, the City Attorney. On March 7, the City Attorney stated to us as follows:

After thoroughly reviewing Mr. Warmoth's letters and documents he submitted to the City Manager, I believe that the City's Public Works staff had the correct interpretation of the Los Altos Municipal Code (LAMC) and properly stated that the City would reject the permits allowing the relocation of the two utility poles. The removal of two utility poles and the installation of two new utility poles where there previously were no utility poles is inconsistent with the LAMC. Should you disagree with this position, your client may appeal the decision to the City Council pursuant to LAMC section 1.12.010.

Pursuant to the City Attorney's direction, we have filed this appeal to the City Council pursuant to Municipal Code section 1.12.010, which broadly allows for appeals of decisions or determinations by City officials where such action involves exercise of administrative discretion or personal judgment under any of the provisions of the Municipal Code. This appeal was timely filed within 15 days of the City Attorney's March 7, 2023, e-mail. (Muni. Code, § 1.12.030.)

For at least three reasons, the proposed work is consistent with the City's undergrounding provisions. First, the language likely being relied upon by Public Works and the City Attorney should not apply in the first instance. Municipal Code section 13.20.160, which addresses the relocation of poles, states: "The provisions of this section apply to new extensions of public or private utility distribution facilities for power and communication only *and shall not prohibit the maintenance, repair, or alteration of overhead power and communication systems existing on August 24, 1965.*" (Muni. Code, § 13.20.160(K) [emphasis added].) PG&E has provided documentation to Public Works that overhead facilities have existed in this location for over 75 years (since at least 1947), well before August 24, 1965. The work now proposed would at most be an alteration of long-existing overhead lines, within a long-existing public utility easement, which alteration is required to now underground the lines, consistent with City goals. Nor does the proposed work otherwise constitute a "new extension" of utility distribution facilities.

Second, even if the undergrounding requirements could apply, the work complies with such requirements. Indeed, the basic purpose of the City's undergrounding provisions is "*to improve and maintain the visual quality and public and private views in the city, as well as to protect and enhance the health and quality of life of its citizens, by reducing hazards along with the visual blight created by overhead utilities.*" (Muni. Code, § 12.68.010 [emphasis added].) That is precisely what is proposed—a significant section of overhead lines would be

undergrounded and would facilitate further undergrounding in the future. While Municipal Code section 12.68.020 generally prohibits “relocations and extensions of existing overhead facilities” (which we presume is the language Public Works and the City Attorney are relying on), the fact that two poles would be moved to accommodate the undergrounding is neither a “relocation” nor an “extension” of overhead facilities. It simply is an adjustment of poles within an existing utility line orientation, to facilitate a significant undergrounding. The work would not “extend” existing overhead facilities; it simply would underground a portion of lines within an existing corridor. Nor would it “relocate” overhead facilities; the lines would remain within the existing public utility easement, along the same orientation, with the poles only being moved to allow a longer run of undergrounding than otherwise would be possible given the existing site conditions. The work also plainly furthers City goals toward undergrounding.

Third, even if undergrounding requirements could apply *and* the language prohibiting “relocations and extensions of existing overhead facilities” was triggered, relocation of the poles *still* would be permitted under Municipal Code section 13.20.160(G), which allows for individual pole relocations (when they do not constitute an extension or reconstruction) where “required to accommodate the location of . . . other overhead or underground utilities in the public right-of-way.” (See also Muni. Code, § 12.68.020(B) [refencing section 13.20.160(G)].) Here, the two poles would be moved to, among other things, accommodate the undergrounding of lines under Lyell Street, a public right-of-way, and eliminate overhead lines currently above that portion of Lyell Street, resulting in an aesthetic upgrade. Again, this is the type of outcome envisioned in the undergrounding requirements and is consistent with the stated purpose.

For each of the above reasons, we therefore ask the City Council to direct staff to allow the proposed Rule 20 undergrounding reflected in the submitted plans and to issue all needed approvals for such work to occur. The work would underground a considerable portion of line in furtherance of the City’s undergrounding goals (at no cost to the City), would be consistent with City requirements, and would facilitate the further undergrounding of lines in the future. It also would be done in the context of a project supplying much-needed housing in the City.

From: Hamza, Muhammad M4HN@pge.com
Subject: RE: History of OVERHEAD POWER - Alley between 1st and 2nd, between Whitney and Lyell
Date: February 22, 2023 at 3:53 PM
To: Jeff Warmoth jeffwarmoth@gmail.com
Cc: Sonny Antonio s.antonio@sunshinedesignllc.net, Hamza, Muhammad M4HN@pge.com



Classification: Public

Good afternoon Jeff,

Records team was able to retrieve the intended document and it has been emailed to Jim Sandoval and Victor Chen from City of Los Altos. Based on the As-built that were provided to the city, it confirms that a section of the OH infrastructure was installed in 1940's. Attached pdf shows the sketch of the alley and I've highlighted some of the relevant data on it.

This document should be sufficient in addressing city's ask and our permit should be approved!

Best Regards,
Hamza

☎ 408.442.2983 (Mobile) | ✉ Muhammad.Hamza@pge.com



From: Jeff Warmoth <jeffwarmoth@gmail.com>
Sent: Friday, February 17, 2023 4:58 PM
To: Hamza, Muhammad <M4HN@pge.com>
Cc: Sonny Antonio <s.antonio@sunshinedesignllc.net>
Subject: Re: History of OVERHEAD POWER - Alley between 1st and 2nd, between Whitney and Lyell

CAUTION: EXTERNAL SENDER!

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Would there be any service records for how PG&E serviced the adjacent buildings that were constructed in 1951?

Jeff Warmoth
(650) 400-6293

On Feb 17, 2023, at 4:39 PM, Hamza, Muhammad <M4HN@pge.com>

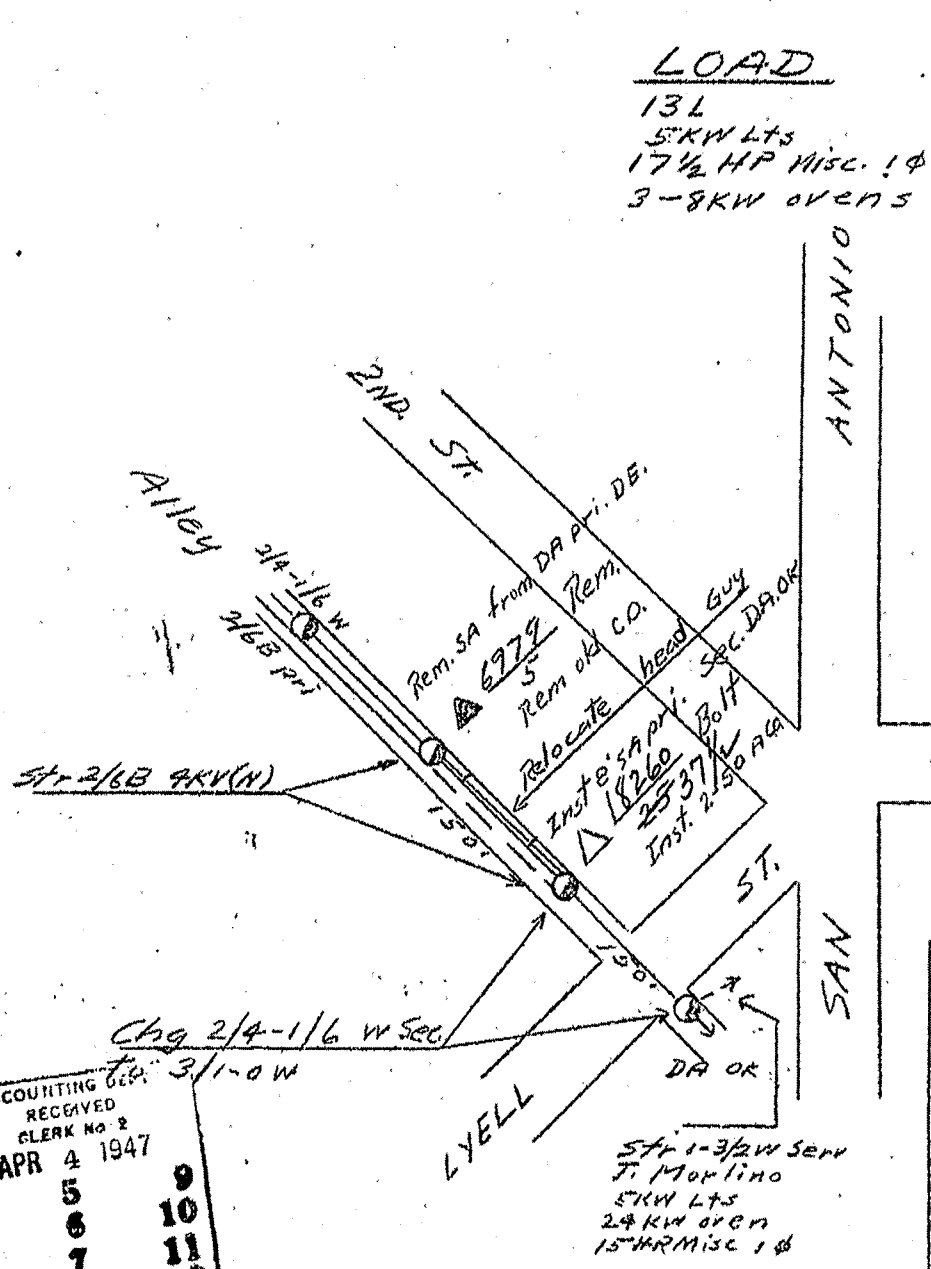
DATE WORK STARTED 4-1-47 DATE COMPLETED 4-1-47 SIGNED J.L. Johnson FOREMAN

MATERIAL USED ON THIS WORK ORDER

DEBIT	REQUISITION NUMBERS	CREDIT	LOC. PUR. ORD. NOS.
711479 ✓		22385-W03000	
✓480 ✓		22384	
✓481 ✓		- 83 ✓	
✓482 ✓		Overdrawn	
		22386 ✓	

Show in this space the number and type of plant units installed such as frames, guys, platforms, manholes, etc. (show drawing number for platforms and other special structures) that cannot be identified from list of material. If estimate involves more than one location, show location of plant units.

SKETCH OF WORK—FOREMAN TO CORRECT IF CHANGES ARE MADE—OTHERWISE O. K. HERE _____ LIST TRANSFORMERS Co. Nos. & SIZES



LOAD
 13L
 5 KW LTS
 17 1/2 HP MISC. 1 1/4
 3-8 KW OVEN S

EST. #
 36964

ACCOUNTING RECEIVED
 CLERK No. 2
 APR 4 1947
 5 6 7 8
 9 10 11 12

307772
 2-4 D
 TA 79-13
 S.C.L. Co.
 3-29-47
 RW Mongeon

ATTACHMENT 3

ATTACHMENT 3

Chapter 12.68 - UNDERGROUNDING UTILITIES

Footnotes:

--- (16) ---

Editor's note— Ord. No. 2013-395, adopted Dec. 10, 2013, amended Ch. 12.68 in its entirety, in effect repealing and reenacting said chapter to read as set out herein. The former Ch. 12.68, §§ 12.68.010—12.68.030, pertained to similar subject matter and derived from Ord. No. 07-312, § 1 (part) and Ord. No. 10-359, § 28, adopted Nov. 23, 2010.

12.68.010 - Purpose.

The purpose of this chapter is to improve and maintain the visual quality and public and private views in the city, as well as to protect and enhance the health and quality of life of its citizens, by reducing hazards along with the visual blight created by overhead utilities.

(Ord. No. 2013-395, § 27, 12-10-2013; Ord. No. 2016-426, § 27, 11-8-2016; Ord. No. 2019-464, §§ 29, 30, 12-10-2019; Ord. No. 2022-487, §§ 31, 32, 11-29-2022)

12.68.020 - Undergrounding utilities.

It is the intent of the city to ensure that all new utility services and relocated existing utility services are placed underground, including additions exceeding fifty (50) percent of floor area and/or seven hundred and fifty (750) square feet or more, excluding basements and any non-habitable floor areas. For the purpose of this section, removal of roof framing with associated exterior walls down to, or below the subfloor/slab shall be included in the above calculations. Therefore, the following shall apply:

- A. In areas served by existing overhead facilities, all new service drops shall be installed underground from the most convenient existing pole.
- B. Relocations and extensions of existing overhead facilities shall be prohibited; provided, however, relocation of existing poles shall be permitted in some instances pursuant to Section 13.20.160 of this municipal code.
- C. Residential properties that are served by utilities located in rear yards on standard lots with frontage on only one public right-of-way shall not be required to underground existing overhead services.
- D. The obligation to provide compliance with these underground utility regulations may not be evaded by performing a series of small additions undertaken over a three-year period and/or two code cycles. The original addition permit issuance date where these regulations were in effect shall be used for compliance.

