

**Sierra County
Board of Supervisors'
Agenda Transmittal &
Record of Proceedings**

MEETING DATE: July 23, 2019	TYPE OF AGENDA ITEM: <input type="checkbox"/> Regular <input checked="" type="checkbox"/> Timed <input type="checkbox"/> Consent
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DEPARTMENT: Department of Public Works and Transportation APPROVING PARTY: Tim H. Beals, Director PHONE NUMBER: 530-289-3201

AGENDA ITEM: Conduct Public Hearing regarding formation of a underground utility district as part of the proposed Sierra City Main Street Improvmenet Project, and adoption of a Resolution forming the Sierra City Main Street Underground Utility District.

SUPPORTIVE DOCUMENTS ATTACHED: Memo Resolution Agreement Other

BACKGROUND INFORMATION: Background on the formation of the underground utility district is attached.

FUNDING SOURCE: CPUC RULE 20A TARIFF CREDITS
GENERAL FUND IMPACT: No General Fund Impact
OTHER FUND:
AMOUNT: \$ N/A

ARE ADDITIONAL PERSONNEL REQUIRED?

 Yes, -- --
 No

IS THIS ITEM ALLOCATED IN THE BUDGET? Yes No

IS A BUDGET TRANSFER REQUIRED? Yes No

SPACE BELOW FOR CLERK'S USE

<p>BOARD ACTION: <input type="checkbox"/> Approved <input type="checkbox"/> Approved as amended <input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as amended <input type="checkbox"/> Denied <input type="checkbox"/> Other <input type="checkbox"/> No Action Taken</p>	<p><input type="checkbox"/> Set public hearing For: _____ <input type="checkbox"/> Direction to: _____ <input type="checkbox"/> Referred to: _____ <input type="checkbox"/> Continued to: _____ <input type="checkbox"/> Authorization given to: _____</p>	<p>Resolution 2019- _____ Agreement 2019- _____ Ordinance _____ Vote: Ayes: Noes: Abstain: Absent: <input type="checkbox"/> By Consensus</p>
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COMMENTS:

CLERK TO THE BOARD _____
DATE

Agenda Item: Conduct Resolution commencing formal notification to PGE for a Rule 20A overhead-to-underground utility project for Main Street (SR49) in Sierra City as part of an overall Main Street road and pedestrian improvement project

Background and Recommendation: The Sierra City Main Street Project has been identified as a project by the Sierra County Transportation Commission for many years and is included in the Regional Transportation Plan and preparation of a Project Study Report for the project is in progress. Additionally, it has been recognized by the Board of Supervisor by resolution adopted May 7, 2019.

The project entails undergrounding of all utilities, improving drainage and installing pedestrian relief improvements in Sierra City.

The Rule 20A Tariff Program was established by the CPUC in 1967 and requires that PG&E allocate work credits to cities and counties each year to be utilized exclusively for the conversion of overhead facilities to underground facilities. Allocation and Work Credit Account is built by the rate payers on a monthly basis as part of their utility bill. The current account balance for Sierra County is \$451,503. It increases at the approximate rate of \$12,322 per year. At this time, for an existing project, an advance of 5 years' worth of credit can be requested, which in the case of Sierra County would bring the funding from this source to approximately \$500,000.

Currently the CPUC is looking at the possibility of "redistributing" funds from communities that haven't put forward projects in the last 8 years. In order for the Sierra City Main Street Project to be recognized by PG&E, it must be formally recognized by the Board of Supervisors in a resolution. The deadline for notification of the formation of the underground utility district is July 24, 2019 in order to prevent the redistribution of the Rule 20A funds.

Recommendation is to adopt a resolution forming the Sierra City Main Street Underground Utility District.

