



## RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

### **Formation of the Green Valley Road Underground Utility District**

WHEREAS, the California Public Utilities Commission (CPUC) has authorized electric and telecommunication utilities to convert overhead utility lines and facilities to underground pursuant to Electric Rule 20 and Telecommunication Rule 32;

WHEREAS, pursuant to certain criteria, CPUC rules allow participating cities and counties to authorize the creation of underground utility districts within which existing overhead electric distribution and telecommunication distribution and service facilities will be converted to underground;

WHEREAS, the County of El Dorado's ("County") General Plan Policy 5.6.1.1 provides that the County will promote and coordinate efforts with utilities for the undergrounding of existing and new utility distributions lines and existing overhead power lines and Chapter 12.36 of the El Dorado County Ordinance Code authorizes the Board of Supervisors to declare a designated area an underground utility district and order the removal and underground installation;

WHEREAS, the County's Board of Supervisors may from time to time call public hearings to ascertain whether the public necessity, health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures within designated areas of the unincorporated area of the County and the underground installation of wires and facilities for supplying electric, communication or similar or associated service;

WHEREAS, County staff proceeded with the preliminary work and public outreach necessary for the establishment of an underground utility district as part of the Green Valley Road at Indian Creek and Green Valley Road at Mound Springs Creek – Bridge Replacement Projects;

WHEREAS, the County has consulted with the affected public utilities and such utilities have agreed that the proposed underground utility district, designated the Green Valley Road Underground Utility District (District) and more particularly described in Exhibit A attached hereto and incorporated herein by reference, meets the criteria established by the Rules of the CPUC, as follows,

That such undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric and communication facilities;

That the street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic;

That the street or road or right-of-way in the proposed district are designated arterial streets or major collectors as defined in the Governor's Office of Planning and Research General Plan Guidelines;

WHEREAS, the County has consulted with Pacific Gas & Electric (PG&E) and determined that the County has accumulated Rule 20A work credits sufficient to complete the proposed overhead to underground conversion project;

WHEREAS, the County and the affected utilities have agreed by letter that each utility shall complete the engineering of their respective portion of the District;

WHEREAS, the County and the affected utilities have agreed by letter that PG&E shall be responsible for preparation of the trench profile and composite drawings and that PG&E shall be designated as “trench lead” to manage trenching, installation of substructures, and pavement restoration and such other work;

WHEREAS, the County and the affected utilities have agreed on a work schedule which meets their respective capabilities and further agreed to waive any administrative fees, costs or special street restoration requirements for purposes of this Project;

WHEREAS, to the extent required, the County has agreed to provide easements or rights of way on private property as may be necessary for installation of facilities as part of the District, in a form satisfactory to the affected utilities;

WHEREAS, said District will be constructed in one contract and one construction season as part of the Green Valley Road at Indian Creek and Green Valley Road at Mound Springs Creek – Bridge Replacement Projects;

WHEREAS, the public health, safety, and welfare of County residents will be advanced within the proposed District with the removal of poles, overhead wires, and associated overhead structures and the underground installation of wires and facilities supplying electric communication or similar associated service within that certain area of the County described as follows: On the proposed Green Valley Road, between Mortara Circle and Poodle Lane;

WHEREAS, the County has notified all affected property owners within the proposed District and invited the same to attend a public hearing to discuss formation of the proposed District;

WHEREAS, the County’s Board of Supervisors held a public hearing at which time the Board of Supervisors did receive and consider the recommendation of the Community Development Agency, Transportation Division, and any and all objections or protests that were raised by the owners of property within the above described District pertaining to designating this area an underground utility district;

WHEREAS, notice of such hearing was given to all affected property owners as shown on the last equalized assessment rolls and to all affected utilities, in the manner and within the time required by law;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of the County of El Dorado that:

1. The above-described area is hereby declared an underground utility district, and is designated as the Green Valley Road Underground Utility District (District), and more particularly described in Exhibit A attached hereto, and hereby incorporated as a part of this Resolution;
2. That the District herein created is in the general public interest in that such undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric and communication facilities; that the street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic; and, that the street or road or right-of-way is considered an arterial street or major collector as defined in the Governor’s Office of Planning and Research General Plan Guidelines;
3. That the County’s Community Development Agency, Transportation Division, is hereby directed to notify all affected utilities and all affected property owners within the District of the adoption of this Resolution within ten (10) days after the date of such adoption, and ninety (90) days before the actual construction of the underground facilities. Said Transportation Division shall further notify said property owners of the necessity that, if they or any person occupying such property desire to continue to receive electric, communication, or other similar or associated service, they or such occupant shall before the expiration of the ninety (90) days advance notice, provide all necessary facility changes on their premises so as to receive such service from the lines of the supplying utility or utilities on file with

the CPUC. Such notification shall be made by mailing a copy of this resolution together with a copy of El Dorado County Ordinance Code 12.36 to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities;

4. That the Board of Supervisors does hereby fix May 31, 2018 as the date by which the affected property owners must be ready to receive underground service in accordance with the serving utility’s rules for underground service, and does hereby order the removal of all poles, overhead wires, and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication, or similar or associated service with the District on or before December 31, 2021;
5. That PG&E and AT&T shall commence work on the District and that as each phase of the project is complete and ready for conversion from overhead to underground utility facilities, all affected property owners shall be notified by mail at least ten (10) days in advance of the schedule for conversion of all utility service lines;
6. PG&E shall use the underground conversion allocation computed pursuant to decisions of the CPUC for the purpose of providing to each premises in the District a maximum of 100 feet of individual electric service trenching and conductor, as well as conduit, backfill, and paving, if required. All costs for individual electric service trenching and conductor, as well as conduit, backfill, and paving exceeding 100 feet shall be borne by the County of El Dorado. Each other serving utility will provide service trenching and conductor in accordance with its rules and tariffs on file with the CPUC or as required by its Franchise Agreement with the County of El Dorado. AT&T shall pay for the installation of no more than 100 feet of each customer’s underground service connection facility occasioned by the undergrounding; and
7. PG&E shall use said underground conversion allowance allocation, for the conversion of electric service panels in the District to accept underground service, in accordance with the Electric Panel Service Conversion Program. PG&E will provide an electrical contractor to install the conduit and termination box located on, under, or within any structure on the premises served within the District. The County's Development Services Division will issue a building permit and provide the required inspection for the conduit and termination box installation, at no cost to the property owner. Each property owner within the District will be responsible for the maintenance of the installed conduit and termination box; and any future electric and communication distribution facilities must be placed underground.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by the following vote of said Board:

Attest:  
James S. Mitrisin  
Clerk of the Board of Supervisors

Ayes:  
Noes:  
Absent:

By: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Chair, Board of Supervisors