1.

Any submittal for building permits which exceed fifty (50) percent and/or seven hundred and fifty (750) square feet of existing floor areas (area calculations shall not include existing basement floor areas and any non-habitable floor areas i.e., garages) during the three-year period shall comply with undergrounding of utility regulations.

2. No exception or waiver shall be granted from compliance with undergrounding utilities.
- E. The Building Official may only grant exceptions to these requirements in cases where access across adjacent property is necessary but is not legally or practically available.
1. To demonstrate an exception the property owner shall provide a plan showing the required utility design, communication with adjacent property owners indicating the lack of access allowed, and a letter from the utility company which indicates that no alternative configuration for undergrounding of utilities is possible.
- F. Completion of Work. Undergrounding utilities shall be completed prior to Building Final Inspection, and issuance of Certificate of Occupancy. No exception or waiver shall be granted which allows for a property owner to evade compliance with this requirement.

(Ord. No. 2013-395, § 27, 12-10-2013; Ord. No. 2016-426, § 27, 11-8-2016; Ord. No. 2019-464, §§ 29, 30, 12-10-2019; Ord. No. 2022-487, §§ 31, 32, 11-29-2022)

12.68.030 - Definitions.

For the purpose of this chapter, certain words and phrases used herein are defined as follows:

"Tear-down" means existing portions of roof framing and/or exterior walls removed for the purpose of rebuilding and remodeling.

(Ord. No. 2013-395, § 27, 12-10-2013)

ATTACHMENT 4

ATTACHMENT 4

13.20.160 - Utilities.

- A. Water mains and fire hydrants connecting to existing systems shall be installed as required by the council for fire protection purposes. The location of water and gas mains and utility poles in street areas shall be subject to the approval of the city engineer.
- B. In all cases where trunk line sewer facilities are available, sanitary sewers and appurtenances shall be installed inside and outside subdivisions and connected to such trunk line sewer facilities. Such facilities shall be constructed in accordance with the Los Altos sewer master plan and in the location and to the grade approved by the city engineer. The installation shall be subject to the provisions set forth in Title 10 of this code.
- C. All new extensions of public utility facilities for power, street lighting, and communications shall be underground.

In residential areas, transformers, disconnect switches, fuses, junction boxes, and pedestal-mounted terminal boxes may be placed above-ground in enclosures as approved by the planning department.

- D. In commercial areas, transformers, disconnect switches, fuses, junction boxes, and pedestal-mounted terminal boxes may be placed aboveground provided a suitable location is found that will be essentially hidden from the general public view. Such locations shall be approved by the city planner.
- E. In areas served by existing overhead facilities, all new service drops shall be installed underground from the most convenient existing pole.
- F. In locations where existing overhead facilities are in a rear yard easement, a new service drop may be served overhead if this is the last possible lot that will be served by the particular pole. If two or more possible services may be served from the pole, they shall be underground, and an underground riser shall be installed adequate to serve all possible future services.
- G. Relocations and extensions of existing overhead facilities shall be prohibited; provided, however, relocation of existing poles shall be permitted, when they do not constitute an extension or reconstruction of existing facilities, as follows:
 - 1. Where up to a maximum of four pole relocations shall reduce the total number of poles on a public right-of-way; and
 - 2. Where individual pole relocations are required to accommodate the location of driveways, trees, hydrants, pathways, curbs, and gutters, curb returns, storm drains, sewers, and other overhead or underground utilities in the public right-of-way.
- H. Relocation of more than four consecutive poles in a line shall require approval of the council.
- I. All underground facilities shall be owned and maintained by the utility except as provided by the utility's rules on file with the Public Utilities Commission of the state.
- J.

In all existing overhead areas, pole risers shall be owned and maintained by the utility except as provided by the utility's rules on file with the Public Utilities Commission of the state.

- K. The provisions of this section apply to new extensions of public or private utility distribution facilities for power and communication only and shall not prohibit the maintenance, repair, or alteration of overhead power and communication systems existing on August 24, 1965.

(Prior code § 10-3.39)

ATTACHMENT 5-A

ATTACHMENT 5-A

Houston, Jolie

From: Jim Sandoval <jsandoval@losaltosca.gov>
Sent: Thursday, February 23, 2023 1:06 PM
To: Houston, Jolie; Nick Zornes; Gabriel Engeland; Victor Chen
Subject: FW: Pole Installation - 425 First St, Los Altos - PM 35194536
Attachments: As-Built Docs_1947.pdf

ALERT: This email is from an external source.

Although it may be irrelevant at this point, here is the as-build of the alleyway's power system installed in 1947.



Jim Sandoval, P.E. | Director | City Engineer
Public Works Department | City of Los Altos
1 N. San Antonio Road | Los Altos, CA | 94022
Ph: (650) 947-2780 | Fx: (650) 947-2732
jsandoval@losaltosca.gov

From: Hamza, Muhammad <M4HN@pge.com>
Sent: Wednesday, February 22, 2023 3:40 PM
To: Jim Sandoval <jsandoval@losaltosca.gov>
Cc: Victor Chen <VChen@losaltosca.gov>; Hamza, Muhammad <M4HN@pge.com>
Subject: RE: Pole Installation - 425 First St, Los Altos - PM 35194536

Classification: Public

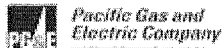
Good afternoon Jim,

Please find attached document which can referred to an as-built showing that the infrastructure in the alley was installed in 1940's. Please let me know if you have any questions.

Best Regards,

Hamza

☎ 408.442.2983 (Mobile) | ✉ Muhammad.Hamza@pge.com



From: Jim Sandoval <jsandoval@losaltosca.gov>
Sent: Friday, February 10, 2023 10:43 AM
To: Hamza, Muhammad <M4HN@pge.com>
Subject: RE: Pole Installation - 425 First St, Los Altos - PM 35194536

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Thanks so much, Hamza.

Jim



Jim Sandoval, P.E. | Director | City Engineer
Public Works Department | City of Los Altos
1 N. San Antonio Road | Los Altos, CA | 94022
Ph: (650) 947-2780 | Fx: (650) 947-2732
jsandoval@losaltosca.gov

From: Hamza, Muhammad <M4HN@pge.com>
Sent: Friday, February 10, 2023 8:28 AM
To: Jim Sandoval <jsandoval@losaltosca.gov>
Cc: Victor Chen <VChen@losaltosca.gov>
Subject: RE: Pole Installation - 425 First St, Los Altos - PM 35194536

Classification: Public

Understood. I will reach out to my records dept. to attain this info for you. This will take some time.

Best Regards,

Hamza

☎ 408.442.2983 (Mobile) | ✉ Muhammad.Hamza@pge.com



From: Jim Sandoval <jsandoval@losaltosca.gov>
Sent: Thursday, February 9, 2023 7:32 PM
To: Hamza, Muhammad <M4HN@pge.com>
Cc: Victor Chen <VChen@losaltosca.gov>
Subject: Re: Pole Installation - 425 First St, Los Altos - PM 35194536

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Thanks Hamza. I'm trying to understand the age of the distribution and/or generation overhead conductor system in the alley behind 425 1st. Not just the poles. It's complicated, but our municipal code has different rules for systems installed before or after 1965. Some old undated photos we have show overhead power lines in that alley, but that dates are not certain. Do you have that information?

Jim Sandoval | City of Los Altos
(510) 610-9301

Sent from my smartphone

On Feb 9, 2023, at 6:07 PM, Hamza, Muhammad <M4HN@pge.com> wrote:

Good evening Jim,

Newest pole in the alley behind 425 First St, Los Altos was installed in 2019 and the oldest was installed in 1971. Please let me know if this clarifies your ask. Feel free to reach out should you require more info.

Best Regards,

Hamza

☎ 408.442.2983 (Mobile) | ✉ Muhammad.Hamza@pge.com



From: Jim Sandoval <jsandoval@losaltosca.gov>
Sent: Thursday, February 9, 2023 8:10 AM
To: Hamza, Muhammad <M4HN@pge.com>
Cc: Victor Chen <VChen@losaltosca.gov>
Subject: RE: Pole Installation - 425 First St, Los Altos - PM 35194536
Importance: High

CAUTION: EXTERNAL SENDER!

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Hi Hamza,

We need a clarification on your 12/27 email below. Thanks for the installation date of the pole in question. Could you please tell us the installation date of the overhead power lines system in the alley behind 425 First St, Los Altos, which are being undergrounded by the developer?

Regards,

Jim



Jim Sandoval, P.E. | Director | City Engineer
Public Works Department | City of Los Altos
1 N. San Antonio Road | Los Altos, CA | 94022
Ph: (650) 947-2780 | Fx: (650) 947-2732
jsandoval@losaltosca.gov

From: Hamza, Muhammad <M4HN@pge.com>
Sent: Tuesday, December 27, 2022 7:14 PM
To: Harun Musaefendic <hmusaefendic@losaltosca.gov>
Cc: Sonny Antonio <s.antonio@sunshinedesignllc.net>; Fung, Glen <GYF1@pge.com>; Jim Sandoval <jsandoval@losaltosca.gov>; Victor Chen <VChen@losaltosca.gov>; Hamza, Muhammad <M4HN@pge.com>
Subject: RE: Pole Installation - 425 First St, Los Altos - PM 35194536

Classification: Public

Good evening Harun,

Based on the information in our database, pole in question is shown to be installed in 1989. Let me know if you require any additional info.

Best Regards,

Hamza

☎ 408.442.2983 (Mobile) | ✉ Muhammad.Hamza@pge.com



From: Harun Musaefendic <hmosaefendic@losaltosca.gov>
Sent: Thursday, December 22, 2022 1:14 PM
To: Hamza, Muhammad <M4HN@pge.com>
Cc: Sonny Antonio <s.antonio@sunshinedesignllc.net>; Fung, Glen <GYF1@pge.com>; Jim Sandoval <jsandoval@losaltosca.gov>; Victor Chen <VChen@losaltosca.gov>
Subject: RE: Pole Installation - 425 First St, Los Altos - PM 35194536

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Good afternoon Hamza,

I've talked to the Public Works Director Jim Sandoval, copied on this email in regards to this project. We found some language in the municipal code that would apply here, see below:

K. The provisions of this section apply to new extensions of public or private utility distribution facilities for power and communication only and shall not prohibit the maintenance, repair, or alteration of overhead power and communication systems existing on August 24, 1965.

We are under the impression that this would be alteration of the existing overhead power and communication system, but need confirmation that the facilities were installed before August 24, 1965. Please confirm installation date of these facilities and we will continue processing this permit submittal.

Thank you,

Harun Musaefendic, EIT
Assistant Civil Engineer
Public Works Department

From: Hamza, Muhammad <M4HN@pge.com>
Sent: Wednesday, December 21, 2022 9:10 PM
To: Harun Musaefendic <hmosaefendic@losaltosca.gov>
Cc: Sonny Antonio <s.antonio@sunshinedesignllc.net>; Fung, Glen <GYF1@pge.com>
Subject: RE: Pole Installation - 425 First St, Los Altos - PM 35194536

Classification: Public

Good evening Harun,

Please let us know if you heard back from your leadership on pole set. As you know, this is a critical task to be completed so the customer doesn't face any financial hardship. Your assistance is appreciated.

Best Regards,

Hamza

☎ 408.442.2983 (Mobile) | ✉ Muhammad.Hamza@pge.com



From: Harun Musaefendic <hmosaefendic@losaltosca.gov>
Sent: Wednesday, December 14, 2022 7:44 PM
To: Hamza, Muhammad <M4HN@pge.com>
Cc: Sonny Antonio <s.antonio@sunshinedesignllc.net>; Fung, Glen <GYF1@pge.com>
Subject: RE: Pole Installation - 425 First St, Los Altos - PM 35194536

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I'll find time to attend this meeting.

