**LOCATION OF MEETING**

SARGE LITTLEHALE
COMMUNITY ROOM
22 ORINDA WAY

CITY OF ORINDA
22 ORINDA WAY
ORINDA, CA 94563
(925) 253-4200

REGULAR MEETING
CITIZENS’ INFRASTRUCTURE OVERSIGHT COMMISSION AGENDA
Wednesday, March 11, 2020
6:30 P.M.

A. Call to Order

B. Roll Call
Commissioners: Walter Bell, Jerry Condon, Chris Decareau, Jud Hammon, Bill Hurrell, Terry Murphy, Richard Nelson

C. Pledge of Allegiance

D. Adoption of Agenda

E. Public Forum
The Public Forum provides an opportunity for members of the public to speak on any item within the jurisdiction of the Commission that does not appear on the agenda. A speaker has the option of addressing an item listed on the agenda if the speaker will not be present when that item is taken up. Public comment is generally limited to 3 minutes per speaker. If you would like to speak during the Public Forum, or on any item listed on the agenda, you are invited to submit a Speaker Card. The optional information you provide on the Speaker Card is made available for public inspection upon request and is subject to disclosure. You will be permitted to speak even if you decline to submit a Speaker Card.

F. Citizens’ Infrastructure Oversight Commission (CIOC) Meeting Minutes
February 12, 2020
Recommendation: Approve

G. Discussion – Future Storm Drain Projects

H. Discussion – Future Sales Tax Ballot Measure Recommendation

I. Review – List of Proposed Streets for the 2021 and 2022 Pavement Rehabilitation Projects


L. Update – Status of EBMUD Westside Pumping Station on El Toyonal

M. Update – Status of Draft Street Rehabilitation Policy

N. Review – Current Utility Trench Moratorium on New Pavement and Master Permit Conditions

O. Staff Updates (10 Minutes)
   1. Update – Public Information and Outreach
   2. Update – 2019 Pavement Rehabilitation Project
   3. Update – 2020 Pavement Rehabilitation Project

P. Matters Initiated
Consideration of matters Commissioners wish to initiate for placement on a future CIOC agenda

Q. Adjournment – The next regularly scheduled CIOC meeting is April 8, 2020

I, Sheri Marie Smith, City Clerk, declare under penalty of perjury under the laws of the State of California that this agenda has been posted at least 72 hours in advance at the Orinda City Offices. Additional copies are available at the Orinda Library, the Orinda Community Center, and on the City’s website at www.cityoforinda.org

Sheri Marie Smith, City Clerk

~ Accessible Public Meetings ~

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A REGULAR MEETING OF THE CITIZENS’ INFRASTRUCTURE OVERSIGHT COMMISSION (CIOC) WAS HELD ON THE ABOVE DATE IN THE SARGE LITTLEHALE COMMUNITY ROOM, 22 ORINDA WAY, ORINDA, CALIFORNIA

A. **CALL TO ORDER**

Chair Hammon called the meeting to order at 6:30 p.m.

The following document was provided at this meeting:

1. *Update – Future Storm Drain Projects*, by Paving Program Project Manager Khorashadi, dated February 3, 2019

B. **ROLL CALL**

COMMISSIONERS: Walter Bell (absent, unexcused), Jerry Condon, Chris Decareau, Jud Hammon, Bill Hurrell (absent, excused), Terry Murphy, Richard Nelson

City Staff: Paving Program Project Manager Farah Khorashadi

C. **PLEDGE OF ALLEGIANCE** – led by Commissioner Murphy

D. **ADOPTION OF AGENDA**

MOTION: By Commissioner Murphy, seconded by Commissioner Nelson, to adopt the agenda. The motion carried by unanimous voice vote.

E. **PUBLIC FORUM** - None

F. **CITIZENS’ INFRASTRUCTURE OVERSIGHT COMMISSION MEETING MINUTES**

Approval of CIOC Meeting Minutes of January 8, 2020

MOTION: By Commissioner Murphy, seconded by Commissioner Condon, to approve the meeting minutes of January 8, 2020. The motion carried by unanimous voice vote.

G. **UPDATE – STATUS OF MANAGEMENT REPORT ON INFRASTRUCTURE – RESIDENTIAL ROADS (2013 to 2020 PROJECTED)**

Commissioner Nelson stated that the Sub-committee had met with Finance Director Paul Rankin; subsequent to that meeting, Director Rankin provided the *Annual Financial Report for Fiscal Year 2019*. The report is focused on the General Obligation Bond for 2014 and 2016 and the Half Cent Sales Tax through June 30, 2019. The report is
generally good, however, additional information is needed from the Public Works Department for completion of the Management Report; also, confirmation from the City Council should be sought on whether the CIOC should be preparing the report.

Chair Hammon advised that, per the approved 2016 description of the CIOC duties, Commissioners are to review expenditures of the Sales Tax and Bond Measures on an annual basis.

Commissioner Nelson suggested that City Manager Salomon assign staff to assist the Sub-committee in preparing the Management Report.

The Sub-committee will provide an update at the next CIOC meeting.

This item was continued to the next CIOC meeting.

H. UPDATE- STATUS OF DRAFT MANAGEMENT REPORT – ARTERIAL AND COLLECTORS STREETS
Chair Hammon requested that staff forward the CIOC Annual Financial Report for Fiscal Year ending June 30, 2019 to all Commissioners so they can review and provide their comments at the next meeting.

Commissioners agreed that the Sub-committee should schedule another meeting with Finance Director Rankin to discuss the report in detail.

This item was continued to the next CIOC meeting.

I. STAFF UPDATES
Paving Program Project Manager Khorashadi reported on the following items:
1. Update – Public Information and Outreach – Updates have been posted on Nextdoor and the Orinda Outlook.
2. Update – 2019 Pavement Rehabilitation Project – The contractor is adjusting utilities and completing miscellaneous work throughout the City; it is anticipated that the work will be completed by the second week in March.
3. 2020 Annual Pavement Rehabilitation – Notices were sent in January to all residents affected by the upcoming 2020 Annual Paving Project; the consultant’s sub-contractor is assessing the storm drains and design plans are anticipated to be ready by mid-May at the latest.
4. Update – Future Storm Drain Projects – The report was distributed; the Project Manager is scheduled to attend the next CIOC meeting to discuss the upcoming projects in detail.

J. MATTERS INITIATED
Items for the next CIOC Agenda:
• Discussion – Future Storm Drain Projects
• Review – List of Streets for the 2021 and 2022 Pavement Rehabilitations Projects
• Update – Status of *Draft Management Report – Arterial and Collectors Streets*
• Update – Status of EMBUD Westside Pumping Station on El Toyonal
• Update – Status of *Draft Policy for Selecting Arterial and Collector Streets*
• Review - *Draft Moratorium and Trenching Policy*

K. **ADJOURNMENT**

MOTION: By Commissioner Murphy, seconded by Commissioner Decareau, to adjourn the CIOC meeting. The motion carried by unanimous voice vote.

The Citizens’ Infrastructure Oversight Commission meeting adjourned at 7:25 p.m.

The next regularly scheduled meeting of the Citizens’ Infrastructure Oversight Commission will be 6:30 p.m., March 11, 2020, in the Sarge Littlehale Community Room, 22 Orinda Way, Orinda, California.
City of Orinda – Future Storm Drain Projects (Priority Category A Pipes)

1. 2020 Annual Storm Drain Improvement Project (CIP 4162)
   
   Description/Notes: The storm drain culverts listed below are in critical condition as identified in the highest priority pipes list, in the City’s Storm Drain Plan. The culverts will require rehabilitation but will not require obtaining regulatory permits.
   
   - 548 Miner Road (PL-483)
   - 548 Miner Road (PL-440)
   - 216 Camino Sobrante (PL-1456)
   - 265 Camino Pablo (PL-1206)

   Notes: Budget for this project was allocated from the Drainage Impact Fee Fund. The project did not require any special regulatory permits. Due to this reason and because of the high priority score, these four pipes were selected for immediate rehabilitation this year. The contract was awarded February 4, 2020. Construction work has just started on this project.

2. Moraga Way & Coral Drive Culvert Repair (21-22, 22-23)
   
   Description/Notes: The storm drain culverts listed below are in critical condition as identified in the highest priority pipes list, in the City’s Storm Drain Plan. The culverts will require replacement or rehabilitation and obtaining regulatory permits.
   
   - 95 Coral Drive (PL-927)
   - 188 Moraga Way (PL-454)
   - 3 Risa Court (PL-898)

   Cost: $966,900
   
   Recommendation: Add to CIP as funded project, to be funded by the Drainage Impact Fee Fund (Fund #210).

3. Rheem Boulevard Culvert Repair (22-23, 23-24)
   
   Description/Notes: This culvert (PL-492), located near 15 Rheem Boulevard, is in critical condition as identified in the highest priority pipes list, in the City’s Storm Drain Plan. The culvert will require replacement, repairing the headwall, slope stabilization and obtaining regulatory permits.

   Cost: $924,000
   
   Recommendation: Add to CIP as funded project. Funding is needed from Drainage Impact Fee Fund (Fund #210) and Orinda Add-On Sales Tax (L) Fund (Fund #105).

4. Various Storm Drain pipe repair (23-24, 24-25)
   
   Description/Notes: The storm drain culverts listed below are in critical condition as identified in the highest priority pipes list, in the City’s Storm Drain Plan. The culverts will require replacement or rehabilitation and obtaining regulatory permits.
   
