



## RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

### **Formation of the Diamond Springs Parkway 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**, 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;

**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**, on September 10, 2013 the County's Board of Supervisors directed staff to proceed with the preliminary work and public outreach necessary for the establishment of an underground utility district as part of the Diamond Springs Parkway Project;

**WHEREAS**, the County has consulted with the affected public utilities and such utilities have agreed that the proposed underground utility district, designated the Diamond Springs Parkway 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 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 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 the County shall be responsible for incorporating the trench profile and composite drawings provided by the utility companies into the Diamond Springs Parkway Projects Plans and that the County shall be designated as “lead agent” to manage trenching, installation of substructures, and pavement restoration and such other work;

**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 two separate contracts and years as part of the Diamond Springs Parkway Projects Phase 1A and Phase 1B/2;

**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 Diamond Springs Parkway, and on Diamond Road (State Route 49), between Pleasant Valley Road and Bradley Drive;

**WHEREAS**, in defining the District boundaries the County has considered wheelchair access;

**WHEREAS**, the County held two public meetings 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;

**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 Diamond Springs Parkway Underground 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 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 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 October 1, 2016 for Phase 1A and October 1, 2020 for Phase 1B/2 as the dates 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 December 31, 2016 for Phase 1A and December 31, 2020 for Phase 1B/2;
5. That PG&E, AT&T, and Comcast 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; 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.

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