Thank you,

Harun Musaefendic, EIT
Assistant Civil Engineer
Public Works Department

From: Hamza, Muhammad <M4HN@pge.com>
Sent: Wednesday, December 14, 2022 5:41 PM
To: Harun Musaefendic <hmosaefendic@losaltosca.gov>
Cc: Sonny Antonio <s.antonio@sunshinedesignllc.net>; Fung, Glen <GYF1@pge.com>
Subject: RE: Pole Installation - 425 First St, Los Altos - PM 35194536

Classification: Public

Harun,

I sent out a meeting invite for tomorrow from 1500-1530, hopefully you're able to join. I'll have following attendees on the call:

Glen Fung – PG&E Elect. Engineer

Sonny Antonio – Customer's Design Engineer

Best Regards,

Hamza

☎ 408.442.2983 (Mobile) | ✉ Muhammad.Hamza@pge.com



From: Harun Musaefendic <hmusaefendic@losaltosca.gov>
Sent: Wednesday, December 14, 2022 3:11 PM
To: Hamza, Muhammad <M4HN@pge.com>
Cc: Sonny Antonio <s.antonio@sunshinedesignllc.net>; Fung, Glen <GYF1@pge.com>
Subject: RE: Pole Installation - 425 First St, Los Altos - PM 35194536

CAUTION: EXTERNAL SENDER!

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Sounds good. Looking forward to talking with you tomorrow.

Thank you,

Harun Musaefendic, EIT
Assistant Civil Engineer
Public Works Department

From: Hamza, Muhammad <M4HN@pge.com>
Sent: Wednesday, December 14, 2022 3:07 PM
To: Harun Musaefendic <hmusaefendic@losaltosca.gov>
Cc: Sonny Antonio <s.antonio@sunshinedesignllc.net>; Fung, Glen <GYF1@pge.com>
Subject: RE: Pole Installation - 425 First St, Los Altos - PM 35194536

Classification: Public

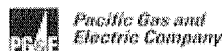
Harun,

I'll be scheduling this meeting for sometime tomorrow, will get back to you with our availability.

Best Regards,

Hamza

☎ 408.442.2983 (Mobile) | ✉ Muhammad.Hamza@pge.com



From: Harun Musaefendic <hmusaefendic@losaltosca.gov>
Sent: Tuesday, December 13, 2022 6:32 PM
To: Hamza, Muhammad <M4HN@pge.com>

Cc: Sonny Antonio <s.antonio@sunshinedesignllc.net>; Fung, Glen <GYF1@pge.com>

Subject: RE: Pole Installation - 425 First St, Los Altos - PM 35194536

CAUTION: EXTERNAL SENDER!

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Hello Hamza,

My schedule is open tomorrow afternoon, let me know if that works for you. I am on counter duty all day Thursday, if that works better for your team let me know what time and I'll get coverage.

Thank you,

Harun Musaefendic, EIT
Assistant Civil Engineer
Public Works Department

From: Hamza, Muhammad <M4HN@pge.com>

Sent: Tuesday, December 13, 2022 5:09 PM

To: Harun Musaefendic <hmusaefendic@losaltosca.gov>

Cc: Sonny Antonio <s.antonio@sunshinedesignllc.net>; Fung, Glen <GYF1@pge.com>; Hamza, Muhammad <M4HN@pge.com>

Subject: Pole Installation - 425 First St, Los Altos - PM 35194536

Classification: Public

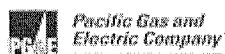
Good evening Harun,

I'd like to schedule a call with you to go over the pole installation on subject project. Ideally, we'd like to come up with a solution to avoid any delays to the customer. I'm OOO this Friday but pretty much open for rest of the week.

Best Regards,

Hamza | Industrial Power Engineer

☎ 408.442.2983 (Mobile) | ✉ Muhammad.Hamza@pge.com



Call Before You Dig – www.call811.com

Online Application for New Project – www.pge.com/cco

PG&E Tariffs Reference – www.pge.com/tariffs

PG&E Greenbook Online – www.pge.com/greenbook

Inspection Desk (San Jose) – SJSPInspections@pge.com (408-299-1024)

Inspection Desk (De Anza) – DASPInspections@pge.com (408-725-2202)

You can read about PG&E's data privacy practices [here](#) or at PGE.com/privacy.

ATTACHMENT 5-B

ATTACHMENT 5-B

Houston, Jolie

From: Gabriel Engeland <gengeland@losaltosca.gov>
Sent: Monday, February 27, 2023 10:26 AM
To: Houston, Jolie; Bidgoli, Sam Atabay
Subject: FW: Meeting re Undergrounding of Overhead Utilities in Downtown Los Altos
Attachments: Letter to City Manager re Undergrounding Utilities (02_01_2023).pdf; Administrative Appeal (02_01_2023).pdf

ALERT: This email is from an external source.

Jolie and Sam,

Please see the attached and the below.

Thanks,

Gabe

Latest Los Altos news at your fingertips: [Sign up for the City Manager Weekly Update.](#)



Gabriel Engeland
City Manager, City of Los Altos

(650) 947-2740 | www.losaltosca.gov

1 N. San Antonio Road | Los Altos, CA 94022

From: Jeff Warmoth <jeffwarmoth@gmail.com>
Sent: Monday, February 27, 2023 9:40 AM
To: Gabriel Engeland <gengeland@losaltosca.gov>
Subject: Fwd: Meeting re Undergrounding of Overhead Utilities in Downtown Los Altos

Hi Gabe,

Please share this letter with the City Attorney.

Its clearly states that we were including a draft Administrative Appeal letter since Public Works Staff told PG&E that was our only recourse.

We disagree with the Public Works' staff conclusion, in a meeting proposed by PG&E is contrary to the City's Municipal Code. In the PG&E representative, City Public Works staff stated that I will file an Administrative Appeal to the City Council.

I am hoping that we can resolve this disagreement without having to file an Administrative Appeal (for us and for the City) necessitated by an Administrative Appeal to further explain our position.

Thank you.

Jeff

Jeff Warmoth
(650) 400-6293

Begin forwarded message:

From: Jeff Warmoth <jeffwarmoth@gmail.com>
Subject: Meeting re Undergrounding of Overhead Utilities in Downtown Los Altos
Date: February 1, 2023 at 2:48:48 PM PST
To: gengeland@losaltosca.gov
Cc: Jeff Warmoth <jeffwarmoth@gmail.com>

Mr. Engeland,

Please see the attached letter in advance of our meeting.

Please let me know when you are able to confirm our meeting date and time.

Thank you.

Jeff

Jeff Warmoth
(650) 400-6293

February 1, 2023

Mr. Gabe Engeland
City Manager
Los Altos City Hall
1 N. San Antonio Road
Los Altos, CA 94022

Re: Downtown Los Altos - Utility Undergrounding Project

Dear Mr. Engeland,

I wanted to reach out to you prior to our in-person meeting to discuss the issue that we are having with our downtown utility undergrounding project for the two residential housing projects located at 389 1st Street and 425 1st Street. The City Public Works' staff position, if allowed to stand, would result in a significant delay in completing these two residential housing projects that together provide 30 much-needed housing units, four of which are affordable housing units.

We disagree with the Public Works' staff conclusion, in a meeting with PG&E today, that what is being proposed by PG&E is contrary to the City's Municipal Code. In a meeting with PG&E today, according to the PG&E representative, City Public Works staff stated that our only recourse was to file an Administrative Appeal to the City Council.

I am hoping that we can resolve this disagreement without having to expend the time and effort (both for us and for the City) necessitated by an Administrative Appeal. I have attached a draft Administrative Appeal to further explain our position.

I respectfully request that you review the following and the attached, and visit the area (the alley between 1st Street and 2nd Street and between Whitney Street and Lyell Street) to better understand the scope of the utility undergrounding project.

Our request is simply that the City approve (i) PG&E moving the pole behind 389 1st Street to a replacement pole location 20+/- feet north of the existing pole, and (ii) PG&E moving the pole behind 425 1st Street across Lyell Street to a replacement pole location adjacent to the existing pole (with the transformer on it) in the alley behind First Republic Bank.

PG&E's undergrounding would result in no new utility poles, and would result in the undergrounding over 250+ LF of power and communication lines in a highly-visible downtown area, at no cost to the City.

There are two utility poles along the alley currently, one behind 389 1st Street and one behind 425 1st Street. When PG&E's undergrounding is complete, there will still be two utility poles along the alley, one behind 377 1st Street and one behind 441 1st Street. PG&E's rules will not allow the termination of the undergrounding to the utility pole that is currently behind First Republic Bank because it has a transformer on it. Thus, a replacement utility pole is required to terminate the utility undergrounding project.

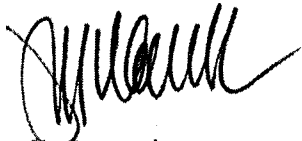
When PG&E's utility undergrounding is complete, it will set the stage for the planned undergrounding of the rest of the alley between 1st Street and 2nd Street and between Whitney Street and Lyell Street. When both utility undergrounding projects are completed, the entire block will have been undergrounded at no cost to the City.

Please note that the 250-plus linear feet of PG&E's undergrounding in this very visible downtown location is being done at our sole cost, and was not a Condition of Approval of either the 389 1st Street or 425 1st Street projects.

Unfortunately, since these two projects are almost complete, and since the projects were designed to PG&E's plan for utility undergrounding, the primary alternative is to revise PG&E's plan to serve the buildings and the buildings' two new, underground transformers, from the existing overhead utility poles behind 389 1st Street and behind 425 1st Street, with no resulting utility undergrounding (other than the services to the two buildings).

I respectfully request that after you review the City's Municipal Code, this letter, the attachments and visit the area in question, you determine that the City can approve PG&E's plans for undergrounding over 250-plus linear feet of existing, overhead power and communication lines in this very visible downtown Los Altos area.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read 'Jeff Warmoth', written in a cursive style.

Jeff Warmoth
(650) 400-6293



CITY OF LOS ALTOS APPEAL FORM
 1 North San Antonio Road, Los Altos, CA 94022; (650) 947-2700

NOTE TO APPLICANT:

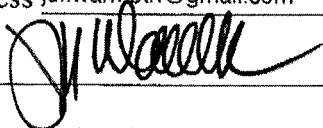
Please attach any supplemental documents to this form as part of your appeal.

Type of Appeal:

<input type="checkbox"/> Appeal of Administrative Determination	Fees – Please Refer to Master Fee Schedule: https://www.losaltosca.gov/communitydevelopment/page/forms-and-handouts-0
<input type="checkbox"/> Appeal of Development Review Commission Decision	
<input type="checkbox"/> Appeal of Planning Commission Decision	

Appellant Contact Information:

Name: Jeff Warmoth Telephone Number: (650) 400-6293
 Mailing Address: PO Box 1087, Santa Barbara, CA 93102
 Email Address jeffwarmoth@gmail.com

Signature: 

Project Information (about the project for which the appeal is being submitted):

Planning Commission/DRC Meeting Date: _____
 Administrative Determination Date: February 1, 2023
 Planning Division File #: _____
 Property Address: 389 1st Street & 425 1st Street
 Assessor's Parcel Number: 167-41-066 & 167-41-019 (Can be found on staff report)

Reason for Appeal / Explanation of Error or Abuse of Discretion.

Please describe the alleged error or abuse, or how the decision is not supported by substantial evidence in the record. Please identify if this appeal will be under Chapter 1.12 of the Municipal Code (Appeal Ordinance) or an appeal under Section 14.76.100 of the Municipal Code (Design Review Appeal). Attach additional pages if necessary.
 Please see attached.

The Los Altos Planning Department Counter is open Monday – Friday (closed alternate Fridays)
From 7:30 p.m. – 5:00 p.m.
Telephone: (650) 947-2700
If you need assistance from the City Clerk's office, please call 650-947-2610.

Attachment to Appeal of Administrative Determination dated February 1, 2023

This appeal is pursuant to Chapter 1.12 of the Los Altos Municipal Code.

We hereby respectfully appeal the Public Works' staff Administrative Determination, stated in a meeting with PG&E today, that what is being proposed by PG&E is contrary to the City's Municipal Code. In a meeting with PG&E today, according to the PG&E representative, City Public Works staff stated that our only recourse was to file an Administrative Appeal to the City Council.

Attached are the relevant Los Altos Municipal Code Sections. Please note that only "[r]elocations and extensions of existing overhead facilities" shall be prohibited. In this case the proposed utility undergrounding clearly does not constitute a **relocation** or an **extension** "of existing overhead facilities". The over 250-plus linear feet of utility undergrounding is clearly a **removal/undergrounding** of existing overhead facilities.

If the City Council had wanted to prohibit the location or relocation of utility poles required in circumstances when "existing overhead facilities" are being **removed/undergrounded**, it would have clearly stated that intention in the City's Municipal Code.

Our request is simply that the City approve (i) PG&E **moving** the pole behind 389 1st Street to a **replacement pole** location 20+/- feet north of the existing pole, and (ii) PG&E **moving** the pole behind 425 1st Street across Lyell Street to a **replacement pole** location adjacent to the existing pole (with the transformer on it) in the alley behind First Republic Bank.