   - 123 Orchard Road (PL-513)
   - 4 Orchard Road (PL-409)
   - 207 Moraga Way (PL-452)

   Cost: $915,750
Recommendation: Add to CIP as funded project, to be funded by the Drainage Impact Fee Fund (Fund #210).

5. Various Storm Drain pipe repair

Description/Notes: The storm drain culverts listed below are in critical condition as identified in the highest priority pipes list, in the City’s Storm Drain Plan. The culverts will require replacement or rehabilitation and obtaining regulatory permits.

- 2 Dos Encinas (PL-864)
- 53 Ivy Drive (PL-891)
- 232 Ivy Drive (PL-958)
- 232 Ivy Drive (PL-959)

Cost: $1,389,300

6. Various Storm Drain pipe repair

Description/Notes: The storm drain culverts listed below are in critical condition as identified in the highest priority pipes list, in the City’s Storm Drain Plan. The culverts will require replacement or rehabilitation and obtaining regulatory permits.

- 199 Canon Drive (PL-1765)
- 199 Canon Drive (PL-1766)
- 8 Alta Vista (PL-1775)

Cost: $1,503,150

7. Various Storm Drain pipe repair

Description/Notes: The storm drain culverts listed below are in critical condition as identified in the highest priority pipes list, in the City’s Storm Drain Plan. The culverts will require replacement or rehabilitation and obtaining regulatory permits.

- 10 Ranch Road (PL-1074)
- 511 Bear Creek Road (PL-1089)
- 70 Van Tassel Lane (PL-1809)

Cost: $1,048,900

8. Various Storm Drain pipe repair

Description/Notes: The storm drain culverts listed below are in critical condition as identified in the highest priority pipes list, in the City’s Storm Drain Plan. The culverts will require replacement or rehabilitation and obtaining regulatory permits.

- 38 Lost Valley Drive (PL-751)
- 295 Orchard Road (PL-580)
- 58 Brookside Road (PL-437)
- El Camino Moraga (PL-867)

Cost: $961,000
## Pipe Type Summary, Public and Private

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<th>length, LF</th>
<th>% of subtotal</th>
<th>% of total</th>
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<td>HDPE</td>
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<td><strong>Subtotal</strong></td>
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<td><strong>Private pipes</strong></td>
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**List of Pipes - TOP 50**

Sorted by Priority Score
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<th>E dia. if capc.</th>
<th>Vertical Dim (in.)</th>
<th>Horizon Dim (in.)</th>
<th>Segment Length (ft.)</th>
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<th>cost/lf (36” &amp; less)</th>
<th>cost (36 &amp; less)</th>
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### Pipe Repair Plan Summary

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<th>Pipe diameter (existing)</th>
<th>Total number of pipes</th>
<th>CMP (includes - A, - R) and Steel without liners (includes 32 segments that upgrade size for capacity)</th>
<th>Replace cost/LF</th>
<th>Extension (see detail sheet)</th>
<th>Rounded</th>
<th>Est. engl. Permit/engr. cost (pipes &lt;42&quot;) net total cost/LF (note 3)</th>
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</thead>
<tbody>
<tr>
<td>8&quot;, 10&quot;, 12&quot;, 14&quot;, 16&quot;</td>
<td>112</td>
<td>2865</td>
<td>$684</td>
<td>$2,645,399</td>
<td>$856</td>
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<tr>
<td>15&quot;, 16&quot;, 18&quot;, 20&quot;</td>
<td>119</td>
<td>7216</td>
<td>$705</td>
<td>$5,085,332</td>
<td>$881</td>
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<tr>
<td>21&quot;, 22&quot;, 24&quot;, 26&quot;</td>
<td>78</td>
<td>8003</td>
<td>$796</td>
<td>39 $20,000 $780,000</td>
<td>$1,255</td>
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<tr>
<td>30&quot;, 32&quot;, 36&quot;, 40&quot;</td>
<td>36</td>
<td>1033</td>
<td>$1,017</td>
<td>14 $20,000 $280,000</td>
<td>$1,342</td>
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<tr>
<td>Approx. 50 pipes</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capacity increases - non-CMP (see 'Non-CMP capacity' tab) ranges 18&quot; to 54&quot;</td>
<td>25</td>
<td>1000</td>
<td>$1,102,021</td>
<td>12.5 $20,000 $250,000</td>
<td>$1,410,000</td>
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</tr>
<tr>
<td>Small pipe regulatory permit costs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1,410,000</td>
<td></td>
</tr>
<tr>
<td>Larger pipes (see 'Pipe Line ROW Segments' tab) 42 to 120</td>
<td>33</td>
<td>2323</td>
<td>see DHA report</td>
<td>$9,071,254</td>
<td>includes 25% contingency &amp; permit engr. costs</td>
<td></td>
</tr>
<tr>
<td>CCTV (see 'Non-CMP capacity plus contingencies')</td>
<td>2 per day</td>
<td>437</td>
<td>$1,000</td>
<td>218,500</td>
<td>excludes pipes with capacity increases</td>
<td></td>
</tr>
<tr>
<td>CCTV (see 'Non-CMP capacity plus contingencies')</td>
<td>2 per day</td>
<td>1070</td>
<td>$1,000</td>
<td>535,000</td>
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<tr>
<td>Other adjustments</td>
<td>500</td>
<td>20838</td>
<td></td>
<td>$29,749,906</td>
<td>$29,700,000</td>
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</tbody>
</table>

**Note 1**
- Approximately 50 pipe segments are of unknown material and size. For estimating, it is assumed that 10 are CMP at an average size of 18" diameter and 40 ft. long.

**Note 2**
- Excludes escalation for inflation or bid climate beyond the assumed 5%; will depend on repair plan prioritization and schedule/duration.

**Note 3**
- Approx total $/LF adds 25% contingency plus distributes pass. Permit costs to all in that pipe size range - for cash flow purposes based on priority.

### Distribution by Priority Score

<table>
<thead>
<tr>
<th>Estimated time-frame</th>
<th>Amount (rounded)</th>
<th>Priority Category</th>
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</thead>
<tbody>
<tr>
<td>Score 4 and above</td>
<td>$778,500</td>
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<td>Score 3 to less than 4</td>
<td>$7,191,232</td>
<td>A</td>
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<tr>
<td>Score 2 to less than 3</td>
<td>$907,125</td>
<td>B</td>
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<tr>
<td>non-CMP capacity plus contingencies</td>
<td>$7,582,596</td>
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</tr>
<tr>
<td>50 unknown pipes (see note 1)</td>
<td>$1,057,095</td>
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</tr>
<tr>
<td>Score less than 2</td>
<td>$10,037,371</td>
<td>A</td>
</tr>
<tr>
<td>$29,684,892</td>
<td>$29,700,000</td>
<td></td>
</tr>
</tbody>
</table>

### Distribution by Road Classification

| Principal arterial | $3,036,097 |
| Minor arterial     | $2,551,816 |
| Collector          | $4,465,637 |
| Local with sole access | $2,089,780 |
| Local x-slope access | $13,530,797 |
| PM/CM on DHA Non-CMP capacity plus contingencies | $907,125 |
| 50 unknown pipes (see note 1) | $1,057,095 |
| CCTV               | $753,500 |
| $29,769,323 |

*Attachment: Pipe Repair Plan Summary of pipes - SD repair plan (2031 : Public Storm Drain Repair Plan Packet Pg. 14)*
Cost Estimates & Financial Impacts

CIOC reviewed the findings and with input from Staff determined that pipe repairs should be placed in two categories, divided by pipes with scores 3 and above and less than 3:

<table>
<thead>
<tr>
<th>Priority Category</th>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
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<tr>
<td>Priority Category A (scores 3 to 5)</td>
<td>Pipes that will need repair or replacement in the next 3 to 5 years</td>
<td>$9,600,000</td>
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<tr>
<td>Priority Category B (scores less than 3)</td>
<td>Pipes that will need repair or replacement in the next 5 to 10 years</td>
<td>$20,100,000</td>
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<tr>
<td>Total</td>
<td></td>
<td>$29,700,000</td>
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</table>
### Item I. List of proposed streets for the 2021 and 2022 Pavement Rehabilitation Projects

