



RESOLUTION NO. 023-2014

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

Formation of the Pioneer Trail Phase II 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 Telecommunications 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, 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;

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, the County has consulted with the affected public utilities and such utilities have agreed that the proposed underground utility district, designated the Pioneer Trail Phase II 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 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 adjoins or passes through an area of unusual scenic interest to the general public;

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;

WHEREAS, the County has consulted with Liberty Utilities (Liberty) and determined that the County has accumulated Rule 20A work credits sufficient to complete the proposed overhead to underground conversion project;

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 Pioneer Trail, between Black Bart Avenue and Jicarilla Drive;

WHEREAS, the County held one public meeting to inform affected property owners of the process, roles, and responsibilities of the agencies involved in the formation of the District;

WHEREAS, the County's Board of Supervisors held a public hearing at which time the Board of Supervisors received and considered 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; and,

WHEREAS, notice of such hearing was given to all affected property owners as shown on the last equalized assessment roll 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 Pioneer Trail Phase II Underground District (District), and more particularly described in Exhibit A attached hereto, and hereby incorporated as a part of this Resolution;
2. 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 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 adjoins or passes through an area of unusual scenic interest to the general public 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 Guideline;
3. 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 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 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 to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities;
4. The Board of Supervisors does hereby fix October 15, 2016 as the date by which the affected property owners must be ready to receive 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 October 15, 2017;
5. Liberty, AT&T, and Charter Communications shall commence work on the District and that when 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. Liberty shall use the underground conversion allocation computed pursuant to decisions of the CPUC for the purpose of providing to each premises in the District individual electric service trenching and conductor, as well as conduit, backfill, and paving, if required. 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;
7. Liberty 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

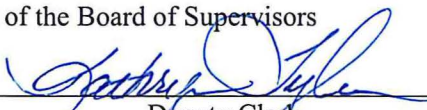
Service Conversion Program. Liberty will provide an electrical contractor to install the conduit and termination box located on, under, or within any structure on the premises served within the District. The County's Development Services Division will issue a building permit and provide the required 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.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 25th day of March, 2014, by the following vote of said Board:

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

Ayes: Santiago, Nutting, Mikulaco, Veerkamp
Noes: none
Absent: Briggs

By:


Deputy Clerk



Chair, Board of Supervisors
Norma Santiago