It is important to note that PG&E's undergrounding would result in no new utility poles, and would result in the undergrounding over 250+ LF of power and communication lines in a highly-visible downtown area, at no cost to the City.

There are two utility poles along the alley currently, one behind 389 1st Street and one behind 425 1st Street. When PG&E's undergrounding is complete, there will still be two utility poles along the alley, one behind 377 1st Street and one behind 441 1st Street.

PG&E's rules will not allow the termination of the undergrounding to the utility pole that is currently behind First Republic Bank because it has a transformer on it. Thus, the relocation of the utility pole currently located behind 425 1st Street is required to terminate the removal / undergrounding of the "existing overhead facilities.

When PG&E's utility undergrounding is complete, it will set the stage for the planned undergrounding of the rest of the alley between 1st Street and 2nd Street and between Whitney Street and Lyell Street. When both utility undergrounding projects are completed, the entire block will have been undergrounded at no cost to the City.

Please note that the 250-plus linear feet of PG&E's undergrounding in this very visible downtown location is being done at our sole cost, and was not a Condition of Approval of either the 389 1st Street or 425 1st Street projects.

The City Public Works' staff position, if allowed to stand, would result in a significant delay in completing these two residential housing projects that together provide 30 much-needed housing units, four of which are affordable housing units.

Unfortunately, since these two projects are almost complete, and since the projects were designed to PG&E's plan for utility undergrounding, the primary alternative is to revise PG&E's plan to serve the buildings and the buildings' two new, underground transformers, from the existing overhead utility poles behind 389 1st Street and behind 425 1st Street, with no resulting utility undergrounding (other than the services to the two buildings).

We respectfully request that after the Mayor and City Council members review the City's Municipal Code, this Appeal of Administrative Determination and visit the area in question, they determine that the City can approve PG&E's plans for undergrounding over 250-plus linear feet of existing, overhead power and communication lines in this very visible downtown Los Altos area.

12.68.020 - Undergrounding utilities.

It is the intent of the city to ensure that all new utility services and relocated existing utility services are placed underground, including additions exceeding fifty (50) percent of floor area and/or seven hundred and fifty (750) square feet or more, excluding basements and any non-habitable floor areas. For the purpose of this section, removal of roof framing with associated exterior walls down to, or below the subfloor/slab shall be included in the above calculations. Therefore, the following shall apply:

- A. In areas served by existing overhead facilities, all new service drops shall be installed underground from the most convenient existing pole.
- B. Relocations and extensions of existing overhead facilities shall be prohibited; provided, however, relocation of existing poles shall be permitted in some instances pursuant to Section 13.20.160 of this municipal code.
- C. Residential properties that are served by utilities located in rear yards on standard lots with frontage on only one public right-of-way shall not be required to underground existing overhead services.
- D. The obligation to provide compliance with these underground utility regulations may not be evaded by performing a series of small additions undertaken over a three-year period and/or two code cycles. The original addition permit issuance date where these regulations were in effect shall be used for compliance.
 1. Any submittal for building permits which exceed fifty (50) percent and/or seven hundred and fifty (750) square feet of existing floor areas (area calculations shall not include existing basement floor areas and any non-habitable floor areas i.e., garages) during the three-year period shall comply with undergrounding of utility regulations.
 2. No exception or waiver shall be granted from compliance with undergrounding utilities.
- E. The Building Official may only grant exceptions to these requirements in cases where access across adjacent property is necessary but is not legally or practically available.
 1. To demonstrate an exception the property owner shall provide a plan showing the required utility design, communication with adjacent property owners indicating the lack of access allowed, and a letter from the utility company which indicates that no alternative configuration for undergrounding of utilities is possible.
- F. Completion of Work. Undergrounding utilities shall be completed prior to Building Final Inspection, and issuance of Certificate of Occupancy. No exception or waiver shall be

granted which allows for a property owner to evade compliance with this requirement.

(Ord. No. 2013-395, § 27, 12-10-2013; Ord. No. 2016-426, § 27, 11-8-2016; Ord. No. 2019-464, §§ 29, 30, 12-10-2019; Ord. No. 2022-487, §§ 31, 32, 11-29-2022)

13.20.160 - Utilities.

- A. Water mains and fire hydrants connecting to existing systems shall be installed as required by the council for fire protection purposes. The location of water and gas mains and utility poles in street areas shall be subject to the approval of the city engineer.
- B. In all cases where trunk line sewer facilities are available, sanitary sewers and appurtenances shall be installed inside and outside subdivisions and connected to such trunk line sewer facilities. Such facilities shall be constructed in accordance with the Los Altos sewer master plan and in the location and to the grade approved by the city engineer. The installation shall be subject to the provisions set forth in Title 10 of this code.
- C. All new extensions of public utility facilities for power, street lighting, and communications shall be underground.

In residential areas, transformers, disconnect switches, fuses, junction boxes, and pedestal-mounted terminal boxes may be placed above-ground in enclosures as approved by the planning department.

- D. In commercial areas, transformers, disconnect switches, fuses, junction boxes, and pedestal-mounted terminal boxes may be placed aboveground provided a suitable location is found that will be essentially hidden from the general public view. Such locations shall be approved by the city planner.
- E. In areas served by existing overhead facilities, all new service drops shall be installed underground from the most convenient existing pole.
- F. In locations where existing overhead facilities are in a rear yard easement, a new service drop may be served overhead if this is the last possible lot that will be served by the particular pole. If two or more possible services may be served from the pole, they shall be underground, and an underground riser shall be installed adequate to serve all possible future services.
- G. Relocations and extensions of existing overhead facilities shall be prohibited; provided, however, relocation of existing poles shall be permitted, when they do not constitute an extension or reconstruction of existing facilities, as follows:
 - 1. Where up to a maximum of four pole relocations shall reduce the total number of poles on a public right-of-way; and
 - 2. Where individual pole relocations are required to accommodate the location of driveways, trees, hydrants, pathways, curbs, and gutters, curb returns, storm drains, sewers, and other overhead or underground utilities in the public right-of-way.

- H. Relocation of more than four consecutive poles in a line shall require approval of the council.
 - I. All underground facilities shall be owned and maintained by the utility except as provided by the utility's rules on file with the Public Utilities Commission of the state.
 - J. In all existing overhead areas, pole risers shall be owned and maintained by the utility except as provided by the utility's rules on file with the Public Utilities Commission of the state.
- K. The provisions of this section apply to new extensions of public or private utility distribution facilities for power and communication only and shall not prohibit the maintenance, repair, or alteration of overhead power and communication systems existing on August 24, 1965.

(Prior code § 10-3.39)

ATTACHMENT 5-C

ATTACHMENT 5-C

Houston, Jolie

From: Gabriel Engeland <gengeland@losaltosca.gov>
Sent: Tuesday, February 28, 2023 8:40 PM
To: Houston, Jolie
Subject: FW: Request for Approval of PG&E Encroachment Permit for PG&E Approved Plan for Undergrounding Overhead Power and Replacement / New Termination Poles
Attachments: 389 & 425 First - PG&E Approved Plans (02_26_2021).pdf; PG&E As-Built Docs_1947_1.pdf

ALERT: This email is from an external source.

Thanks,

Gabe

Latest Los Altos news at your fingertips: [Sign up for the City Manager Weekly Update.](#)



Gabriel Engeland
City Manager, City of Los Altos

(650) 947-2740 | www.losaltosca.gov

1 N. San Antonio Road | Los Altos, CA 94022

From: Jeff Warmoth <jeffwarmoth@gmail.com>
Sent: Tuesday, February 28, 2023 8:10 PM
To: Jolie Houston <jolie.houston@berliner.com>
Cc: Gabriel Engeland <gengeland@losaltosca.gov>; Bidgoli, Sam Atabay <Sam.Bidgoli@berliner.com>; Clark Morrison <cmorrison@coxcastle.com>; Jeff Warmoth <jeffwarmoth@gmail.com>
Subject: Request for Approval of PG&E Encroachment Permit for PG&E Approved Plan for Undergrounding Overhead Power and Replacement / New Termination Poles

Dear Ms. Houston,

The following is in response to your email this evening. Once you have had the opportunity to review my response, I would welcome a chance to speak with you about PG&E's request for an encroachment permit / our request for an excavation permit to continue with the undergrounding of 325+ linear feet of existing overhead power and communications.

Draft Administrative Appeal

Please allow me to clear up some confusion about the draft Administrative Appeal that I included with my letter to City Manager Gabriel Engeland. As stated in my letter to Mr. Engeland, the draft Administrative Appeal was attached "to

further explain our position.” I have definitively not filed an Administrative Appeal at this time. The following is an excerpt from that letter.

“We disagree with the Public Works’ staff conclusion, in a meeting with PG&E today, that what is being proposed by PG&E is contrary to the City's Municipal Code. In a meeting with PG&E today, according to the PG&E representative, City Public Works staff stated that our only recourse was to file an Administrative Appeal to the City Council.

I am hoping that we can resolve this disagreement without having to expend the time and effort (both for us and for the City) necessitated by an Administrative Appeal. I have attached a draft Administrative Appeal to further explain our position.”

PG&E Approved Plans

Over two years ago, on February 26, 2021, PG&E approved the design for the undergrounding of 325+ linear feet of existing overhead power and communications, including the installation of (i) a replacement pole behind 381 1st Street and (ii) a new termination pole behind 400 S. San Antonio Road. I have attached a copy of the PG&E approved plans (the “PG&E Approved Plans”).

Both PG&E’s Muhammad Hamza and I have been trying to get a written determination from the Public Works Department since December of 15, 2022. We still have not been able to get an approval for the PG&E Approved Plans, or even a “written determination and/or denial of a permit by the City.” PG&E has filed a request for an encroachment permit with the Public Works Department for the work shown on the PG&E Approved Plans. However, PG&E has been unable to get the Public Works Department to grant the encroachment permit for the PG&E work, including installation of the replacement termination pole and the new termination pole.

By way of background, I originally submitted the PG&E Approved Plans to the Public Works Department on November 11, 2021 for the purpose of obtaining an excavation permit. While I do not know the exact date, I do know that PG&E submitted the PG&E Approved Plans to the Public Works Department for the purpose of obtaining an encroachment permit prior to that date. The replacement termination pole and new termination pole were both shown on the PG&E Approved Plans that PG&E submitted to the Public Works Department. We did not learn that the City had a problem with the new termination pole in the alley on the other side of Lyell Street until December 15, 2022. We have been trying to get a determination from the Public Works Department since then.

We have installed all of the underground conduit set forth in the PG&E Approved Plans, which work has been fully inspected and approved by PG&E, including the conduit necessary to underground the existing overhead power and communication services to the buildings located at 377, 381, 389, 395, 399, 401 and 425 1st Street. The only remaining work to be completed, as shown on the PG&E Approved Plan, is (i) the trenching and installing conduit across Lyell Street, (ii) the installation of the replacement termination pole and new termination poles, (iii) the installation of the new power and communication lines in the conduit by PG&E, AT&T and Comcast, and (iv) the removal of the two existing poles and the existing overhead power and communication lines by PG&E, AT&T and Comcast.

Municipal Code

While not required by conditions of approval of the 389 1st Street and 425 1st Street projects, nor by the Los Altos Municipal Code Section 12.68 - Undergrounding Utilities, we voluntarily began the PG&E process to underground approximately 325+ linear feet of existing overhead power and communications lines in this very visible Downtown Los Altos location (including across Lyell Street). There has been overhead power in this location for over 75 years, at minimum.

In addition to being fully compliant with the actual language of Los Altos Municipal Code Section 12.68 - Undergrounding Utilities, we are fully in compliance with its purpose:

“The purpose of this chapter is to improve and maintain the visual quality and public and private views in the city, as well as to protect and enhance the health and quality of life of its citizens, by reducing hazards along with the visual blight created by overhead utilities.

It is important to note that PG&E’s Muhammad Hamza provided proof directly to the City Public Works Director / City Engineer Jim Sandoval that overhead power and communication systems existed in this location for over 75 years (since at least 1947), and as a result, the provisions of Los Altos Municipal Code Section 13.20.160 – Utilities do not apply. That section provides: “The provisions of this section apply to new extensions of public or private utility distribution facilities for power and communication only and shall not prohibit the maintenance, repair, or alteration of overhead power and communication systems existing on August 24, 1965. Since the overhead power and communication systems in this location existed for at least 18 years before August 24, 1965, PG&E is not prohibited from altering the existing overhead power and communication system.

Request

We respectfully request that the City issue the pending PG&E encroachment permit, and my pending excavation permit, to allow the undergrounding of 325+ linear feet of existing overhead power and communications, including the installation of (i) a replacement termination pole behind 381 1st Street and (ii) a new termination pole behind 400 S. San Antonio Road.