<table>
<thead>
<tr>
<th>Street 1</th>
<th>Street 2</th>
<th>Type</th>
<th>Length (ft)</th>
<th>Width (ft)</th>
<th>Year</th>
<th>Class</th>
<th>Cost ($)</th>
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</thead>
<tbody>
<tr>
<td>AltaRinda Road</td>
<td>Santa Maria Way</td>
<td>Orindawoods Drive</td>
<td>800</td>
<td>37</td>
<td>29,600</td>
<td>78</td>
<td>C</td>
</tr>
<tr>
<td>Bear Creek Road</td>
<td>Camino Pablo</td>
<td>City Limit</td>
<td>3,300</td>
<td>26</td>
<td>85,800</td>
<td>48</td>
<td>C</td>
</tr>
<tr>
<td>BrookWood</td>
<td>Camino Pablo</td>
<td>Moraga Way</td>
<td>335</td>
<td>47</td>
<td>15,745</td>
<td>71</td>
<td>A</td>
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<tr>
<td>Brookwood Road</td>
<td>Spring Road</td>
<td>Camino Pablo</td>
<td>2,100</td>
<td>26</td>
<td>54,600</td>
<td>64</td>
<td>C</td>
</tr>
<tr>
<td>Bryant Way</td>
<td>Moraga Way</td>
<td>Davis Road</td>
<td>480</td>
<td>32</td>
<td>15,360</td>
<td>81</td>
<td>A</td>
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<tr>
<td>Camini Pablo</td>
<td>Santa Maria Way</td>
<td>Camino Sobrante</td>
<td>1,979</td>
<td>65</td>
<td>128,635</td>
<td>74</td>
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<td>Moraga Way</td>
<td>Santa Maria Way</td>
<td>2,212</td>
<td>73</td>
<td>161,476</td>
<td>77</td>
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<td>Camino Sobrante</td>
<td>Orinda Way</td>
<td>938</td>
<td>65</td>
<td>60,970</td>
<td>77</td>
<td>A</td>
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<tr>
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<td>Orinda Way</td>
<td>Miner Road</td>
<td>1,058</td>
<td>64</td>
<td>67,712</td>
<td>77</td>
<td>A</td>
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<tr>
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<td>Orinda Way</td>
<td>El Riberio</td>
<td>3,050</td>
<td>26</td>
<td>79,300</td>
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<td></td>
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<tr>
<td>Camino Sobrante</td>
<td>Camino Pablo</td>
<td>Orinda way</td>
<td>430</td>
<td>38</td>
<td>16,340</td>
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<tr>
<td>Charles Hill Road</td>
<td>Charles Hill Place</td>
<td>Honey Hill Road</td>
<td>1380</td>
<td>23</td>
<td>31,740</td>
<td>79</td>
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<tr>
<td>Charles Hill Road</td>
<td>El Nido Ranch</td>
<td>Charles Hill Place</td>
<td>470</td>
<td>38</td>
<td>17,860</td>
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<tr>
<td>Charles Hill Road</td>
<td>Souel Road</td>
<td>Diablo View</td>
<td>2,035</td>
<td>21</td>
<td>42,735</td>
<td>86</td>
<td>R</td>
</tr>
<tr>
<td>Happy Valley Road</td>
<td>City Limit (South)</td>
<td>City Limit (North)</td>
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<td>25</td>
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<td>46</td>
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<tr>
<td>Hidden Valley</td>
<td>St. Stephens Drive</td>
<td>SR 24 On Ramp</td>
<td>950</td>
<td>32</td>
<td>30,400</td>
<td>67</td>
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<tr>
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<td>Moraga Way</td>
<td>Pueblo Court</td>
<td>4,713</td>
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<td>164,955</td>
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</tr>
<tr>
<td>Ivy Drive</td>
<td>Moraga Way</td>
<td>Risa Court</td>
<td>2,716</td>
<td>35</td>
<td>89,612</td>
<td>78</td>
<td>C</td>
</tr>
<tr>
<td>Ivy Drive</td>
<td>Risa Court</td>
<td>Pueblo Court</td>
<td>1,997</td>
<td>35</td>
<td>69,895</td>
<td>82</td>
<td>C</td>
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<tr>
<td>Las Piedras</td>
<td>Vista Del Orinda</td>
<td>Lomas Cantadas</td>
<td>885</td>
<td>22</td>
<td>19,470</td>
<td>45</td>
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</tr>
<tr>
<td>Lomas Cantada</td>
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<td>Tres Mesas</td>
<td>2,028</td>
<td>22</td>
<td>44,616</td>
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<tr>
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<td>Tres Mesas</td>
<td>Las Piedras</td>
<td>1,367</td>
<td>22</td>
<td>30,074</td>
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<td>Tarry Lane</td>
<td>Van Ripper</td>
<td>1,367</td>
<td>26</td>
<td>35,542</td>
<td>67</td>
<td>C</td>
</tr>
</tbody>
</table>
### Item I. List of proposed streets for the 2021 and 2022 Pavement Rehabilitation Projects

<table>
<thead>
<tr>
<th>Street</th>
<th>From</th>
<th>To</th>
<th>Length (Ft)</th>
<th>Width (Ft)</th>
<th>Area (Sq.Ft)</th>
<th>PCI</th>
<th>FC</th>
<th>Recommended Treatment</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lombardy Lane</td>
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<td>Van Ripper (N)</td>
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<td>Dalewood Dive</td>
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<td>28,474</td>
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<td>Coral Drive</td>
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<td>Ivey Drive (East)</td>
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<td>76</td>
<td>A</td>
<td>Light Maintenance</td>
<td>$45,000</td>
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<tr>
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<td>22</td>
<td>26,092</td>
<td>86</td>
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<td>Light Maintenance</td>
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<td>Highland Court</td>
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<td>Broadview Terrace</td>
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<td>85</td>
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<td>Light Maintenance</td>
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<td>25,075</td>
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<td>C</td>
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<td>Broadview Terrace</td>
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<td>23,452</td>
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<td>C</td>
<td>Light Maintenance</td>
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<td>Heavy Maintenance</td>
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<td>Orinda Way</td>
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<td>Altarinda Road</td>
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<td>21,300</td>
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<td>Light Maintenance</td>
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<td>St. Stephens Drive</td>
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<td>76,395</td>
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<td>Light Maintenance</td>
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</tr>
<tr>
<td>St.Name</td>
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<td>To</td>
<td>Length (Ft)</td>
<td>Width (Ft)</td>
<td>Area (Sq.Ft)</td>
<td>PCI</td>
<td>FC</td>
<td>Recommended Treatment</td>
<td>Cost</td>
</tr>
<tr>
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<td>85</td>
<td>C</td>
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<tr>
<td>Item I. List of proposed streets for the 2021 and 2022 Pavement Rehabilitation Projects</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>-----------------</td>
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</tr>
<tr>
<td>Tara Road</td>
<td>Tarabrook</td>
<td>Nonie Rd</td>
<td>1409</td>
<td>25</td>
<td>35,225</td>
<td>80 C</td>
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</tr>
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<td>21,551</td>
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<td>Light Maintenance</td>
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<tr>
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<td>84,460</td>
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<td>Various Streets</td>
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<td>Crack Seal</td>
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<tr>
<td>Various Streets</td>
<td></td>
<td></td>
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<td></td>
<td>Crack Seals</td>
<td>$50,000</td>
<td></td>
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</tr>
<tr>
<td>Vista Del Orinda</td>
<td>El Toyonal</td>
<td>Las Piedras</td>
<td>380</td>
<td>22</td>
<td>8,360</td>
<td>75 C</td>
<td>Light Maintenance</td>
<td>$7,648</td>
<td></td>
</tr>
<tr>
<td>Wilder Road</td>
<td>Orinda Fields Lane</td>
<td>HWY 24 EB on-ramp</td>
<td>526</td>
<td>27</td>
<td>14,202</td>
<td>81 C</td>
<td>Light Maintenance</td>
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</tr>
<tr>
<td>Wilder Road</td>
<td>HWY 24 EB On Ramp</td>
<td>Bridge Decking (s)</td>
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<td>40</td>
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<td>Full Depth Rec.</td>
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<td>37</td>
<td>7,030</td>
<td>22 C</td>
<td>Full Depth Rec.</td>
<td>$68,284</td>
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</tr>
</tbody>
</table>
Orinda Street Rehabilitation Policy

March 11, 2020 DRAFT

City of Orinda currently maintains approximately 92.5 centerline miles of public roads. The combination Arterial and Collector classifications consist of 25.9 centerline miles of the entire roadway network. The remainder of the 66.6 centerline miles are considered lower volume residential roads. The City utilizes a Pavement Management Program authorized by Metropolitan Transportation Commission (MTC) called StreetSaver. This program uses data regarding street’s current pavement condition, maintenance and rehabilitation history, potential rehabilitation treatment, and the City’s budget to provide broad level recommendations for pavement maintenance. Staff recommends that City establish a policy to have a rolling three year street rehabilitation plan (i.e. streets selected for treatment/rehabilitation) for the entire City’s roadway network to be reviewed by CIOC and adopted by the City Council on an annual basis. Staff will use the StreetSaver program which analyzes and recommends appropriate preventive and rehabilitation maintenance on each street at the opportune time based on the City’s available funding. The goal is to do the preventive work correctly and in a timely manner to greatly extend the service life of a street. Preventive maintenance is the most cost-effective way to maintain the City’s streets. When the condition of a street reaches the point where preventive maintenance is no longer is cost effective or beyond its reasonable service life, then street rehabilitation will be considered. During the selection process staff will consider following factors to prepare a rolling three year Pavement Rehabilitation Program:

1. In order to benefit the greatest number of residents, Arterial and Collector streets shall be given greater consideration than residential streets.
2. Recommendations from StreetSaver, as well as first hand assessments, shall be a basis for street selection for the Pavement Rehabilitation.
3. Street rehabilitation shall be coordinated/adjusted in schedule to avoid utility trench work (sewer, water, gas, others) on recently paved streets.
4. Adjustment in project limits for street segments will be considered to avoid a “block by block” approach.
5. To reduce the impact on our residents and be more cost- effective, grouping of streets selected for rehabilitation in the same geographical area will be strongly considered.

The Street Rehabilitation Policy shall be reviewed and updated annually to ensure that the revolving 3-Year Street program is consistent with the stated policy and general goal and vision of CIOC and City Council.
Utility Trench Cut Moratorium on New Pavements

Duration of Moratorium

There shall be a moratorium on trenching in streets for non-emergency work that have been recently worked on as part of the City’s street maintenance/rehabilitation program. For streets that have had a surface treatment such as a slurry seal or chip seal, the moratorium on utility cuts in the street is three (3) years. For overlaid or reconstructed/full depth reclamation streets the moratorium on utility cuts is five (5) years.