SIERRA COUNTY

Board of Supervisors
P.O. Drawer D
Downieville, California 95936
Telephone (530) 289-3295
Fax (530) 289-2830



NOTICE OF PUBLIC HEARING BEFORE THE SIERRA COUNTY BOARD OF SUPERVISORS ON THE FORMATION OF AN UNDERGROUND UTILITY DISTRICT AS PART OF THE PROPOSED SIERRA CITY MAIN STREET IMPROVEMENT PROJECT

NOTICE IS HEREBY GIVEN that the Sierra County Board of Supervisors shall conduct the following public hearing at 10:30 a.m., Tuesday, July 23, 2019 at the Loyalton Social Hall on Beckwith Avenue (A-24), Loyalton, California. Interested persons are urged to attend or to provide oral and/or written comments on the following:

Formation of an Underground Utility District as Part of the Sierra City Main Street Improvement Project: As part of the planning for the Sierra City Main Street Improvement Project (road and drainage improvements, parking, pedestrian improvements, etc.) the Board of Supervisors is proposing to use existing Rule 20A funds provided by Pacific Gas and Electric Company, to provide for conversion of existing overhead utilities to underground facilities as may be necessary to remove existing overhead lines along State Route 49 (Main Street) from the west end of the community (Sierra Pines) to the east end of the community (Yuba River Inn at the intersection of State Route 49 and Wild Plum Road). Residences and commercial buildings along the referenced route will be included within the proposed underground utility district as may be necessary to facilitate the conversion of overhead utility lines to underground facilities along the proposed route for the improvement project. A map of the boundary of the proposed underground utility district is available for review at the County Public Works Office in Downieville and will be available for viewing at the public hearing and on the County website at www.sierracounty.ca.gov.

Persons interested in this matter scheduled before the Board of Supervisors are urged to attend to provide input or to provide written comments. The Board of Supervisors will consider all input, oral or written comments, received prior to the posted hearing date and during the public hearing.

Dated: July 9, 2019
Posted: July 9, 2019
Published: July 11, 2019

Lee Adams
District No. 1
P.O. Box 1
Downieville, CA 95936

Peter W. Huebner
District No. 2
P.O. Box 349
Sierra City, CA 96125

Paul Roen
District No. 3
P.O. Box 43
Calpine, CA 96124

Jim Beard
District No. 4
P.O. Box 1140
Loyalton, CA 96118

Sharon Dryden
District No. 5
P.O. Box 246
Loyalton, CA 96118

BOARD OF SUPERVISORS, COUNTY OF SIERRA, STATE OF CALIFORNIA

**IN THE MATTER OF
AUTHORIZING NOTIFICATION
TO PG&E OF THE PROJECT IDENTIFIED
AS “THE SIERRA CITY MAIN STREET PROJECT”**

RESOLUTION 2019-_____

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, and

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

WHEREAS, the County of Sierra, has adopted an ordinance authorizing the Board of Supervisors to designate areas within which all existing overhead poles, overhead wires and overhead equipment associated with the distribution of electric power, telecommunication services and cable television should be removed and replaced with underground wires and facilities; and

WHEREAS, the Director of Transportation for the County of Sierra has consulted with the affected public utilities and such utilities have agreed that the proposed underground conversion district, designated the Sierra City Main Street Underground Utility District and more particularly described in Exhibit 1 attached hereto and incorporated herein by reference, meets the criteria established by the rules of the CPUC, to wit,

- that such undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities, AND
- 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 adjoins or passes through a civic area or public recreation area or 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 Guidelines, and

WHEREAS, each year the County of Sierra is notified by PG&E regarding the allocation of work credits for conversion of overhead electric distribution lines and facilities to underground, known as Rule 20A allocations, and

WHEREAS, the Director of Transportation for County of Sierra has consulted with PG&E and determined that the County has accumulated Rule 20A work credits or PG&E has agreed that the County may borrow against future credits sufficient to complete the proposed overhead to underground conversion project, and

WHEREAS, the County of Sierra and the affected utilities have agreed by letter that each utility shall complete the engineering of their respective portion of the Sierra City Main Street Overhead to Underground Utility Conversion Project, and