Warm regards,

Jeff Warmoth
(650) 400-6293

On Feb 28, 2023, at 6:05 PM, Houston, Jolie <Jolie.Houston@berliner.com> wrote:

Mr. Warmoth

This is in response to your letter dated February 1, 2023, to City Manager Engeland and your Appeal of an Administrative Determination received by the City of Los Altos (City) on February 27, 2023. The City Appeal Form you submitted has an “Attachment to Appeal of Administrative Determination dated February 1, 2023.”

This Attachment states:

“Attachment to Appeal of Administrative Determination dated February 1, 2023.

This appeal is pursuant to Chapter 1.12 of the Los Altos Municipal Code.

We hereby respectfully appeal the Public Works’ staff Administrative Determination, stated in a meeting with PG&E today, that what is being proposed by PG&E is contrary to the City’s Municipal Code. In meeting with PG&E today, according to the PG&E representative, City Public Works staff stated that our only recourse was to file an Administrative Appeal to the City Council.”

The City's Appeal Form requests that you identify the following:

"Reason for Appeal/Explanation of Error or Abuse of Discretion.

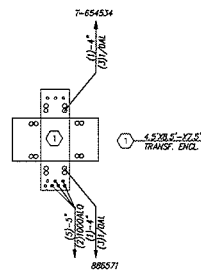
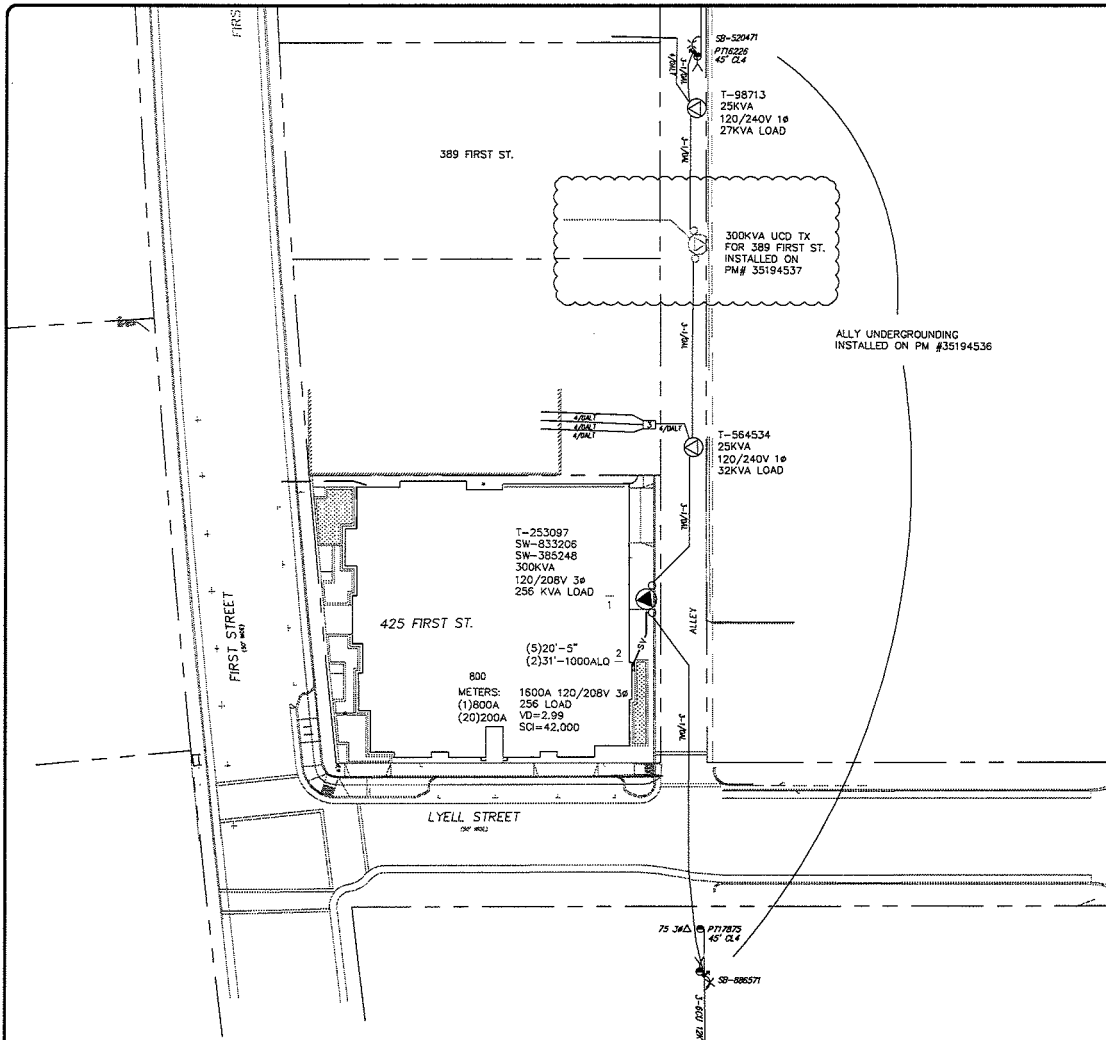
Please describe the alleged error or abuse, or how the *decision* is not supported by substantial evidence in the record. Please identify if this appeal will be under Chapter 1.12 of the Municipal Code (appeal Ordinance) or an appeal under Section 14.76. 100 of the Municipal Code (Design Review Appeal). Attached additional pages if necessary."

I am requesting clarification of your statement "[w]e hereby respectfully appeal the Public Works' staff Administrative Determination." Please confirm this determination (decision). Currently, I am unaware of any written determination and/or denial of a permit by the City or PG&E. Please send this information to me since it will be necessary for an appeal to be taken to the City Council if one is authorized.

Your letter and the Appeal Form Attachment refers to the "PG&E plans for undergrounding over 250-pls linear feet of existing overhead power and communication lines" that you request the City to approve. Do you have any correspondence (plans) from PG&E that would allow the removal/undergrounding of existing overhead facilities, which would be achieved by the removal and relocating the utility poles.

Thank you,

Jolie Houston
Los Altos City Attorney



***TX VAULT INSTALLATION**
 WATER TABLE/CHLORIDE REPORTS DO NOT MEET THE REQUIREMENT FOR INSTALLATION OF SUBSURFACE TRANSFORMERS. WATERPROOFING IS REQUIRED.
 (PER DRAWING 072149 IN UG-1 GENERAL SECTION OF GREENBOOK DATED 12/1/19)

LEGEND

INSTALL	DESCRIPTION	
— SV —	SECONDARY CONDUCTOR/CABLE - (2) 1000 ALO KVM 600V	
EXISTING	DESCRIPTION	
—	ELECTRIC CONDUCTOR/CABLE - SIZE AS SHOWN	
INSTALL	EXISTING	DESCRIPTION
⊙	⊙	SUB-SURFACE UCD TRANSFORMER
⊙	⊙	SUB-SURFACE TRANSFORMER 1ø
⊙	⊙	CUT-OUT
⊙	⊙	JOINT POLE
⊙	⊙	RISER
⊙	⊙	200A LB ELBOW
⊙	⊙	OVERHEAD TRANSFORMER

PG&E ALTERNATE GENERAL NOTES
 PG&E shall check form or review the installation time responsibility to conduct the backup accepted by PG&E standards. In the event of a similar change construction, PG&E reserves the right to modify.
 Electric A/C: Ed Brown, Desk Phone: 230-885-5045
 Approval Signature: [Signature]
 Date: 2/25/21

TRANSFORMER DATA TABLE

LOC #	TRF #	TX SIZE	# CUST.	# BUSINGS	ESD KM	PR. VOLTS	SEC. VOLTS	COORDINATE #	MANUFACTURE	SERIAL NUMBER
①	T-253097	300 KVA	1	6	256	12 KV	208/220	100000070515		

PM #35194538
NOT #118725890
 S.S.D.: SW-78158
 PLAT SHEET: AP126 12KV
 MAINLINE FEEDER: LOS ALTOS 1104
 PRIMARY VOLTAGE AREA: 3
 INSULATION DISTRICT: B
 12KV NON-CORROSION AREA
 HIGH FIRE THREAT DISTRICT TIER #1
 SNOW LOADING: LIGHT
 RAPTOR ZONE: YES OR NO
 LIGHTNING ARR. DIST: 3
 CLIMATE ZONE: X (SC)

ELEC. NOTES: *SUB-SURFACE TRANSFORMERS*

- TRENCH TO BE JOINT WITH ELECTRIC, TELEPHONE AND CATV.
- THIS IS AN APPLICANT DESIGN AND APPLICANT INSTALLED JOB. APPLICANT TO INSTALL ALL SUBSTRUCTURES, CABLE, AND EQUIPMENT. PG&E TO DO THE IN WORK.
- DESIGN CRITERIA: (20) 1028 SQ. FT. MULTI-FAMILY RESIDENCES = (2) COMMERCIAL 1600A U.S., (2) 1000A LD SERVICE IN (3) 1" PVC CONDUIT.
- WATERPROOFING IS REQUIRED BY APPLICANT DUE TO SOILS REPORT LACK OF ANY CHANGE TESTING. (PER PG&E STD. 072148)

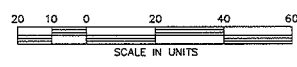
THIS SKETCH IS INTENDED FOR ELECTRIC CONSTRUCTION ONLY. PLEASE SEE JOINT TRENCH COMPOSITE FOR TRENCHING DETAILS. THESE DRAWINGS ARE CONSIDERED PRELIMINARY AND AT RISK UNLESS STAMPED AND APPROVED BY PG&E AND P.E.

Underground Service Alert

Call: TOLL FREE 811

TWO WORKING DAYS BEFORE YOU DIG

PG&E GAS FACILITIES IDENTIFIED FOR THIS PROJECT:
 GAS PLATE NUMBER:
 PG&E GAS FACILITIES IN COMPLIANCE WITH EXCAVATION AT LOCAL:
 NONE
 PG&E GAS FACILITIES IN PROXIMITY TO EXCAVATION AT LOCAL:
 NONE



NO.	REVISIONS	BY	DATE	APPROVAL
1	REVISED PER PG&E ELECTRIC PLAN CHECK	AMH	2-11-21	SA
2	REVISED PER PG&E ELECTRIC PLAN CHECK	AMH	2-17-21	SA