Non-emergency trench cuts on streets under the moratorium may be permitted under certain conditions by the encroachment permit process, but will be subject to additional requirements as provided herein and subject to City approval.

Additional Repairs for Moratorium Streets

When a trench cut is permitted in moratorium streets, the standard details, permit conditions, Contra Costa County standard utility trench cut detail (CU01), and the following additional mitigation shall apply:

➢ Surface treated streets shall have Type II Slurry Seal (Caltrans Std.) as follows:

1. For residential roads and streets, the entire width of the road for the length of the trench plus a minimum of three feet on each end of the trench*. Specific conditions will be considered that could reasonably alter the extent required in order to achieve the end result.

2. For wide/multi-lane roads the slurry seal application shall be for the length of the trench plus a minimum of three feet on each end of the trench* for the entire width of:
   - the affected travel lane, or
   - if multiple lanes are affected, those lanes, or
   - if in the center of the street, both directions to the nearest lane line or curb.

➢ For overlaid or reconstructed/full depth reclamation streets, the length of the trench plus a minimum of three feet beyond each end of the trench* will be repaired such that the pavement will be cold-planed/ground down to accept a 0.15 foot depth overlay of ½ inch max gradation, Type A (Caltrans Std.) Hot Mix Asphalt for the entire width of:
   - the affected travel lane, or
   - if multiple lanes are affected, those lanes, or
   - if in the center of the street, both directions to the nearest lane line or curb.

*Multiple bell-hole type excavations along a street will be considered a single trench and the repair limits will extend three feet beyond the farthest edges.
UTILITY TRENCH MASTER PERMIT CONDITIONS

SECTION 1 – Preamble

These Utility Trench Master Permit Conditions are to be used as overall, universal conditions of approval for utility trench paving repairs in the public right-of-way of the local agencies, and are part of the Encroachment Permit conditions.

SECTION 2 - Definitions

Aggregate Base (AB) – Aggregate material as defined in Sections 26 of the Caltrans Standard Specifications used for trench backfill or pavement base.

Asphalt Concrete (AC) – Pavement material that conforms to the requirements of Section 39 of the Caltrans Standard Specifications.

Base – A layer of specified material of planned thickness placed immediately below the pavement or surfacing.

Blanket Permits – Permits issued for either a specific term, and/or region, or for a group of projects, rather than a single project on a specific location, which are issued at the discretion of the local agency.

Caltrans Standard Specifications – The current version, or the version of the State of California, Department of Transportation, Standard Specifications adopted by the local agency.

Capital Projects – Special or large projects that are contracted out and thus require project specific permit conditions from the respective local agency before advertisement for bid, and would reduce the level of service to major or arterial streets during the peak hour.

Coalition – An alliance comprised of utility companies bound together by a Memorandum of Understanding (MOU) or a similar instrument and organized to negotiate with the local agencies and respond to utility trench issues as provided for in the Agreement. It is comprised of Contra Costa Central Sanitary District, East Bay Municipal Utility District, Contra Costa Water District, Pacific Gas & Electric, Comcast, AT&T, and others.

Coalition Representative – The person referred to in the Master Permit Conditions who shall represent the Utilities within the Coalition and respond to the local agency regarding failure of a utility trench and its adjacent areas plus areas damaged by a utility line or facility failure.

Coordination – An affirmative effort on the part of the utilities and local agencies to coordinate, when feasible, their various projects to prevent, or minimize, repetitious trench work with emphasis on scheduling trench work on streets before the implementation of scheduled preventative maintenance pavement rehabilitation work.

Coordination Meetings – Meetings held on a quarterly basis to coordinate the activities of the utilities and the local agencies on a three (3) year planning horizon.

Encroachment Permit – A permit issued by the local agency to which these Master Conditions are attached and which contains local requirements that may relate to inspection, traffic control, insurance requirements and the like.
Latent Defect – A right-of-way pavement failure due to utility work, trenching repair or facility failure that was not apparent during the trench repair work, and following completion of work.

Life of the Trench – The useful life of the utility trench envelope is defined as the length of time the utility is in service, but no greater than the useful life of the street as defined in the Pavement Life Performance Warranty.

Local Agencies – The Cities and County of Contra Costa County.

Major Projects – Special or large projects that are either contracted out because of their size, have a length of either 300 feet or one block, or would reduce collector or arterial level of service during the peak period.

Moratorium – Following surface treatment (slurry seal, cape seal, overlay, etc.) or rehabilitation (reconstruction) of a street, the period of time when trench cuts are prohibited except as approved by the local agency as set forth in these Master Permit Conditions.

Overlay – The placement of single or multiple layers of asphalt concrete on an existing street in accordance with Section 39 of the Caltrans Standard Specifications.

Pavement Condition Index (PCI) – The numerical evaluation of the condition of the pavement based on the Metropolitan Transportation Commission model, unless specifically stipulated otherwise by a jurisdiction, wherein the pavement is rated from 0 to 100 with 70 and above being good, 55 being fair condition, 40 being poor, 25 being very poor and 10 being failed.

Pavement Life Performance Warranty – The instrument that guarantees the condition of the street along the line of the trench and the street area adjacent to as set forth in the Master Permit Conditions.

Portland Cement Concrete (PCC) – The type of pavement material described in Section 90 of the Caltrans Standard Specifications.

Reconstruct – To replace a pavement structural section.

Routine Work – Regular maintenance of facilities, emergency repairs and installation of laterals.

Structural Section – That portion of the pavement from the pavement surface to the subgrade.

Subgrade – That portion of the roadbed on which pavement surfacing, base, subbase or a layer of any other material is placed.

Total Areas Damaged – All of the areas damaged resulting from the excavation of the utility trench and the failure of the utility facility or line.

Utility Contact – The person appointed by a utility to attend and represent that utility at the coordination meetings.
SECTION 3 - Contact

3.1 General –

All surface cut work within a local agency’s right-of-way requires an encroachment permit. No work shall commence until after issuance of an encroachment permit except in case of emergency, where notice by facsimile is acceptable by the next business day when work is commenced during normal non-work hours. Before commencing work, the utility shall contact and inform the local agency of the anticipated start date, particularly in the case of blanket permits. For major or capital projects, written notification shall be made at least five (5) working days before work starts with notice of any schedule changes at least one (1) working day prior to the original scheduled start date. For all other projects in the local agency public-right-of-way, written notification (by facsimile) shall be made at least one (1) working day in advance of the work start. Utility shall inform the local agency of the anticipated completion date.

3.2 Applicant-

The applicant for the encroachment permit, whether a contractor for, employee of, or agent of the utility, obligates the utility to these conditions.

3.3 Utility Contact-

As provided for in the Master Permit Conditions, there shall be an established Utility Contact person at each utility to ensure that the proper people are notified within a utility for quarterly utility coordination meeting notices. Such meetings are for the general coordination of work. Where there is a longstanding working relationship between an individual in a local agency and a utility counterpart, the Utility Contact person shall be kept informed of the relationship and any agreements made or understandings arrived at.

3.4 Utility Coalition Representative-

3.4.a. There shall be a Utility Coalition Representative who will be a single point of contact regarding any trench failure, pavement failure adjacent to the trench and for expediting trench repairs.

3.4.b. The local agency will make good faith effort to assess the responsible party (e.g. through permits records), and through the use of a distribution list regularly provided to the local agency by the Utility Coalition Representative, will provide that information to the distribution and Utility Coalition Representative to expedite a response.

3.4.c. In the event of dense utility alignments involving multiple utilities, the possibly impacted utilities agree to mark respective utilities, in a process similar to underground service alert, to assist the Utility Coalition Representative in locating the local agency source of problem(s).

3.5 Capital Projects –

There will be a separate meeting for capital projects between the particular utility and the local agency to discuss local agency requirements and coordination issues. This meeting is in addition to SECTION 4, Coordination, and is desirable to define bid requirements of the local agency for the utility capital project bid documents during design, prior to contract bidding. Such planning
facilitates agency/utility project coordination and negotiations, as well as complete and clear contract documents.

SECTION 4 - Coordination

The purpose of the coordination meetings is to coordinate the local agencies’ future street projects with the utilities’ future maintenance and capital projects. The goal is to implement the utilities’ projects ahead of the City street projects to preserve the integrity of street pavements. The planning horizon for projects to be coordinated is three (3) years. New service connections may not be identifiable in concert with long term program planning. This would include main extensions to accommodate new development. Utilities shall make developers aware of the repair requirements for cutting into any pavement. Accordingly, appropriate conditions will be imposed by the local agency on the applicant during the development review process.

Quarterly coordination meetings will be held. Coordination groups will be formed by region. The hosting local agency may chair the meeting, if necessary. The Contra Costa Transportation Authority (CCTA) Regional Transportation Planning Committee boundaries will be used. Each local agency may meet with the assembled utilities on a prearranged schedule. The regions are defined as follows:

Transplan      Oakley, Pittsburg, Antioch, Brentwood, Contra Costa County
Transpac       Concord, Walnut Creek, Pleasant Hill, Martinez, Contra Costa County
SWAT           San Ramon, Orinda, Moraga, Lafayette, Danville, Contra Costa County
WCCTAC         El Cerrito, San Pablo, Richmond, Pinole, Hercules, Contra Costa County

SECTION 5 - Final Repair Timing

5.1. Routine Work-

Routine work shall have trench plates and temporary plywood sidewalks removed within 72 hours of placing such plate or plywood. Temporary repair shall be by either hot mix A.C. or polymer enhanced cold asphalt cement material. The utility shall be responsible for maintaining temporary repairs. Final AC or PCC shall be placed no later than 30 days from the day the pavement is cut, and within 48 hours within the central business district unless otherwise approved by the local agency.

