



# COUNTY OF HUMBOLDT

For the meeting of: 2/5/2019

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File #: 18-1175

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**To:** Board of Supervisors

**From:** Public Works

**Agenda Section:** Consent

**SUBJECT:**

Resolution Calling for the Establishment of an Underground Utility District in Garberville at the Town Square on Second Street between Church Street and Conger Street, and on Church Street between Locust Street and Redwood Drive

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Adopt the Resolution calling for the establishment of an underground utility district in Garberville at the Town Square on Second Street between Church Street and Conger Street, and on Church Street between Locust and Redwood Drive (Attachment 1);
2. Direct the Clerk of the Board to notify (via the Land Use Division) the affected utilities and persons owning real property within the district pursuant to Humboldt County Code Section 361 -5 (Attachments 2, 3, and 4); and
3. Direct the Public Works Director to execute the Letter of Street Light Agreement (Attachment 5), Electrical Panel Service Conversion Program (Attachment 6), Wheel Chair Access Consideration (Attachment 7), the Agreement to Perform Tariff Scheduled Related Work, Rule 20A General Conditions (Attachment 8), and any other documents associated with the undergrounding project.

**SOURCE OF FUNDING:**

General Fund (1100166)

**DISCUSSION:**

On 11/08/2013 a public hearing was held at the John Haynes Memorial Veterans Building, 483 Conger Street, Garberville, regarding the proposed underground utility district for the properties affected by the removal of five (5) utility poles adjacent to Garberville's Town Square. In general, those attending the meeting were supportive of the district. However, several concerns were brought forward:

- Placing the utility lines three (3) feet underground would place people closer to electromagnetic fields (EMFs) than the current overhead location of the utility lines.
- Excavating in an area with potential archaeological and cultural resources.
- Why is the entire town being not bring undergrounded?

- Can some additional poles on Pine Lane be added to the district?

Any impacts from EMFs will need to be addressed by the utility companies in their construction documents. A plan to address any archeological resources discovered during construction will be included in the specifications for the future undergrounding project. At the meeting, it was discussed that the proposed district is limited in size and that is simply not financially feasible to underground the entire town. However, it was discussed about enlarging the scope of the district to include a couple of utility poles on Pine Lane in front of Chautauqua Natural Foods (436 Church Street). These poles would further open up the sight line from the town square. Pacific Gas and Electric Company (PG&E) indicated that adding additional poles on Pine Lane would require additional research to determine what would be needed to expand the district.

At a later date, PG&E indicated that the expansion of the district to include additional poles on Pine Lane would require an easement from the property at 436 Church Street (APN 032-043-001). Community members met with the property owner to discuss PG&E's requested easement and were unable to come to an agreement with the owner about granting an easement to PG&E. Therefore, the expansion of the district is not feasible at this time.

The project was tabled by the Department of Public Works because the Rules 20A program did not allow county costs for inspecting and administering the project to be reimbursed from Rule 20A funds. These costs would be borne by the General Fund. The Rule 20A program was recently modified to allow these costs to be reimbursed by Rule 20A funding.

At this time PG&E is requesting that the county sign four forms:

*Letter of Street Light Agreement.* There are several street lights in the district. The street lights are currently owned by PG&E. The street lights will remain on the existing wooden poles. If PG&E determines that the pole needs to be replaced, then the street light will be reinstalled on a new pole. As part of the undergrounding project, the street lights will be served by underground power. (Attachment 5)

*Electrical Panel Service Conversion Program.* PG&E has offered to manage the electric service conversions and pay for this work from the undergrounding funds. The underground electric feed that replaces the existing overhead service will be installed in the most economical manner possible, as determined by PG&E. This document requests that the county waive all permit fees (item 5) and waive all inspection fees (item 6). The Public Works Department is not able to support this request unless it is specifically codified in law (or by order of the Public Utilities Commission) that such waivers must be granted. The cost of any additional work required to bring the property up to the current codes will be borne by the property owner. (Attachment 6)

*Wheel Chair Access Consideration.* PG&E requests that the county identify if there are additional accessibility considerations that should be made in determining the project's boundary. The purpose of the Wheel Chair Access form is to allow a city/county to expand the district boundary to underground additional poles that obstruct minimum width of passage standards. This is useful in areas with high

concentrations of pedestrians; especially in areas near public facilities such as bus stops, public buildings, parks, etc. By expanding a project boundary, it can improve accessibility to public facilities near the proposed project. The Department reviewed the project boundary and recommends that project boundary remain as proposed and not be modified to encompass other areas that are not accessible.

As noted above, the act of undergrounding utility poles itself does improve accessibility as obstructions (utility poles and appurtenances) are removed. The scope of the project is to underground utility poles within the district; it is not to upgrade all of the pedestrian facilities within the district to be accessible. During the course of construction, portions of the existing road and sidewalk will be damaged and will need to be restored. The Public Works Department requires that all new construction and all restoration work be accessible. Existing non-accessible features within the project boundary that were not damaged by construction will remain. Existing non-accessible features may include sidewalks that have non-compliant cross slopes; sidewalks that have non-compliant widths; corners without curb ramps; and corners with non-compliant curb ramps. (Attachment 7)

*Agreement to Perform Tariff Scheduled Related Work, Rule 20A General Conditions.* This agreement sets forth the obligations of the County and PG&E for carrying out the project. This agreement is the new agreement that resulted from the hard work of public works staff as well as the County Engineers Association of California in developing an agreement that is fair to all parties. The County of Humboldt along with several other counties and cities are specifically called out by the California Public Utilities Commission in their hearing documents for the new agreement. This project was delayed while waiting for the California Public Utilities Commission to approve the new agreement with terms that are more favorable to the county. (Attachment 8)

PG&E has provided a pole pull out date of February 28, 2022

FINANCIAL IMPACT:

Funding for the district is provided through Rule 20A Electric Underground Work Credits that are managed by PG&E. The 2013 cost estimate for the Garberville Townsquare project is \$330,000. As of the June 8, 2018 annual report from PG&E, the County has a work credit balance of \$2.5m, which more than adequately covers the cost of the project.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by providing for and maintaining infrastructure

OTHER AGENCY INVOLVEMENT:

Pacific Gas & Electric Company  
Wave Broadband  
Verizon

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board may decide to not pursue establishing this underground district.

**ATTACHMENTS:**

- Attachment 1: Resolution calling for the establishment of an undergrounding district in Garberville at the Town Square on Second Street between Church Street and Conger Street, and on Church Street between Locust Street and Redwood Drive
- Attachment 2: Notification letter
- Attachment 3: Address list of affected utilities and owners
- Attachment 4: County Code Section 361-1 et seq.
- Attachment 5: Letter of Street Light Agreement.
- Attachment 6: Electrical Panel Service Conversion Program.
- Attachment 7: Wheel Chair Access Consideration.
- Attachment 8: Agreement to Perform Tariff Scheduled Related Work, Rule 20A General Conditions.

**PREVIOUS ACTION/REFERRAL:**

Board Order No.: Board Order No.: C-6  
Meeting of: 10/22/2013  
File No.: N/A