SUNSHINE DESIGN
 AN IJCG CO.
 10000 WILSON AVENUE
 LOS ALTOS, CA 94024
 (415) 947-8888

ELECTRIC PLAN
 425 FIRST ST.
 485 FIRST STREET GAS ALTOS, LLC
 LOS ALTOS CALIFORNIA
 ELECTRIC PLAN

DESIGNED: A. HATHAWAY
 CHECKED: SA
 SCALE: 1"=20'
 DATE: 2/17/21
 JOB NO: 979-19-D
 SHEET NO: E2
 OF 2

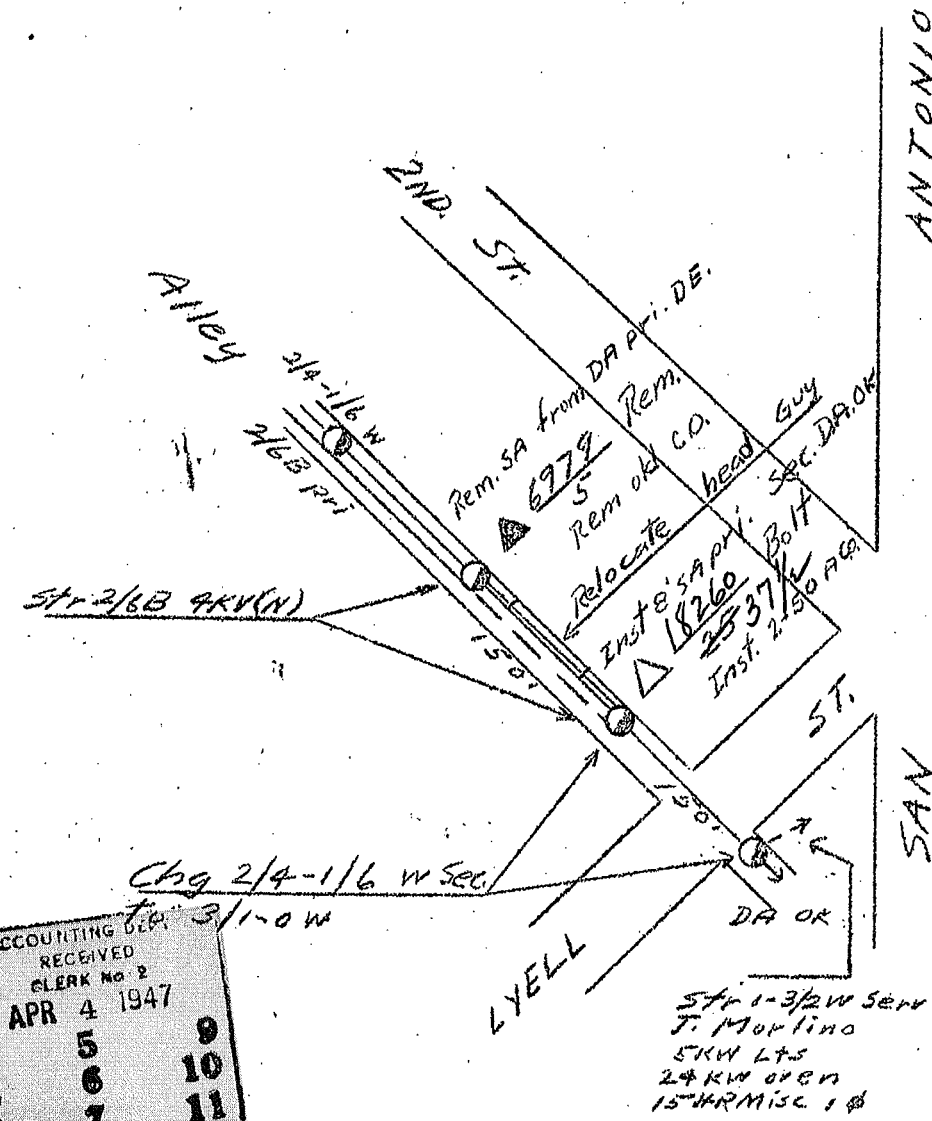
DATE WORK STARTED 4-1-47 DATE COMPLETED 4-1-47 SIGNED J. L. Johnson FOREMAN

MATERIAL USED ON THIS WORK ORDER		LOC. PUR. ORD. NOS.	Show in this space the number and type of plant units installed such as frames, guys, platforms, manholes, etc. (show drawing number for platforms and other special structures) that cannot be identified from list of material. If estimate involves more than one location, show location of plant units.
DEBIT	CREDIT		
711479 ✓	22385-W03000		
✓480 ✓	22384 ✓		
✓481 ✓	- 83 ✓		
✓482 ✓	Overdrawn		
	22386 ✓		

SKETCH OF WORK—FOREMAN TO CORRECT IF CHANGES ARE MADE—OTHERWISE O. K. HERE _____ LIST TRANSFORMERS CO. NOS. & SIZES

EST.#
36964

LOAD
13L
5KW LTS
17 1/2 HP MISC. 1φ
3-8KW OVENS



ACCOUNTING DEPT.
RECEIVED
CLERK No. 2
APR 4 1947
5678

307772
2-4 D
TA 79-13
S.C.L. Co.
3-29-47
RW Mongeon

Add all details not clearly shown by sketch in memo. form, Station _____ Circuit _____

ATTACHMENT 5-D

ATTACHMENT 5-D

Houston, Jolie

From: Houston, Jolie
Sent: Tuesday, March 7, 2023 12:08 PM
To: Morrison, Clark
Cc: Gabriel Engeland (gengeland@losaltosca.gov); Bidgoli, Sam Atabay
Subject: Warmoth Response

Mr. Morrison

After thoroughly reviewing Mr. Warmoth's letters and documents he submitted to the City Manager, I believe that the City's Public Works staff had the correct interpretation of the Los Altos Municipal Code (LAMC) and properly stated that the City would reject the permits allowing the relocation of the two utility poles. The removal of two utility poles and the installation of two new utility poles where there previously were no utility poles is inconsistent with the LAMC. Should you disagree with this position, your client may appeal the decision to the City Council pursuant to LAMC section 1.12.010.

Thank you,

Jolie Houston
Los Altos City Attorney

ATTACHMENT 5-E

ATTACHMENT 5-E

Houston, Jolie

From: Gabriel Engeland <gengeland@losaltosca.gov>
Sent: Friday, March 10, 2023 10:00 AM
To: Houston, Jolie; Jon Maginot; Jim Sandoval; Nick Zornes
Subject: Fwd: Undergrounding 325 Feet of Overhead Power and Communication Lines in Downtown Los Altos
Attachments: City Council Letter re PG&E Rule 20 Undergrounding.pdf

ALERT: This email is from an external source.

Thanks,

Gabe

Gabriel Engeland
City Manager
City of Los Altos
(650) 947-2740 | www.losaltosca.gov
1 N. San Antonio Road | Los Altos, CA 94022

From: Jeff Warmoth <jeffwarmoth@gmail.com>
Sent: Saturday, March 11, 2023 1:50:21 AM
To: Sally Meadows <smeadows@losaltosca.gov>; Jonathan Weinberg <jweinberg@losaltosca.gov>; Pete Dailey <pdailey@losaltosca.gov>; Neysa Fligor <nfligor@losaltosca.gov>; Lynette Lee Eng <lleeeng@losaltosca.gov>
Cc: City Council <council@losaltosca.gov>; Gabriel Engeland <gengeland@losaltosca.gov>
Subject: Undergrounding 325 Feet of Overhead Power and Communication Lines in Downtown Los Altos

Dear Mayor Meadows and Honorable City Council Members,

Please see the attached letter regarding the undergrounding of over 325 feet of overhead power and communication lines in Downtown Los Altos.

I am available to discuss the letter and to answer any questions that you may have at your convenience.

Warm Regards,

Jeff Warmoth
(650) 400-6293

March 9, 2023

Dear Mayor Meadows and Honorable City Council Members,

We are the owners of the properties located at 389 and 425 1st Street. Both properties are currently under construction and are scheduled to be completed in May 2023. Upon completion, the two projects would provide 30 much-needed housing units in the City, four of which will be affordable. For years, these two projects have been designed to PG&E's plan for utility undergrounding, which (in addition to undergrounding services to the two new buildings) would underground over 325 feet of overhead power and communications lines located along the alley that runs behind the buildings between 1st Street and 2nd Street. This undergrounding would be done at no cost to the City and would result in significant undergrounding of lines in a highly-visible Downtown Los Altos area.

Only recently, Public Works and the City Attorney have taken the position that the proposed undergrounding, which would require an adjustment to the location of two poles located within the alley, is inconsistent with the Los Altos Municipal Code. This interpretation, however, is contrary to both the language and purpose of the City's Municipal Code and undergrounding requirements and, if allowed to stand, would result in significant delay in completion of the two projects. Moreover, if this interpretation is allowed to stand, the only alternative to the PG&E approved plans for undergrounding is to revise PG&E's plans to have no undergrounding of the overhead power and communications (other than the services to the two buildings). We are writing this letter to request the City Council's assistance in helping move these projects forward.

By way of background, we originally submitted the PG&E approved Rule 20 plans to the City on November 11, 2021. PG&E had submitted the plans sometime prior to that date. The proposed utility work, including the two poles to be moved, was always shown on these plans. To facilitate the undergrounding of the over 325 feet of overhead power and communication lines, we are requesting the City approve: (i) PG&E moving the pole located behind 389 1st Street to a location 20+/- feet north of the existing pole; and (ii) PG&E moving the pole behind 425 1st Street across Lyell Street to a location adjacent to another existing pole with a transformer on it in the alley behind First Republic Bank. Both poles would be installed within a public utility easement that has existed for at least 75 years. PG&E's safety rules will not allow for the termination of the undergrounding to the pole already behind First Republic Bank that currently has the transformer on it.

Once PG&E's utility undergrounding is complete, it will set the stage for the future undergrounding of the rest of the alley between Lyell Street and Whitney Street by the alley-adjacent property owners. When the current and future undergrounding projects are complete, the entire alley between Lyell Street and Whitney Street will have been undergrounded at no cost to the City. In addition, we would anticipate that the remainder of the overhead power and communication lines in the alley behind First Republic Bank (including the transformer) would

be undergrounded by the property owner of 400, 420 and 428 S. San Antonio Road when he redevelops those properties, as he has expressed to the City an interest in doing.

We did not learn that the City had a problem with the adjustment in location of the two utility poles until December 15, 2022. This position was further explained in a February 1, 2023, meeting, at which Public Works told PG&E that what PG&E proposes is contrary to the City's Municipal Code. After that meeting, we sought the input of the City Attorney, who, on March 7, stated as follows:

After thoroughly reviewing Mr. Warmoth's letters and documents he submitted to the City Manager, I believe that the City's Public Works staff had the correct interpretation of the Los Altos Municipal Code (LAMC) and properly stated that the City would reject the permits allowing the relocation of the two utility poles. The removal of two utility poles and the installation of two new utility poles where there previously were no utility poles is inconsistent with the LAMC. Should you disagree with this position, your client may appeal the decision to the City Council pursuant to LAMC section 1.12.010.

Under Chapters 12.68 and 13.20 of the Municipal Code, we are only required to underground service from the existing overhead power poles to our building. Despite that fact, we voluntarily began the Rule 20 process to additionally underground overhead power and communication lines along the alley in this highly visible area of Los Altos. PG&E has provided documentation to Public Works that overhead facilities have existed in this location for over 75 years (since at least 1947). Notably, the provisions of Municipal Code section 13.20.160, which, among other things, address relocation of poles, do not apply: "The provisions of this section apply to new extensions of public or private utility distribution facilities for power and communication only and shall not prohibit the maintenance, repair, or alteration of overhead power and communication systems existing on August 24, 1965." (Muni. Code, § 13.20.160(K) [emphasis added].) The proposed undergrounding simply needs to be facilitated by alterations to long-existing overhead power and communications systems.

Under all of the Municipal Code requirements, the proposed undergrounding work complies. Indeed, the basic purpose of the City's undergrounding provisions is "to improve and maintain the visual quality and public and private views in the city, as well as to protect and enhance the health and quality of life of its citizens, by reducing hazards along with the visual blight created by overhead utilities." (Muni. Code, § 12.68.010.) That is precisely what is being proposed. The fact that two utility poles will need to be moved does not otherwise constitute a "relocation" or "extension" of existing overhead facilities as described in the Municipal Code. (See Muni. Code, § 12.68.020.) It is simply an adjustment within an existing utility line orientation, by which the long-existing overhead power and communications system will neither be relocated nor extended, in order to facilitate a significant undergrounding of overhead power and communications lines. Municipal Code section

13.20.160(G) also permits individual pole relocations where required to accommodate the location of underground utilities in the public right-of-way, and that same justification should apply here. Under the language of the Municipal Code, this is very plainly a removal/undergrounding of overhead power and communications lines. Practically, this also is a needed first step in undergrounding all overhead power and communications facilities running from South San Antonio Road to Whitney Street in the alley between 1st Street and 2nd Street.

For reasons that are not altogether clear, the City Attorney disagrees with our position and has told us that we need to file an administrative appeal. We intend to do just that if there is no more efficient way to resolve this matter. Before doing so, however, we are requesting the assistance of the City Council in helping to resolve this matter without the delay imposed by the administrative appeal process. The two projects are important projects that will provide much-needed housing in the City and which, in the course of construction, are proposing to further the City's goals toward undergrounding of a significant amount of overhead power and communications lines at no cost to the City.

Please do not hesitate to contact me if you would like to discuss this matter.

Warm Regards,

Jeff Warmoth
Owner of 425 1st Street

Steve Johnson
Owner of 389 1st Street

ATTACHMENT 5-F

ATTACHMENT 5-F

Houston, Jolie

From: Gabriel Engeland <gengeland@losaltosca.gov>
Sent: Friday, March 17, 2023 2:00 PM
To: Jeff Warmoth; Administration
Cc: Clark Morrison; Houston, Jolie; Jon Maginot; Angel Rodriguez
Subject: RE: Administrative Appeal
Attachments: Administrative Appeal (March 16, 2023).pdf

Importance: High

ALERT: This email is from an external source.

Thank you for the email, Mr. Warmoth. I am in receipt of your appeal. Please pay the fee of \$595.00. Once the fee is received we will schedule an appeal hearing pursuant to the City Code.

Thanks,

Gabe

Latest Los Altos news at your fingertips: Sign up for the City Manager Weekly Update.