5.2. Major and Capital Projects-

Major and Capital projects shall be performed with due diligence and adequate forces on a continuous basis and without delay or schedule gap to completion in accordance with a schedule that is approved by the local agency. The schedule shall include the placement of final paving. When phasing is necessary, such phasing and the related schedule are subject to review and approval by the local agency.

SECTION 6 - Extent of Repair/Guarantee Process

6.1. General

The following provisions are presented as an alternative to repair of paving following utility trench construction. One of two possible trench repair alternatives may be used, as shown in
UTILITY TRENCH MASTER PERMIT CONDITIONS

Exhibits A and B. The utility will determine which trench repair alternative to use as cited below.

6.2 Repair Alternative 1: Standard Trench Detail

This trench repair shall be in accordance with Exhibit A, “Standard Trench Detail”. This design requires the pavement and subgrade repair to extend one (1) foot beyond the trench, as shown.

If this alternative is used, the utility shall provide the attached Exhibit C, “Pavement Life Performance Warranty.” The warranty shall be for the life of the trench or until the street is reconstructed. The useful life of the street and pavement condition shall be determined. The agreed practice is that pavement with a PCI < 35, excluding trenches, is in poor condition, needs reconstruction, and no longer has useable life. Such pavement shall not be subject to the warranty. Local agency pavement rating shall have current certification in accordance with the MTC Pavement Management System requirements.

Once a street has been reconstructed or overlaid, the street shall be deemed to be renewed, and all warranty obligations to repair trench affected pavement shall be ended for all trenches completed prior to the reconstruction.

6.3 Repair Alternative 2: Trench Cut Mitigation Detail

This trench repair shall be in accordance with the attached Exhibit B. “Trench Cut Mitigation Detail.” This design requires the pavement and subgrade repair to include four (4) foot wide beyond all sides of the trench, as shown.

If Alternative 2 is used the “Pavement Life Performance Warranty” shall not be required.

6.4 Other Considerations

The PCI and pavement life cycle will be considered in post construction failures. On streets with a PCI of 35 or lower, excluding trenches, the Coalition will not have post trench repair failure responsibilities beyond the line of the trench.

6.5 Pavement Failure

In the event of a trench or adjacent pavement failure, the local agency will make a good faith effort to determine who the responsible utility is for the repair. Failing that, the local agency shall notify the Coalition Representative who shall be responsible to coordinate the repair and see to its completion. Identifying the responsible utility shall be in part through the requesting of USA markings at the failure site.

It is agreed that there will be a mutual, reasonable, and good faith effort between the responsible utility and the municipality to work together to identify total areas damaged by trench excavation or the failure of the utility facility or line. Latent defects shall be repaired by the responsible utility.

Nothing in the Master Permit Conditions precludes the Coalition from pro-actively inspecting the trench and adjacent areas and implementing repairs subject to issuance of an encroachment permit. The utilities shall work amongst themselves to allocate responsibility for the repair cost.
SECTION 7 – Moratorium / Additional Repairs for Moratorium Streets.

7.1. General

There shall be a moratorium on trenching in streets for non-emergency work that have been worked on as part of the local agency annual street maintenance program. For streets that have had a surface treatment such as a slurry seal or chip seal, the moratorium on utility cuts in the street is three (3) years. For overlaid or reconstructed streets the moratorium on utility cuts is five (5) years.

Non-emergency trench cuts on streets under the moratorium may be permitted under certain conditions, but will be subject to additional requirements as provided herein and subject to local agency approval.

7.2 Repair

When a trench cut is permitted in moratorium streets, the standard detail and the following shall apply.

7.2.a. Surface treated streets shall have Type II Slurry Seal as follows:

For residential roads and streets, the entire width of the road for the length of the trench plus three feet on either end shall be slurry sealed. Specific conditions will be considered that could reasonably alter the extent required in order to achieve the end result.

For wide/multi-lane roads the slurry seal application shall be for the trench length plus three (3) for:

- the affected travel lane, or
- if multiple lanes are affected, those lanes, or
- if in the center of the street, both directions to the nearest lane line or curb to curb.

7.2.b. For roads that have received an overlay or have been reconstructed, the trench length plus one (1) foot beyond the trench shall be repaired and the pavement will be ground down to accept 0.15 feet of ½ inch Type A asphalt concrete for:

- the affected lane, or
- if multiple lanes are affected, those lanes, or
- if in the center of the street has been affected, then both directions to the nearest lane line or curb to curb.

If new service connection work, including main extensions is required to service new development, the developer shall be advised that part of the utility cost will be pavement restoration in accordance with these conditions as part of the conditions of development. In the development application process, the local agency will make such repair a condition of development.
7.2.c. At the option of the utility, subject to agreement by the local agency, the utility may elect to pay the equivalent value of the required slurry seal to be combined with City funds for future slurry sealing of the entire street.

SECTION 8 – Amendment of Conditions

These conditions may be amended from time to time as necessary after discussion and coordination with the utility contact.

SECTION 9 – Term of Master Permit Conditions and Extension

These Master Permit Conditions will become effective on October 1, 2005 through October 1, 2010, a five year period. 120 Days before the expiration date, the local agency will so notify the Utility Coalition, at which time the Utility Coalition may review permit conditions with the Contra Costa County City-County Engineering Advisory Committee prior to the local agency extending the Master Permit Conditions for another five year period.
ATTENTION
ADDITIONAL CONDITIONS ON THE ACTUAL PERMIT MAY REQUIRE ALTERNATE BACKFILL MATERIALS.

AS SHOWN IN Section 400, GRADE HIGHWAY ASPHALT WITH TYPE 160 MS AGGREGATE AS SPECIFIED IN THE STREET PERMIT. OR EQUVALENT MATERIAL WHICH IS APPROVED BY THE PUBLIC AGENCY AND SHALL BE APPLIED TO VERTICAL EDGES JUST PRIOR TO PLACING ASPHALT CONCRETE.

EXISTING ROAD SECTION

EXISTING PAVEMENT SECTION

STANDARD TRENCH DETAIL

EXHIBIT A

DATE: MAY 1, 2001
REV: MAR, 2006

SHEET 1 OF 1

Page 8 of 12
April 4, 2006
ATTENTION:
ADDITIONAL CONDITIONS ON THE
ACTUAL PERMIT MAY REQUIRE
ALTERNATE BACKFILL MATERIALS.

NOTE S

4 INCH T-CUT
REFER TO SHEET 2/2

NOTE:
1. ALL WORK TO BE DONE IN ACCORDANCE WITH THE
PUBLIC AGENCY'S STANDARDS AND SPECIFICATIONS OR
AS INDICATED IN THE STREET ENVIRONMENT PERMIT.

2 THE STRUCTURAL STREET SECTION SHALL BE COMPACTED TO 95%.
3. THE TRENCH BACKFILL SHALL BE CHALK 3 AGGREGATE BASE
4. AN EXISTING PAVEMENT SECTION SHALL BE REPLACED WITH 4" OF NEW PAVEMENT.
5. THE TRENCH BACKFILL SHALL BE CHALK 3 AGGREGATE BASE
6. THE TRENCH BACKFILL SHALL BE CHALK 3 AGGREGATE BASE
7. IF COVER IS LESS THAN 2.0 FEET SPECIAL DESIGN IS REQUIRED

STANDARD TRENCH DETAIL

DATE: MAY 4, 2006
REV: MAB, 2006
Pavement Life Performance Warranty

The utilities will make utility cuts, as needed, in city and County Streets for installing, maintaining, and replacing utility facilities. It is the intent of the utilities and local agencies that street that have received a surface treatment, or reconstruction, shall not be excavated for utility work as stated in SECTION 7 of the UTILITY TRENCH MASTER PERMIT CONDITIONS, which provide for a moratorium for the following reasons:

- Uniformity of the monolithic section and cohesion that is lost,
- Disruption to businesses, residents and traffic, and
- Preservation of the desired visual impact.

Under certain conditions, the local agency may allow utility trenches in a moratorium street if utility work is required before the term stated in SECTION 7, and if the street will receive repairs as stated in SECTION 7.

Each utility will warrant the quality of its trench and pavement repair work in any street as described below.

1. **WARRANTY.** The utility shall repair, replace, and restore that portion of the street, including city-owned utilities such as water, sanitary sewer, and storm drainage, damaged, directly or indirectly, by an street cut made by the utility, or its agents, as closely as possible to the condition prior to the utility’s street cut throughout the useful life of the street.

   The useful life of the street and pavement condition shall be determined. The agreed practice is that pavement with a PCI < 35, exclusive of trenches, is in poor condition, needs reconstruction, and no longer has useable life. Such pavement shall not be subject to the warranty. Local agency pavement rating shall have current certification in accordance with the MTC Pavement Management System requirements.

   Once a street has been reconstructed or overlaid, the street shall be deemed to be renewed, and all warranty obligations to repair trench affected pavement shall be ended for all trenches completed prior to the reconstruction.

2. **ACCEPTANCE OF WORK OR SERVICE.** The acceptance of work or services, or the payment for work or services, by the local agency shall not constitute a waiver of any provision of this Warranty.

