



## RESOLUTION NO. 172-2019

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

### **Formation of the Shingle Springs 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 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 for the Shingle Springs community;

WHEREAS, the County has consulted with the affected public utilities and such utilities have agreed that the proposed underground utility district, designated the Shingle Springs 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 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 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, upon proposing a specific overhead to underground conversion project within the District, the County shall consult with Pacific Gas & Electric (PG&E) and determine that the County has accumulated Rule 20A work credits sufficient to complete the proposed overhead to underground conversion project and shall consult with American Telephone & Telegraph (AT&T) and determine that the County has accumulated Rule 32A work credits sufficient to complete the proposed overhead to underground conversion project;

WHEREAS, upon proposing a specific overhead to underground conversion project within the District, the County and the affected utilities shall agree by letter that each utility shall complete the engineering of their respective portion of the District;

WHEREAS, upon proposing a specific overhead to underground conversion project within the District, the County and the affected utilities shall agree 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, upon proposing a specific overhead to underground conversion project within the District, the County and the affected utilities shall agree on a work schedule which meets their respective capabilities and further agree to waive any administrative fees, costs, or special street restoration requirements for purposes of the project;

WHEREAS, to the extent required, the County agrees 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, 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: Along South Shingle Road, Ponderosa Road, North Shingle Road, Wild Chaparral Drive, and Sunset Lane;

WHEREAS, the County has notified all affected property owners within the proposed District and invited the same to attend the 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 Department of Transportation, 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 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 Shingle Springs 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 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 County's Department of Transportation 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 Department of Transportation 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, for each specific overhead to underground conversion project within the District, the County, PG&E, and AT&T shall establish a date by which the affected property owners must be ready to receive underground service; that the Board of Supervisors 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 the agreed date;
5. That, upon initiation of a specific proposed overhead to underground conversion project within the District, PG&E and AT&T shall commence work on the project, and that all affected property owners shall be notified by mail at least ninety (90) 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 one-hundred (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 one-hundred (100) feet shall be borne by the property owner. 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 one-hundred (100) feet of each customer's underground service connection facility occasioned by the undergrounding;
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 Planning and Building Department 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;
8. Upon proposing a specific overhead to underground conversion project within the District, the County shall consult with PG&E and determine that the County has accumulated Rule 20A work credits sufficient to complete the proposed overhead to underground conversion project and obtain PG&E's concurrence that the specific project qualifies for Rule 20A work credits and shall consult with AT&T and determine that the County has accumulated Rule 32A work credits sufficient to complete the proposed overhead to underground conversion project and obtain AT&T's concurrence that the specific project qualifies for Rule 32A work credits; and
9. With the exception of the transmission and distribution lines identified to remain, all existing overhead communication and electric distributions facilities in the District shall be removed through specific overhead to underground conversion projects and all future electric and communication distribution facilities in the District shall 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 22nd day of October, 2019, by the following vote of said Board:

Attest:  
Kim Dawson  
Clerk of the Board of Supervisors

Ayes: Hidahl, Frentzen, Veerkamp  
Noes: None  
Recused: Parlin  
Absent: Novasel

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

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Brian K. Veerkamp, First Vice Chair, Board of Supervisors