Gabriel Engeland
City Manager, City of Los Altos

(650) 947-2740 | www.losaltosca.gov

1 N. San Antonio Road | Los Altos, CA 94022

-----Original Message-----

From: Jeff Warmoth <jeffwarmoth@gmail.com>
Sent: Thursday, March 16, 2023 4:14 PM
To: Administration <administration@losaltosca.gov>
Cc: Gabriel Engeland <gengeland@losaltosca.gov>; Jeff Warmoth <jeffwarmoth@gmail.com>; Clark Morrison <cmorrison@coxcastle.com>
Subject: Administrative Appeal

Please accept the attached Administrative Appeal.

Please schedule this Administrative Appeal for the next available City Council hearing.

If there is a filing fee required, please provide the amount of the fee and the best way to pay such fee.

Please confirm receipt of the attached Administrative Appeal by return email.

Warm regards,

Jeff Warmoth
(650) 400-6293



CITY OF LOS ALTOS APPEAL FORM
 1 North San Antonio Road, Los Altos, CA 94022; (650) 947-2700

NOTE TO APPLICANT:

Please attach any supplemental documents to this form as part of your appeal.

Type of Appeal:

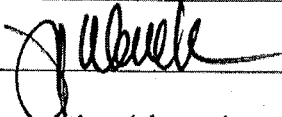
<input checked="" type="checkbox"/> Appeal of Administrative Determination	Fees – Please Refer to Master Fee Schedule: https://www.losaltosca.gov/communitydevelopment/page/forms-and-handouts-0
<input type="checkbox"/> Appeal of Development Review Commission Decision	
<input type="checkbox"/> Appeal of Planning Commission Decision	

Appellant Contact Information:

Name: Jeff Warmoth Telephone Number: (650) 400-6293

Mailing Address: PO Box 1087, Santa Barbara, CA 93102

Email Address jeffwarmoth@gmail.com

Signature: 

Project Information (about the project for which the appeal is being submitted):

Planning Commission/DRC Meeting Date: _____

Administrative Determination Date: March 7, 2023

Planning Division File #: _____

Property Address: 389 and 425 1st Street, Los Altos

Assessor's Parcel Number: 167-41-066 and 167-41-019 (Can be found on staff report)

Reason for Appeal / Explanation of Error or Abuse of Discretion.

Please describe the alleged error or abuse, or how the decision is not supported by substantial evidence in the record. Please identify if this appeal will be under Chapter 1.12 of the Municipal Code (Appeal Ordinance) or an appeal under Section 14.76.100 of the Municipal Code (Design Review Appeal). Attach additional pages if necessary.

Please see attached

The Los Altos Planning Department Counter is open Monday – Friday (closed alternate Fridays)
From 7:30 p.m. – 5:00 p.m.
Telephone: (650) 947-2700
If you need assistance from the City Clerk's office, please call 650-947-2610.

Appeal of City Attorney Determination Regarding Proposed Utility Undergrounding
Reason for Appeal / Explanation of Error or Abuse of Discretion

We are the owners of the properties located at 389 and 425 1st Street in the City of Los Altos. Both properties currently are under construction and are scheduled to be completed in May 2023. Upon completion, the two projects would provide 30 much-needed housing units in the City, four of which will be affordable. For years, these two projects have been designed to PG&E's plan for utility undergrounding, which (in addition to undergrounding the new services to the two new buildings themselves) would underground over 325 feet of overhead power and communications lines located along the alley that runs behind the buildings between 1st Street and 2nd Street. This undergrounding would be done at no cost to the City and would result in a significant undergrounding of lines in a highly visible downtown area. It also is the first step in eventually undergrounding the entirety of the alley running from Lyell Street to Whitney Street.

Only recently, Public Works and the City Attorney have taken the position that the proposed undergrounding, which would require an adjustment to the location of two existing utility poles in the alley, is inconsistent with the Los Altos Municipal Code. This interpretation, however, is contrary to the language and basic purpose of the Municipal Code's undergrounding provisions and, if allowed to stand, not only would result in significant delay in completion of the two residential projects but also the only alternative would be to revise PG&E's plans to have no undergrounding (other than to the new buildings themselves, as required).

By way of background, the City's undergrounding provisions are in Municipal Code chapter 12.68 ("Undergrounding Utilities") and Municipal Code section 13.20.160 ("Utilities"). Under the City's requirements, our two projects only are required to underground service from the existing overhead utility poles to our two newly constructed buildings. In addition to this work, however, we also voluntarily began the Rule 20 process with PG&E to underground over 325 feet of overhead utility lines that also run along the alley in this highly visible area of Los Altos and across Lyell Street. We originally submitted the PG&E-approved Rule 20 plans to the City on November 11, 2021. PG&E had submitted the plans sometime prior to that date.

The proposed work, including the two utility poles to be moved, has always been shown on the submitted plans. To facilitate the undergrounding of the over 325 feet of overhead power and communication lines, the two poles would need to be moved as follows: (i) the pole currently behind 389 1st Street would be moved about 20+/- feet north; and (ii) the pole currently behind 425 1st Street would be moved across Lyell Street (to the east) next to another existing pole with a transformer on it, in the alley behind First Republic Bank. Both utility poles would remain within a public utility easement that has existed for at least 75 years in this location. PG&E's safety rules will not allow for termination of the undergrounding to the pole that already is behind First Republic Bank due to the transformer being there.

Once PG&E's utility undergrounding is complete, it will set the stage for the future undergrounding of the rest of the alley between Lyell Street and Whitney Street by the alley-adjacent property owners. When the current and future undergrounding projects are complete, the entire alley between Lyell Street and Whitney Street will have been undergrounded at no cost to the City. We also anticipate that the remainder of the overhead utility lines currently located in

the alley behind First Republic Bank (including the transformer) would be undergrounded by the property owner of 400, 420 and 428 S. San Antonio Road when he ultimately redevelops those properties, as he has expressed to the City an interest in doing. In short, the work now proposed is an important first step toward what could be an even more significant future undergrounding.

We did not learn that the City had a problem with the adjustment in location of the two utility poles until December 15, 2022. This position was further explained in a February 1, 2023, meeting, at which Public Works told PG&E that the proposed undergrounding is contrary to the Municipal Code. After that meeting, we sought out the input of the City Manager and, then, the City Attorney. On March 7, the City Attorney stated to us as follows:

After thoroughly reviewing Mr. Warmoth's letters and documents he submitted to the City Manager, I believe that the City's Public Works staff had the correct interpretation of the Los Altos Municipal Code (LAMC) and properly stated that the City would reject the permits allowing the relocation of the two utility poles. The removal of two utility poles and the installation of two new utility poles where there previously were no utility poles is inconsistent with the LAMC. Should you disagree with this position, your client may appeal the decision to the City Council pursuant to LAMC section 1.12.010.

Pursuant to the City Attorney's direction, we have filed this appeal to the City Council pursuant to Municipal Code section 1.12.010, which broadly allows for appeals of decisions or determinations by City officials where such action involves exercise of administrative discretion or personal judgment under any of the provisions of the Municipal Code. This appeal was timely filed within 15 days of the City Attorney's March 7, 2023, e-mail. (Muni. Code, § 1.12.030.)

For at least three reasons, the proposed work is consistent with the City's undergrounding provisions. First, the language likely being relied upon by Public Works and the City Attorney should not apply in the first instance. Municipal Code section 13.20.160, which addresses the relocation of poles, states: "The provisions of this section apply to new extensions of public or private utility distribution facilities for power and communication only *and shall not prohibit the maintenance, repair, or alteration of overhead power and communication systems existing on August 24, 1965.*" (Muni. Code, § 13.20.160(K) [emphasis added].) PG&E has provided documentation to Public Works that overhead facilities have existed in this location for over 75 years (since at least 1947), well before August 24, 1965. The work now proposed would at most be an alteration of long-existing overhead lines, within a long-existing public utility easement, which alteration is required to now underground the lines, consistent with City goals. Nor does the proposed work otherwise constitute a "new extension" of utility distribution facilities.

Second, even if the undergrounding requirements could apply, the work complies with such requirements. Indeed, the basic purpose of the City's undergrounding provisions is "*to improve and maintain the visual quality and public and private views in the city, as well as to protect and enhance the health and quality of life of its citizens, by reducing hazards along with the visual blight created by overhead utilities.*" (Muni. Code, § 12.68.010 [emphasis added].) That is precisely what is proposed—a significant section of overhead lines would be

undergrounded and would facilitate further undergrounding in the future. While Municipal Code section 12.68.020 generally prohibits “relocations and extensions of existing overhead facilities” (which we presume is the language Public Works and the City Attorney are relying on), the fact that two poles would be moved to accommodate the undergrounding is neither a “relocation” nor an “extension” of overhead facilities. It simply is an adjustment of poles within an existing utility line orientation, to facilitate a significant undergrounding. The work would not “extend” existing overhead facilities; it simply would underground a portion of lines within an existing corridor. Nor would it “relocate” overhead facilities; the lines would remain within the existing public utility easement, along the same orientation, with the poles only being moved to allow a longer run of undergrounding than otherwise would be possible given the existing site conditions. The work also plainly furthers City goals toward undergrounding.

Third, even if undergrounding requirements could apply *and* the language prohibiting “relocations and extensions of existing overhead facilities” was triggered, relocation of the poles *still* would be permitted under Municipal Code section 13.20.160(G), which allows for individual pole relocations (when they do not constitute an extension or reconstruction) where “required to accommodate the location of . . . other overhead or underground utilities in the public right-of-way.” (See also Muni. Code, § 12.68.020(B) [refencing section 13.20.160(G)].) Here, the two poles would be moved to, among other things, accommodate the undergrounding of lines under Lyell Street, a public right-of-way, and eliminate overhead lines currently above that portion of Lyell Street, resulting in an aesthetic upgrade. Again, this is the type of outcome envisioned in the undergrounding requirements and is consistent with the stated purpose.

For each of the above reasons, we therefore ask the City Council to direct staff to allow the proposed Rule 20 undergrounding reflected in the submitted plans and to issue all needed approvals for such work to occur. The work would underground a considerable portion of line in furtherance of the City’s undergrounding goals (at no cost to the City), would be consistent with City requirements, and would facilitate the further undergrounding of lines in the future. It also would be done in the context of a project supplying much-needed housing in the City.

From: Hamza, Muhammad M4HN@pge.com
Subject: RE: History of OVERHEAD POWER - Alley between 1st and 2nd, between Whitney and Lyell
Date: February 22, 2023 at 3:53 PM
To: Jeff Warmoth jeffwarmoth@gmail.com
Cc: Sonny Antonio s.antonio@sunshinedesignllc.net, Hamza, Muhammad M4HN@pge.com



Classification: Public

Good afternoon Jeff,

Records team was able to retrieve the intended document and it has been emailed to Jim Sandoval and Victor Chen from City of Los Altos. Based on the As-built that were provided to the city, it confirms that a section of the OH infrastructure was installed in 1940's. Attached pdf shows the sketch of the alley and I've highlighted some of the relevant data on it.

This document should be sufficient in addressing city's ask and our permit should be approved!

Best Regards,
Hamza

☎ 408.442.2983 (Mobile) | ✉ Muhammad.Hamza@pge.com



From: Jeff Warmoth <jeffwarmoth@gmail.com>
Sent: Friday, February 17, 2023 4:58 PM
To: Hamza, Muhammad <M4HN@pge.com>
Cc: Sonny Antonio <s.antonio@sunshinedesignllc.net>
Subject: Re: History of OVERHEAD POWER - Alley between 1st and 2nd, between Whitney and Lyell

CAUTION: EXTERNAL SENDER!

This email was sent from an EXTERNAL source. Do you know this person? Are you expecting this email? Are you expecting any links or attachments? If suspicious, do not click links, open attachments, or provide credentials. Don't delete it. **Report it by using the "Report Phish" button.**

Would there be any service records for how PG&E serviced the adjacent buildings that were constructed in 1951?