3. **ASSIGNMENT.** Any party shall not assign this Warranty or any party substituted, without the prior written consent of all the parties.

4. **EXECUTION.** This warranty is effective upon execution. It is the product of negotiation and all parties are equally responsible for authorship of this Warranty. Section 1654 of the California Civil Code shall not apply to the interpretation of this Warranty.
5. **FORUM.** Any lawsuit pertaining to any matter arising under or growing out of this Warranty shall be instituted in a court of proper jurisdiction in the appropriate County of California.

6. **MERGER AND MODIFICATION.** This Warranty sets forth the entire agreement between the parties and supercedes all other oral or written representations. This Warranty may be modified only in a writing approved by an authorized agent and signed by all parties.

7. **NEGATION OF PARTNERSHIP.** The local agency shall not be considered a partner or joint venture with the utility or associate by the provisions of this Warranty. No employee, contractor, officer or agent of either party shall be deemed for any purpose an employee, officer or agency of the other by this Warranty.

8. **NON-INTEREST.** No officer or employees of the local agency shall hold any interest in this Warranty (California Government Code Section 1090).

9. **WAIVER OF DEFAULT.** The failure of any party to enforce against another a provision of this Warranty shall not constitute a waiver of that party’s right to enforce such a provision at a later time, and shall not serve to vary the term of this Warranty.
AGENDA TITLE: Adopt Resolution 60-08 Approving Standard Trench Backfill Detail and Utility Trench Master Permit Conditions

STAFF RECOMMENDATION: Staff recommends that the City Council adopt Resolution 60-08 approving Standard Trench Backfill Detail and Utility Trench Master Permit Conditions

BACKGROUND: By collaborative effort of the Contra Costa County City-County Engineering Advisory Committee (CCEAC) and the members of the Utility Coalition (Contra Costa Water District, Contra Costa Central Sanitary District, East Bay Municipal Utility District, Pacific Gas and Electric, Comcast and AT&T), Utility Trench Master Permit Conditions were developed to provide a uniform approach to utility trench work in the public right-of-way. Most cities in Contra Costa County along with the County have adopted, or are in the process of adopting, the attached conditions and standard trench details.

The Utility Trench Master Permit Conditions provide benefits to the public, the public agencies, and to the utility agencies. The public benefits by having better roads to drive on, fewer traffic disruptions, and more efficient and proper overall expenditures of public funds. The City benefits by having a streamlined and efficient conflict resolution process for utility issues in the public roadways, enhanced coordination of future utility trenching to avoid damaging valuable pavement, new paving in locations of trench work, and overall limitations to construction traffic disruptions. The utility agencies benefit by having consistent trench paving standards and better working relations with the public agencies.

SUMMARY: The Utility Trench Master Permit Conditions provides for two alternative trench details. The conditions allows for the utility to choose which detail they will use. The City of Orinda has adopted use of Contra Costa County Standard Plans. If a utility chooses to use the detail shown in Exhibit “A”, which is very similar to Contra Costa County Standard Detail CU01i, the utility is required to provide a “Pavement Life Performance Warranty” (Exhibit “C”). This detail provides for pavement replacement one foot beyond the trench width.

The utility has the option to use the detail shown in Exhibit “B”. This detail provides for asphalt replacement four feet beyond the edge of the trench. Should the utility choose to follow this trench detail no pavement warranty is required.

The conditions also provide for a five year moratorium on non emergency work following streets being overlaid with asphalt and three years following streets chipped or slurry sealed. Work may only proceed on these streets under stricter re-paving or slurring requirements. The City will
modified the permit requirements to require replacement of rubberized asphalt concrete on sections of pavement on a case by case basis.

**FISCAL IMPACT:** There are no fiscal impacts.

**ATTACHMENTS:**
Attachment 1 - Standard Trench Backfill Detail and Utility Trench Master Permit Conditions

Respectfully submitted by,

[Signature]
Janice Carey
City Engineer

Approved By:

[Signature]
City Manager
UTILITY TRENCH MASTER PERMIT CONDITIONS

SECTION 1 – Preamble

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UTILITY TRENCH MASTER PERMIT CONDITIONS

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3.4.c. In the event of dense utility alignments involving multiple utilities, the possibly impacted utilities agree to mark respective utilities, in a process similar to underground service alert, to assist the Utility Coalition Representative in locating the local agency source of problem(s).

3.5 Capital Projects –

There will be a separate meeting for capital projects between the particular utility and the local agency to discuss local agency requirements and coordination issues. This meeting is in addition to SECTION 4, Coordination, and is desirable to define bid requirements of the local agency for the utility capital project bid documents during design, prior to contract bidding. Such planning
facilitates agency/utility project coordination and negotiations, as well as complete and clear contract documents.

SECTION 4 - Coordination

The purpose of the coordination meetings is to coordinate the local agencies' future street projects with the utilities’ future maintenance and capital projects. The goal is to implement the utilities' projects ahead of the City street projects to preserve the integrity of street pavements. The planning horizon for projects to be coordinated is three (3) years. New service connections may not be identifiable in concert with long term program planning. This would include main extensions to accommodate new development. Utilities shall make developers aware of the repair requirements for cutting into any pavement. Accordingly, appropriate conditions will be imposed by the local agency on the applicant during the development review process.

Quarterly coordination meetings will be held. Coordination groups will be formed by region. The hosting local agency may chair the meeting, if necessary. The Contra Costa Transportation Authority (CCTA) Regional Transportation Planning Committee boundaries will be used. Each local agency may meet with the assembled utilities on a prearranged schedule. The regions are defined as follows:

- Transplan: Oakley, Pittsburg, Antioch, Brentwood, Contra Costa County
- Transpac: Concord, Walnut Creek, Pleasant Hill, Martinez, Contra Costa County
- SWAT: San Ramon, Orinda, Moraga, Lafayette, Danville, Contra Costa County
- WCCTAC: El Cerrito, San Pablo, Richmond, Pinole, Hercules, Contra Costa County

SECTION 5 - Final Repair Timing

5.1. Routine Work-

Routine work shall have trench plates and temporary plywood sidewalks removed within 72 hours of placing such plate or plywood. Temporary repair shall be by either hot mix A.C. or polymer enhanced cold asphalt cement material. The utility shall be responsible for maintaining temporary repairs. Final AC or PCC shall be placed no later than 30 days from the day the pavement is cut, and within 48 hours within the central business district unless otherwise approved by the local agency.

5.2. Major and Capital Projects-

Major and Capital projects shall be performed with due diligence and adequate forces on a continuous basis and without delay or schedule gap to completion in accordance with a schedule that is approved by the local agency. The schedule shall include the placement of final paving. When phasing is necessary, such phasing and the related schedule are subject to review and approval by the local agency.

SECTION 6 - Extent of Repair/Guarantee Process

6.1. General

The following provisions are presented as an alternative to repair of paving following utility trench construction. One of two possible trench repair alternatives may be used, as shown in
UTILITY TRENCH MASTER PERMIT CONDITIONS

Exhibits A and B. The utility will determine which trench repair alternative to use as cited below.

6.2 Repair Alternative 1: Standard Trench Detail

This trench repair shall be in accordance with Exhibit A, “Standard Trench Detail”. This design requires the pavement and subgrade repair to extend one (1) foot beyond the trench, as shown.

If this alternative is used, the utility shall provide the attached Exhibit C, “Pavement Life Performance Warranty.” The warranty shall be for the life of the trench or until the street is reconstructed. The useful life of the street and pavement condition shall be determined. The agreed practice is that pavement with a PCI < 35, excluding trenches, is in poor condition, needs reconstruction, and no longer has useable life. Such pavement shall not be subject to the warranty. Local agency pavement rating shall have current certification in accordance with the MTC Pavement Management System requirements.

Once a street has been reconstructed or overlaid, the street shall be deemed to be renewed, and all warranty obligations to repair trench affected pavement shall be ended for all trenches completed prior to the reconstruction.

6.3 Repair Alternative 2: Trench Cut Mitigation Detail

This trench repair shall be in accordance with the attached Exhibit B. “Trench Cut Mitigation Detail.” This design requires the pavement and subgrade repair to include four (4) foot wide beyond all sides of the trench, as shown.

If Alternative 2 is used the “Pavement Life Performance Warranty” shall not be required.

6.4 Other Considerations

The PCI and pavement life cycle will be considered in post construction failures. On streets with a PCI of 35 or lower, excluding trenches, the Coalition will not have post trench repair failure responsibilities beyond the line of the trench.

6.5 Pavement Failure

In the event of a trench or adjacent pavement failure, the local agency will make a good faith effort to determine who the responsible utility is for the repair. Failing that, the local agency shall notify the Coalition Representative who shall be responsible to coordinate the repair and see to its completion. Identifying the responsible utility shall be in part through the requesting of USA markings at the failure site.

It is agreed that there will be a mutual, reasonable, and good faith effort between the responsible utility and the municipality to work together to identify total areas damaged by trench excavation or the failure of the utility facility or line. Latent defects shall be repaired by the responsible utility.

Nothing in the Master Permit Conditions precludes the Coalition from pro-actively inspecting the trench and adjacent areas and implementing repairs subject to issuance of an encroachment permit. The utilities shall work amongst themselves to allocate responsibility for the repair cost.
SECTION 7 – Moratorium / Additional Repairs for Moratorium Streets.