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

WHEREAS, the Director of Transportation of the County of Sierra 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, and

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

WHEREAS, the Board of Supervisors of the County of Sierra has now received the report from the Director of Transportation recommending that the area identified in Exhibit 1 should be designated as an underground utility district within which all existing overhead poles, overhead wires and overhead equipment associated with the distribution of electric power, telecommunication services and cable television should be removed and replaced with underground wires and facilities; and

WHEREAS, upon the recommendation of the Director of Transportation, the Board of Supervisors of the County of Sierra has determined that the proposed Sierra City Main Street Underground Utility District is categorically exempt from environmental review pursuant to the California Environmental Quality Act, and

WHEREAS, the County of Sierra has notified all affected property owners within the proposed Sierra City Main Street Underground Utility District and inviting same to attend a public hearing to discuss formation of the proposed district, and

WHEREAS, the Board of Supervisors of the County of Sierra held public hearings at which time the Council did receive and consider the recommendation of the City Engineer and did hear 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;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Sierra that:

Section 1. The public interest requires the removal of all existing utility poles [excepting those poles supporting streetlights], overhead wires and associated overhead structures and installation of underground wires and facilities for supplying electric power, communication, or similar associated services within the areas as shown in Exhibit 1, attached hereto, with such area being designated as the Sierra City Main Street Underground Utility District, and

Section 2, That the utility companies, cable television services and other affected services shall commence work on installation of underground facility installation in Sierra City Main Street Underground Utility District and that as each phase of the project is complete and ready for conversion from overhead to underground utility facilities, all fronting property owners shall be notified by first class letter, postage pre-paid, of the schedule for conversion of all utility service lines, and

Section 3, The electric utility shall use the underground conversion allocation computed pursuant to decisions of the California Public Utilities Commission for the purpose of providing to each premises requiring it in Sierra City Main Street Underground Utility District a maximum of one hundred feet of individual electric service trenching and conductor (as well as backfill, paving and conduit, if required) and each other serving utility shall provide service trenching and conductor in accordance with its rules and tariffs on file with the California Public Utilities Commission or as required by its Franchise Agreement with the County of Sierra, and

Section 4. The electric utility shall use said underground conversion allowance allocation, up to a maximum amount of \$1500 per service entrance excluding permit fees, for the conversion of electric service panels to accept underground service in the Sierra City Main Street Underground Utility District, and each property owner shall be financially responsible for any and all costs not covered by the electric utility for the installation and maintenance of the conduit and termination box located on, under or within any structure on the premises served, and

Section 5. That upon notification as specified in Section 2, all property owners in Sierra City Main Street Underground Utility District shall have underground electrical entrance facilities installed and inspected pursuant to the Sierra County Electrical Code within sixty (60) days and that should any property owner fail to install satisfactory underground electrical entrance facilities by the date specified in the notice, the electric utility shall notify the Sierra County Building Official who shall, within thirty (30) days direct the electric utility in writing to discontinue electrical service to the property, without recourse, pursuant to Rule 11 until electrical entrance facilities are ready to accept

underground electrical conductors and have passed the necessary inspection requirements, and

Section 6. That once all services have been converted from overhead to underground, the utility companies, cable television services and other affected services shall remove all poles (except as specified above) and associated overhead facilities in Sierra City Main Street Underground Utility District.

The foregoing resolution was adopted by the Board of Supervisors of the County of Sierra on the July 23, 2019 by the following votes:

AYES:
NOES:
ABSENT:
ABSTAIN:

COUNTY OF SIERRA

PAUL ROEN
CHAIRMAN, BOARD OF SUPERVISORS

ATTEST:

APPROVED AS TO FORM:

HEATHER FOSTER
CLERK OF THE BOARD

DAVID PRENTICE
COUNTY COUNSEL

Sierra City Main Street Improvement Project

Sierra County Board of Supervisors
Sierra County Local Transportation Commission

Proposed Underground Utility District
July 2019