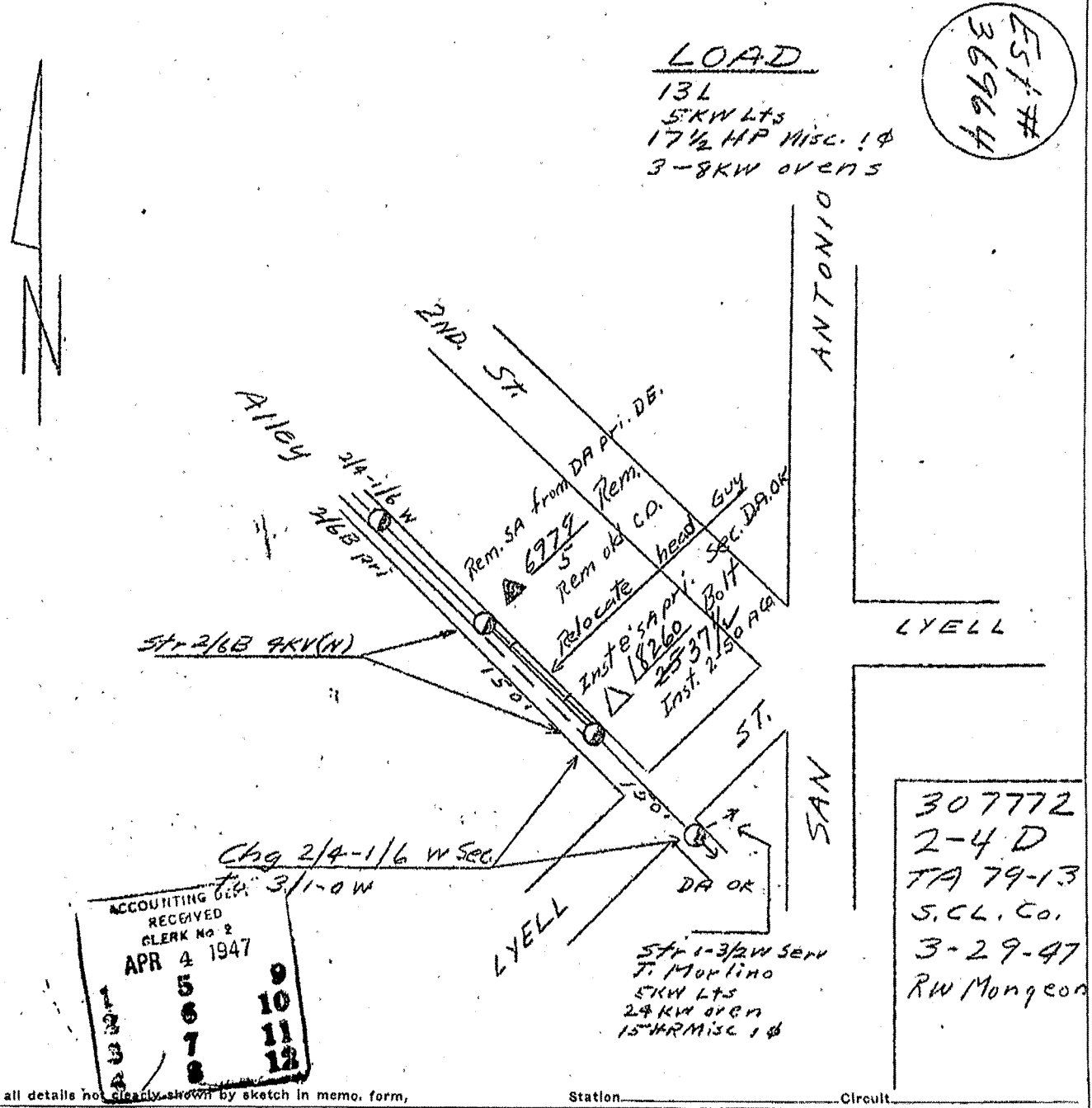
Jeff Warmoth
(650) 400-6293

On Feb 17, 2023, at 4:39 PM, Hamza, Muhammad <M4HN@pge.com>

DATE WORK STARTED 4-1-47 DATE COMPLETED 4-1-47 SIGNED J. L. Johnson FOREMAN

MATERIAL USED ON THIS WORK ORDER			LOC. PUR. ORD. NOS.	Show in this space the number and type of plant units installed such as frames, guys, platforms, manholes, etc. (show drawing number for platforms and other special structures) that cannot be identified from list of material. If estimate involves more than one location, show location of plant units.
DEBIT	REQUISITION NUMBERS	CREDIT		
711479 ✓		22385-W03000		
✓ 480		22384		
✓ 481		- 83		
✓ 482		Overdrawn		
		22386		

SKETCH OF WORK—FOREMAN TO CORRECT IF CHANGES ARE MADE—OTHERWISE O. K. HERE _____ LIST TRANSFORMERS CO. NOS. & SIZES




ACCOUNTING CLERK RECEIVED
 CLERK No 2
 APR 4 1947
 1 2 3 4 5 6 7 8 9 10 11 12

307772
 2-4-D
 TA 79-13
 S.C.L. Co.
 3-29-47
 RW Mongeon

Add all details not clearly shown by sketch in memo. form, Station _____ Circuit _____

Underground Service Alert

Call: TOLL FREE
811



TWO WORKING DAYS BEFORE YOU DIG

FOR INFORMATION CONCERNING THE PROJECT
CALL THE CALIFORNIA 811 SERVICE AT 811
FOR THE CALIFORNIA 811 SERVICE AT 811

PLEASE NOTE:

- BEFORE YOU BEGIN ANY ELECTRICAL, TELEPHONE AND CABLE.
- IF YOU ARE AN APPLICANT FOR ANY UNDERGROUND CABLE AND EQUIPMENT, PLEASE TO DO SO IN TIME.
- BEFORE YOU BEGIN ANY ELECTRICAL, TELEPHONE AND CABLE, YOU MUST FIRST NOTIFY THE CALIFORNIA 811 SERVICE AT 811.
- IF YOU ARE AN APPLICANT FOR ANY UNDERGROUND CABLE AND EQUIPMENT, YOU MUST FIRST NOTIFY THE CALIFORNIA 811 SERVICE AT 811.

IF YOU ARE AN APPLICANT FOR ANY UNDERGROUND CABLE AND EQUIPMENT, YOU MUST FIRST NOTIFY THE CALIFORNIA 811 SERVICE AT 811.

LEGEND

SYMBOLS

— PRIMARY UNDERGROUND - 60/110V 3-Ø-3W 12KV 12/12KV

— SECONDARY UNDERGROUND - 60/110V 3-Ø-3W 12KV 12/12KV

— TYPICAL UNDERGROUND - 60/110V 3-Ø-3W 12KV 12/12KV

SYMBOLS

○ 60/110V 3-Ø-3W 12KV 12/12KV

□ 60/110V 3-Ø-3W 12KV 12/12KV

△ 60/110V 3-Ø-3W 12KV 12/12KV

▽ 60/110V 3-Ø-3W 12KV 12/12KV

THE PG&E RETIREMENT WORK PM# 03204289, TO BE CONSTRUCTED PRIOR TO THE (S) NEW BUSINESS JOBS.

THIS NEW PROJECT TO BE CONSTRUCTION IN CONSTRUCTION w/ NEW JOBS PM# 03194537 AND PM# 03194538

R20 PM# 03194538
NOT: 0118222820

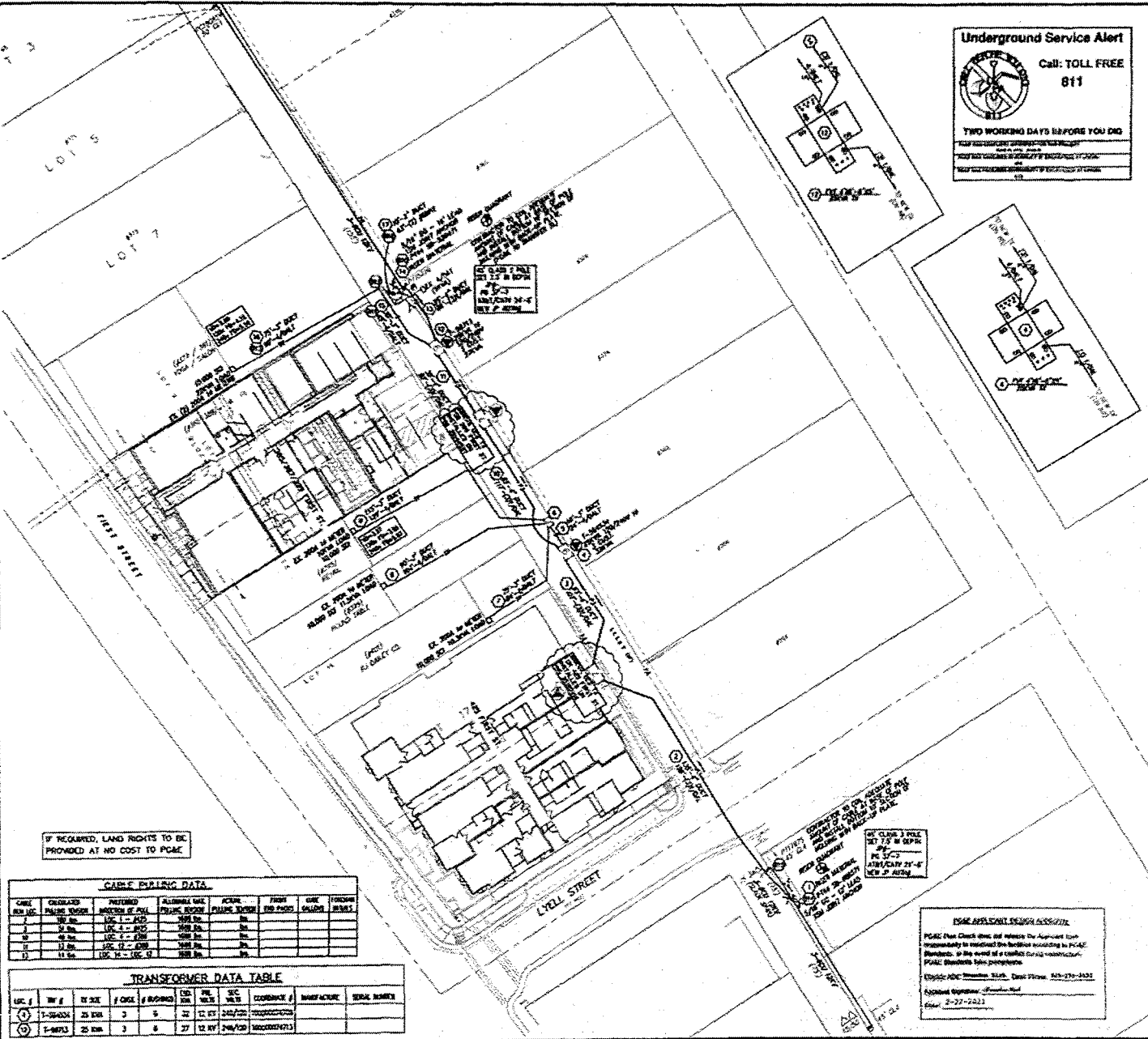
S.S.D.: 78158
PLAN SHEET: ARTIST 12KV
MARLINE FEEDER: LOS ALTOS 1104
POLYMER VOLTAGE AREA: 3
INSULATION DISTRICT: B
HIGH VOLTAGE CORROSION AREA
HIGH FIRE THREAT DISTRICT TIER #
SHOW LOADING: LIGHT
RAPTOR ZONE: NO
LIGHTNING ARR. DIST: 3
CLIMATE ZONE: X (SC)

PG&E AVAILABLE DESIGN SERVICES

PG&E has the ability to provide the Applicant with the necessary design services to meet the requirements of the PG&E Standards. In the event of a conflict, the Applicant shall prevail.

PG&E Standard type components.

Office: 4000 Mountain View, San Jose, CA 95131
Approved signature: [Signature]
Date: 2-27-2013



IF REQUIRED, LAND RIGHTS TO BE PROVIDED AT NO COST TO PG&E.

CABLE PILING DATA

CABLE ID	CONDUIT	PRELIM	ALUMINUM WIRE	PCMR	FRONT	DATE	FORWARD
NO.	TYPE	NO.	TYPE	NO.	NO.	NO.	NO.
1	36	10	10	10	10	10	10
2	36	10	10	10	10	10	10
3	36	10	10	10	10	10	10
4	36	10	10	10	10	10	10
5	36	10	10	10	10	10	10
6	36	10	10	10	10	10	10
7	36	10	10	10	10	10	10
8	36	10	10	10	10	10	10

TRANSFORMER DATA TABLE

LOC. #	TYPE	SIZE	# BANKS	NO. BANKS	NO. BANKS	NO. BANKS	NO. BANKS	NO. BANKS	NO. BANKS	NO. BANKS
1	11-35000	25 KVA	3	5	22	22	22	22	22	22
2	11-35000	25 KVA	3	5	27	27	27	27	27	27

SUNSHINE DESIGN

AN URS CORP. COMPANY

11111 17th Street, Suite 100, Los Altos, CA 94024

PH: 415.948.8800

PROJECT: R20 PLAN

RULE 20 ALLEY UNDERGROUND

488 FIRST ST, LOS ALTOS, CA 94024

DESIGNED: D. LORIAN

CHECKED: SA

SCALE: 1"=20'

DATE: 2/4/21

JOB NO: 000-10-D

SHEET NO: E3

OF 3