7.1. General

There shall be a moratorium on trenching in streets for non-emergency work that have been worked on as part of the local agency annual street maintenance program. For streets that have had a surface treatment such as a slurry seal or chip seal, the moratorium on utility cuts in the street is three (3) years. For overlaid or reconstructed streets the moratorium on utility cuts is five (5) years.

Non-emergency trench cuts on streets under the moratorium may be permitted under certain conditions, but will be subject to additional requirements as provided herein and subject to local agency approval.

7.2 Repair

When a trench cut is permitted in moratorium streets, the standard detail and the following shall apply.

7.2.a. Surface treated streets shall have Type II Slurry Seal as follows:

For residential roads and streets, the entire width of the road for the length of the trench plus three feet on either end shall be slurry sealed. Specific conditions will be considered that could reasonably alter the extent required in order to achieve the end result.

For wide/multi-lane roads the slurry seal application shall be for the trench length plus three (3) for:

- the affected travel lane, or
- if multiple lanes are affected, those lanes, or
- if in the center of the street, both directions to the nearest lane line or curb to curb.

7.2.b. For roads that have received an overlay or have been reconstructed, the trench length plus one (1) foot beyond the trench shall be repaired and the pavement will be ground down to accept 0.15 feet of ½ inch Type A asphalt concrete for:

- the affected lane, or
- if multiple lanes are affected, those lanes, or
- if in the center of the street has been affected, then both directions to the nearest lane line or curb to curb.

If new service connection work, including main extensions is required to service new development, the developer shall be advised that part of the utility cost will be pavement restoration in accordance with these conditions as part of the conditions of development. In the development application process, the local agency will make such repair a condition of development.
UTILITY TRENCH MASTER PERMIT CONDITIONS

7.2.c. At the option of the utility, subject to agreement by the local agency, the utility may elect to pay the equivalent value of the required slurry seal to be combined with City funds for future slurry sealing of the entire street.

SECTION 8 – Amendment of Conditions

These conditions may be amended from time to time as necessary after discussion and coordination with the utility contact.

SECTION 9 – Term of Master Permit Conditions and Extension

These Master Permit Conditions will become effective on October 1, 2005 through October 1, 2010, a five year period. 120 Days before the expiration date, the local agency will so notify the Utility Coalition, at which time the Utility Coalition may review permit conditions with the Contra Costa County City-County Engineering Advisory Committee prior to the local agency extending the Master Permit Conditions for another five year period.
ATTENTION:
ADDITIONAL CONDITIONS ON THE
ACTUAL PERMIT MAY REQUIRE
ALTERNATE BACKFILL MATERIALS.

NOTE:

1. A STREET ENCLOSEMENT PERMIT IS REQUIRED FOR ALL WORK WITHIN THE PUBLIC RIGHT-OF-WAY.
2. ALL WORK TO BE DONE IN ACCORDANCE WITH THE PUBLIC AGENCY'S STANDARDS AND SPECIFICATIONS OR AS INDICATED IN THE STREET ENCLOSURE PERMIT.
3. UNDERGROUND SERVICE ALERT: CALL 811-800-8388. SHALE BE NOTIFIED 48 HOURS PRIOR TO BEGINNING WORK.
4. ALL EXCAVATIONS SHALL CONFORM TO THE REQUIREMENTS OF CH OSHA.
5. ASPHALT SHALL BE CUT THROUGH THE FULL THICKNESS OF EXISTING AC AND TO NEAT STRAIGHT LINES WITH A POWER DRIVEN SAW OR RUBBER BANDING BEFORE FINISHED ASPHALT CONCRETE IS PLACED. PAVEMENT EDGES DAMAGED DURING CONSTRUCTION SHALL BE CUT TO NEAT LINES PRIOR TO PAVING.
7. IF COVER IS LESS THAN 2.0 FEET SPECIAL DESIGN IS REQUIRED WITH APPROVAL BY THE PUBLIC AGENCY.

STANDARD TRENCH DETAIL

DATE: MAY 4, 2001
REV: MAR, 2005

Page 8 of 12
April 4, 2006
ATTENTION:
ADDITIONAL CONDITIONS ON THE
ACTUAL PERMIT MAY REQUIRE
ALTERNATE BACKFILL MATERIALS.

NOTE 5

A.C. SHALL BE 8'-000 GRADE PAYING ASPHALT
WITH TYPE G3/4 W/ADD AGGREGATE OVER CURRENT CALTREN
STANDARD SPECIFICATIONS OR EQUIVALENT RECOMMEND
BY THE PUBLIC AGENCY. TOP COAT SHALL BE
APPLIED TO VERTICAL EDGES JUST PRIOR TO PLACING
ASPHALT CONCRETE.

EXISTING ROAD SECTION

STRUCTURAL STREET SECTION
CLASS 3 A
COMPACTED TO 90X

EXISTING CURB/GUTTER AND SIDEWALK
(IS SHOWN FOR ORIENTATION PURPOSES)

NEW AC PAVEMENT SECTION

EXISTING AC PAVEMENT SECTION

BACKFILL

EXISTING ROAD SECTION

6" MIN.
COMPACT TO 90X

6" MIN.

NOTES:
1. A STREET ENHANCEMENT PERMIT IS REQUIRED FOR
   ALL WORK WITHIN THE PUBLIC RIGHT-OF-WAY.
2. ALL WORK TO BE DONE IN ACCORDANCE WITH THE
   PUBLIC WORKSTANDARDS AND SPECIFICATIONS OR
   AS INDICATED IN THE STREET ENHANCEMENT PERMIT.
3. UNDERGROUND SERVICE ALERT (811) 1-800-227-7389
   SHALL BE NOTIFIED 48 HOURS PRIOR TO BEGINNING WORK.
4. ALL EXCAVATIONS SHALL CONFORM TO THE REQUIREMENTS OF
   CAL OSHA.
5. PRIOR TO FINISH PAYING, EXISTING ASPHALT SHALL BE CUT
   THROUGH ITS FULL THICKNESS TO MEET STRAIGHT LINES WITH
   A POWER DRIVEN SAW OR GRINDER AND REMOVED TO THE
   LIMITS OF THE T-CUT WITH THE ASPHALT REMOVED.
   THE EXISTING BASE MATERIAL SHALL BE COMPACTED TO 95X
   RELATIVE COMPACTIVITY BEFORE PAYING THE REPLACEMENT
   ASPHALT. THICKNESS SHALL BE A MINIMUM OF 3-1/2 INCHES OR SHALL
   MATCH THE THICKNESS OF THE EXISTING PAVEMENT SECTION.
6. TRENCH BACKFILL FOR EXCAVATIONS OUTSIDE OF THE PAVED AREA
   SHALL CONSIST OF EXISTING MATERIAL OR OTHER APPROVED BACKFILL
   MATERIAL AS APPROVED BY THE INSPECTOR IN THE PREVIOUS STEP.
   THE BACKFILL MATERIAL AND EMBRASURES SHALL BE PER THE SPECIFICATION
   OF THE INSPECTORS INSTALLING THE FACILITY. TRENCH BACKFILL AND
   EMBRASURES SHALL HAVE A MINIMUM RELATIVE COMPACTION OF 90X.
7. IF COVER IS LESS THAN 2.5 FEET SPECIAL DESIGN IS REQUIRED
   WITH APPROVAL BY THE PUBLIC AGENCY.

THE STRUCTURAL STREET SECTION SHALL MATCH
EXISTING PAVEMENT SECTION OR SHALL
BE 3' AC OR 12' AS WHEREVER IS GREATER. CONCRETE
GAP OR FULL DEPTH AC TO BE USED AS DIRECTED BY
PUBLIC AGENCY.

STRUCTURAL BACKFILL SHALL BE CLASS 3 AGGREGATE BASE
LAD OR OTHER SUITABLE MATERIAL AS APPROVED
BY THE PUBLIC AGENCY. BACKFILL SHALL BE
COMPACTED TO 95X RELATIVE COMPACTIVITY TO A POINT 2.5 FEET BELOW FINISH GRADE
AND TO 90X OF RELATIVE COMPACTION ELSEWHERE.

MATERIALS AND DIMENSIONS PER UTILITY
OWNER AND PIPE MANUFACTURER REQUIREMENTS
OR AS CONTAINED IN UTILITY SPECIFICATIONS.

WHEN P.C.C. PAVEMENT SECTION IS ENCOUNTERED
IN THE TRENCH, THE P.C.C. PAVEMENT SECTION SHALL
BE REPLACED WITH 12" OF DEEP LIFT ASPHALT.

WHERE THE EDGE OF THE TRENCH IS WITHIN 3 FEET
OF A CURB UP OR THE CURB OF PAVEMENT,
AC PAVEMENT BETWEEN THE TRENCH CUT
AND THE CURB UP/EDGE OF PAVEMENT SHALL
BE REMOVED AND REPLACED.

STANDARD TRENCH DETAIL

EXHIBIT B

DATE: MAY 4, 2001
REV: MAR, 2005

Sheet 1 of 2

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April 4, 2006
Pavement Life Performance Warranty

The utilities will make utility cuts, as needed, in city and County Streets for installing, maintaining, and replacing utility facilities. It is the intent of the utilities and local agencies that street that have received a surface treatment, or reconstruction, shall not be excavated for utility work as stated in SECTION 7 of the UTILITY TRENCH MASTER PERMIT CONDITIONS, which provide for a moratorium for the following reasons:

- Uniformity of the monolithic section and cohesion that is lost,
- Disruption to businesses, residents and traffic, and
- Preservation of the desired visual impact.

