



Legislation Text

File #: 2019-1011, **Version:** 1

To: Board of Supervisors

Department or Agency Name(s): Transportation and Public Works

Staff Name and Phone Number: Johannes J. Hoevertsz 707-565-2231

Vote Requirement: Majority

Supervisorial District(s): Fifth

Title:

Freestone Underground Utility District No. 1 Boundary Revisions

Recommended Action:

Hold a public hearing and adopt a resolution amending the boundary of the previously- established Freestone Underground Utility District No. 1. (Fifth District)

Executive Summary:

In order to proceed with undergrounding of existing overhead utilities in the Freestone Underground Utility District No. 1, PG & E has requested the removal of a portion of one parcel from the District and the addition of the remainder of two parcels, in order to conform the district boundaries to the proposed utilities undergrounding design and to otherwise satisfy applicable funding requirements. The requested revisions are identified on the attached Revised Exhibit B.

The proposed action adopts a resolution amending the prior Board resolution in order to revise the existing district boundary as requested by PG & E.

Discussion:

The procedure of forming an Underground Utility District, consistent with the California Public Utility Commission (CPUC) requirements, is defined in the Sonoma County Code, Chapter 25A Underground Utilities. Underground Utility Districts serve the public necessity, health, safety, and general welfare by requiring removal and underground installation of certain above-ground and overhead poles, wires, and associated structures in designated areas. To form an Underground Utility District, notice and public hearing is provided to owners whose property parcels are in the boundaries of the designated area.

In addition to the pending Freestone undergrounding project, the following Rule 20A projects were designed and constructed within the designated underground districts over the past 20 plus years:

- Sonoma Highway Underground Utility District No. 2, Phases 1-3; these projects were undertaken in advance of phased pedestrian improvements through the Springs Area of Sonoma Valley.

- Sebastopol Road Underground Utility District No. 2; constructed in conjunction with the reconstruction of Sebastopol Road between Stony Point Road and Dutton Avenue.
- Jenner Underground Utility District No. 1; constructed in the early 2000's in the core commercial area of the community (SR 1).
- Larkfield Underground Utility District No. 1; constructed in the late 1990's along a segment of Old Redwood Highway north of the shopping center.
- Salmon Creek Underground Utility District No. 1; funds prioritized.
- There have also been joint projects with the cities of Santa Rosa and Sonoma.

Additionally, Rule 20A credit has been committed by previous Boards to undergrounding projects in Fulton, Geyserville and a second district in Larkfield. Underground utility districts have yet to be established in these communities.

The CPUC requires PG&E to collect funds from ratepayers to be used for undergrounding existing overhead utilities, known as Electric Rule 20A (Rule 20A). Rule 20A program funding is set aside each year by PG&E to share with local governments. As of June 24, 2019, Sonoma County has a Rule 20A account balance of \$20,024,189. The pre-design estimate for the Freestone undergrounding project is \$4,600,000, to be paid from Rule 20A funds (credits). This figure will be refined upon completion of the design work.

Rule 20A projects are identified and prioritized in coordination with eligible cities/communities in the County and then are discussed with PG&E. By Resolution 58725, the Board of Supervisors established the Undergrounding Committee and a policy for the submittal of projects for consideration by the committee. A noticed meeting is held with the cities/communities to further refine the list of projects. A final prioritized list is then submitted to the Board and a public hearing is held for approving the project list.

On June 8, 1999, by its Resolution 99-0725, the Board of Supervisors established the Freestone Underground Utility District No. 1 pursuant to Sonoma County Code Chapter 25A. Pursuant to the above process, the Freestone undergrounding project was identified and prioritized by the Board in December 2000 (Resolution 00-1464).

Projects which qualify for use of Rule 20A funds must be in the general public interest and meet one or

more of the following requirements:

- Undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities.
- The street, road or right of way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic, such as major arterial or collector streets.
- The street, 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.
- 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.

Working with utility providers to harden infrastructure, including undergrounding where appropriate, was identified by the Board as a top priority effort under the County's Recovery & Resiliency Framework. The County is officially participating in the current rulemaking process underway with the California Public Utilities Commission (CPUC) for possible changes to PG&E's current Rule 20A program to better safeguard public interests and mitigate wildfire risks in rural areas. These efforts include possibly changing Rule 20A program criteria to include the benefits of reduced wildfire risks due to undergrounding of utilities in fire-prone, sparsely-populated rural areas (rather than the aesthetics-based focus of current criteria) or creating a separate new undergrounding program for high fire risk areas. A summary of these efforts was provided in the Informational Item presented to your Board on April 2, 2019 ("Informational Update on County Participation in Wildfire-Related California Public Utilities Commission Proceedings").

To satisfy Rule 20A concerns and other requirements, all areas to be undergrounded must be included within District boundaries, and District boundaries must directly coincide with the project boundaries. Based on current design for the contemplated undergrounding project, three parcels need to be modified to conform District boundaries to project boundaries. Additional area is needed from two parcels: APN 073-080-021 and -071. While the majority of these parcels are already included in the District, the additional portion of each parcel needs to be added. The third parcel area (on APN 073-130-004) is outside of the project design and therefore is to be removed from the District.

PG & E has requested that the above specific revisions be made to the District boundary to conform to the project design. The requested revisions will facilitate the associated Rule 20A credits and enable the long-contemplated undergrounding in the Freestone Underground Utility District area, furthering the public interests served by the District.

On June 4, 2019, the Board of Supervisors, adopted a Resolution of Intent to revise the boundary of Freestone Underground Utility District No. 1, and set a public hearing therefor to be held July 9, 2019. All persons owning real property within the district, as shown on the last equalized assessment roll, and affected utility companies have been sent notice of the hearing time, date and place by Department of Transportation and Public Works staff.

This action is categorically exempt from the California Environmental Quality Act (CEQA), including pursuant to CEQA Guideline Section 15302(d).

Prior Board Actions:

June 4, 2019: Adopt a Resolution of Intent to revise the boundary of Freestone U.U.D. No 1.

Resolution #97-1118: Adopted a priority list of Rule 20A projects and allocated \$960,000 towards a project in Freestone.

June 8, 1999: Resolution #99-0725: Approved the formation of Freestone Underground Utility District No. 1.

August 19, 1997: Resolution #97-1118 adopted a priority list of Rule 20A projects and allocated \$960,000 towards a project in Freestone.

FISCAL SUMMARY

Expenditures	FY 19-20 Adopted	FY20-21 Projected	FY 21-22 Projected
Budgeted Expenses			
Additional Appropriation Requested			
Total Expenditures			
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources			

Narrative Explanation of Fiscal Impacts:

Unknown at this time; Department of Transportation and Public Works staff will process any additional easements or rights of entry needed to construct the project beyond the existing public rights-of-way. This work is not reimbursable through Rule 20A. Additionally, Rule 20A credits are granted and administered by PG&E, and do not result in any direct funding to the County. Once projects are approved, PG&E conducts or contracts for the subject underground utility work based on available credits.

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

None.

Attachments:

Resolution, Revised Exhibits A and B

Related Items “On File” with the Clerk of the Board:

Resolution 99-0725

Informational Update on County Participation in Wildfire-Related California Public Utilities Commission Proceedings Board Item