Under certain conditions, the local agency may allow utility trenches in a moratorium street if utility work is required before the term stated in SECTION 7, and if the street will receive repairs as stated in SECTION 7.

Each utility will warrant the quality of its trench and pavement repair work in any street as described below.

1. **WARRANTY.** The utility shall repair, replace, and restore that portion of the street, including city-owned utilities such as water, sanitary sewer, and storm drainage, damaged, directly or indirectly, by an street cut made by the utility, or its agents, as closely as possible to the condition prior to the utility's street cut throughout the useful life of the street.

   The useful life of the street and pavement condition shall be determined. The agreed practice is that pavement with a PCI < 35, exclusive of trenches, is in poor condition, needs reconstruction, and no longer has useable life. Such pavement shall not be subject to the warranty. Local agency pavement rating shall have current certification in accordance with the MTC Pavement Management System requirements.

   Once a street has been reconstructed or overlaid, the street shall be deemed to be renewed, and all warranty obligations to repair trench affected pavement shall be ended for all trenches completed prior to the reconstruction.

2. **ACCEPTANCE OF WORK OR SERVICE.** The acceptance of work or services, or the payment for work or services, by the local agency shall not constitute a waiver of any provision of this Warranty.

3. **ASSIGNMENT.** Any party shall not assign this Warranty or any party substituted, without the prior written consent of all the parties.

4. **EXECUTION.** This warranty is effective upon execution. It is the product of negotiation and all parties are equally responsible for authorship of this Warranty. Section 1654 of the California Civil Code shall not apply to the interpretation of this Warranty.
5. **FORUM.** Any lawsuit pertaining to any matter arising under or growing out of this Warranty shall be instituted in a court of proper jurisdiction in the appropriate County of California.

6. **MERGER AND MODIFICATION.** This Warranty sets forth the entire agreement between the parties and supercedes all other oral or written representations. This Warranty may be modified only in a writing approved by an authorized agent and signed by all parties.

7. **NEGATION OF PARTNERSHIP.** The local agency shall not be considered a partner or joint venture with the utility or associate by the provisions of this Warranty. No employee, contractor, officer or agent of either party shall be deemed for any purpose an employee, officer or agency of the other by this Warranty.

8. **NON-INTEREST.** No officer or employees of the local agency shall hold any interest in this Warranty (California Government Code Section 1090).

9. **WAIVER OF DEFAULT.** The failure of any party to enforce against another a provision of this Warranty shall not constitute a waiver of that party’s right to enforce such a provision at a later time, and shall not serve to vary the term of this Warranty.

STAFF RECOMMENDATION: Staff recommends that the City Council adopt Resolution 72-09 approving the Standard Trench Backfill Details and Utility Trench Master Permit Conditions.

BACKGROUND: This resolution and recommendation was originally brought to the City Council on October 7, 2008 and then continued to have staff conduct further review (Attachments 1 and 2).

One of the bigger sources of damage to the City’s streets is cuts made in the pavement by the various utility companies (EBMUD, AT&T, CCCSD, PG&E) providing service to the residents of the City. These cuts are usually to repair/replace existing facilities or to install a new service line to an adjacent property. To control and manage this work, the City is empowered to issue a permit that sets out requirements on how work is to be performed. Orinda along with all the other cities in the County has a policy for managing and inspecting that the work is properly done. In an effort to simplify the process and avoid confusion the cities and utilities operating in the County have agreed to one master set of permit conditions.

In the time since this issue was brought to the Council, EBMUD has added the incentive that approval of these conditions will allow access to their “Work in Streets” GIS program. This is a coordination tool that will allow all users to identify and share their current and future projects in one GIS based application. This will greatly simplify project coordination and have the added benefit on highlighting recently repaired (moratorium) streets.

Overall the master permit conditions (Attachment 3) are a good document and would be in the City’s interest to adopt. The important issues that these conditions provide for are:
- A moratorium on working in streets that have been recently repaired.
- Specific standards for how a pavement repair is to be made.
- Sets out a time frame in which the repair is to be made.
• Warranty the repair.

To date the City has not adopted the master permit conditions for a couple of reasons:
• The time to complete a final repair is allowed to be 30 days. Seen as too long. Many times the temporary patch fails before the final patch is in place.
• No provision for signage that identifies the utility doing the work.
• Council feels that under the master conditions that the utilities will not be responsive to our needs for a timely completion of the work being done. Currently the City gets blamed for the poor performance of the utility company.

**SUMMARY:** The Public Works and Engineering Services recommendation is:
• Adopt the master permit conditions as is.
• Add an Orinda specific special condition to the encroachment permit that states “Arterial streets shall receive final patching within 48 hours; all other final patches shall be completed within 14 calendar days.” (Attachment 4)
• Add an Orinda specific special condition to the encroachment permit for signage to identify the utility at each permit location. (Attachment 4)
• More closely monitor temporary patches and have them repaired as necessary until the final patch is in place.

**FISCAL IMPACT:** Adoption of this resolution will have no direct fiscal impact on the City. However, better management of trench cuts in the City's road system will result in longer street life, better road condition (as defined by the Pavement Condition Index) and decreased road maintenance cost over time.

**ATTACHMENTS:**
Attachment 1 – Council Staff Report, October 7, 2008
Attachment 2 – City Council meeting Minutes October 7, 2008
Attachment 3 – Utility Trench Master Permit Conditions
Attachment 4 – Revocable Encroachment Permit - Revised (Sample)

Respectfully submitted by,

Charles Swanson
Director of Public Works and Engineering Services

cc: Tod Fierner, Public Works Inspector

Approved By: __________________________
Janet S. Keeter, City Manager
MOTION by Vice Mayor McCormick and seconded by Councilmember Smith to appoint Councilmembers Glazer and Worth to the Council's Strategic Funding Subcommittee. Said motion carried by a unanimous (5-0) voice vote.

I-4 Adopt Resolution 72-09 Approving Standard Trench Backfill Detail and Utility Trench Master Permit Conditions.

Public Works Director Swanson introduced the matter confirming that the action would provide standardization of processes throughout the County and the program included more signage which the City was now preparing.

Vince Maiorana addressed the Council suggesting that the City take pictures before big projects to confirm what changes occur as a result of the projects.

MOTION by Councilmember Smith and seconded by Councilmember Worth to adopt Resolution 72-09 approving the Standard Trench Backfill Details and Utility Trench Master Permit Conditions. Said motion carried by a unanimous (5-0) voice vote.

I-5 Adoption of Ordinance 09-05: An Ordinance Revising Portions of Chapter 2.04, "City Council," relating to the location of City Council Meetings

MOTION by Councilmember Worth and seconded by Councilmember Smith that Ordinance No. 09-05 titled "An Ordinance revising portions of Chapter 2.04, "City Council," relating to the location of City Council Meetings" be considered by title only waiving the full reading of the text by the City Clerk. Said motion carried by a unanimous (5-0) voice vote.

MOTION by Councilmember Worth and seconded by Councilmember Smith that Ordinance No. 09-05 titled "An Ordinance revising portions of Chapter 2.04, "City Council," relating to the location of City Council Meetings" be adopted. Said motion carried by a unanimous (5-0) roll call vote.

Mayor Severson announced that the City Clerk would publish Ordinance No. 09-05 in accordance with State law and it would become effective 30 days after adoption.

G-4 Consideration of Proposed Lamorinda Letter to the California Supreme Court Supporting a Petition for Review Filed by the City of Irvine in City of Irvine v. Southern California Association of Governments, Fourth District Court of Appeal Case No. G040513.

Councilmember Worth recognized the importance of the City taking positions to support various legislation or court cases and also that such positions are often taken with the guidance of the League of California Cities. In this case, given the City's experience with its housing element and how that is tied to receipt of transportation funds, she suggested that the City pause and not weigh in with a position at this time.
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BEFORE THE CITY COUNCIL OF THE CITY OF ORINDA

In the Matter of:

Approving Revised Standard Trench ) Resolution No. 72-09
Backfill Detail and Utility Trench )
Master Permit Conditions )

WHEREAS, the City Council of the City of Orinda supports better roads to drive on, fewer traffic disruptions, and more efficient and proper overall expenditures of public funds; and

WHEREAS, The Public Managers Association of Contra Costa County directed the City-County Engineers Advisory Committee to work in cooperation with the various public utility agencies and special districts in developing a county-wide trench repair detail and guidelines; and

WHEREAS, the attached Utility Trench Master Permit Conditions including the Standard Trench Details and Pavement Life Performance Warranty developed in cooperation with Utility Agencies and Special Districts (Utility Coalition) will provide for better roads to drive on, fewer traffic disruptions, and more efficient and proper overall expenditures of public funds; and

WHEREAS, the City-County Engineers Advisory Committee of which the City of Orinda’s City Engineer is a member and the Utility Coalition, recommend the County and all cities within Contra Costa County adopt the Utility Trench Master Permit Conditions.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Orinda approves the Utility Trench Master Permit Conditions and directs the Director of Public Works and Engineering Services to incorporate the Utility Trench Master Permit Conditions attached as Exhibit A.

Adopted by the City Council of the City of Orinda at a regular meeting on September 1, 2009 by the following vote:

AYES: COUNCILMEMBERS: Glazer, McCormick, Smith, Worth and Mayor Severson
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None

ATTEST: Michele Olsen, City Clerk

Sue Severson, Mayor