

Attachment 3 – Resolution

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of _____, 2019

RESOLUTION NO. _____

RESOLUTION RESCINDING RESOLUTION NO. 19-12 AND 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

WHEREAS, on February 5, 2019, the Board of Supervisors adopted Resolution No. 19-12 establishing an underground utility district in Garberville, California; and

WHEREAS, it was determined that Resolution No. 19-12 was missing certain required language; and

WHEREAS, it is the desire of the Board to revise Resolution No. 19-12 to include the required language; and

WHEREAS, funding for undergrounding of utilities is developed through guidelines embodied in the California Public Utilities Commission (CPUC) Rule 20A; and

WHEREAS, the County of Humboldt Ordinance No. 652, codified as Humboldt County Code sections 361-1 *et seq.*, establishes the procedure for the creation of underground utility districts; and

WHEREAS, the County of Humboldt Utility Undergrounding Committee determined that the proposed Underground Utility District in Garberville at the Town Square is in the public interest for the following reasons:

1. That such undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities;
2. That said street, road or rights of way are in an area extensively used by the general public and carry a heavy volume of pedestrian and vehicle traffic; and
3. That the street or road or rights 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

WHEREAS, the Director of Public Works for the County of Humboldt has consulted with the affected public utilities and such utilities have agreed the proposed underground conversion district; and

WHEREAS, by Board Order dated October 22, 2013, public notifications were mailed, and a meeting was convened on November 8, 2013 at John Haynes Memorial Veterans Building, 483 Conger Street, Garberville, to notify residents of the utility undergrounding proposal and to determine interest in, or objection to the proposal; and

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WHEREAS, most attendees to the public meeting were in favor of the undergrounding proposal and no written objections to the proposal have been received; and

WHEREAS, pursuant to Humboldt County Code Section 361-4, the Board of Supervisors shall establish a date in which it will be unlawful for any person or utility to erect, construct, place, keep, maintain, continue, employ or operate poles, overhead wires and associated overhead structures in the district.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Resolution No. 19-12 is hereby rescinded in its entirety.
2. This Board of Supervisors finds that all of the recitations made hereinabove are true and correct.
3. This Board of Supervisors creates an underground utility district in Garberville at the Town Square more specifically delineated in the legal description attached as Exhibit "A" and shown on the map attached as Exhibit "B".
4. This Board of Supervisors authorizes the Public Works Department to enter into agreements with Pacific Gas & Electric Company for the design and construction of underground utility improvements along the referenced roadway.
5. This Board of Supervisors authorizes the Public Works Department to direct PG&E to use the underground conversion allowance allocation, as outlined in the Rule 20A signed agreements (received by PG&E on February 25, 2019) to perform the work for the conversion of electric service panels to accept underground service in the Town Square Underground Utility District in the city of Garberville. Each property owner in the city of Garberville within the Town Square Underground Utility District, shall be financially responsible for any and all costs not covered by the electric utility as stated in the Rule 20A signed agreement (received by PG&E on February 25, 2019). PG&E is also authorized to discontinue overhead electric services.
6. This Board of Supervisors authorizes the Public Works Department to direct PG&E to perform all work needed for Town Square Undergrounding project service laterals, as stated in the signed agreements (received by PG&E on February 25, 2019).
7. This Board of Supervisors authorizes the Public Works Department to direct PG&E to perform all work in accordance with-Humboldt County Code Section 361-4.

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8. This Board of Supervisors establishes February 28, 2024 as the date in which it will be unlawful for any person or utility to erect, construct, place, keep, maintain, continue, employ or operate poles, overhead wires and associated overhead structures in the district.

Dated:

Rex Bohn

Chair, Humboldt County Board of Supervisors

Adopted on motion by Supervisor _____, seconded by Supervisor _____, and the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA)
) ss.
County of Humboldt)

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

Clerk of the Board of Supervisors of the
County of Humboldt, State of California

By_____

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Exhibit "A"
Legal Description

All that land in the unincorporated Town of Garberville, in Section 24, Township 4 South, Range 3 East, Humboldt Meridian, in the County of Humboldt, State of California as shown of the *Official Map of Garberville*, filed in Book 11, pages 10 and 11, of Surveys in the Office of the County Recorder of said County, more particularly described as follows:

Bounded on the north by Conger Street.

Bounded on the south by Maple Lane.

Bounded on the west by California State Highway (now Redwood Drive).

Bounded on the east by Locust Street.

Prepared by or under the direction of:

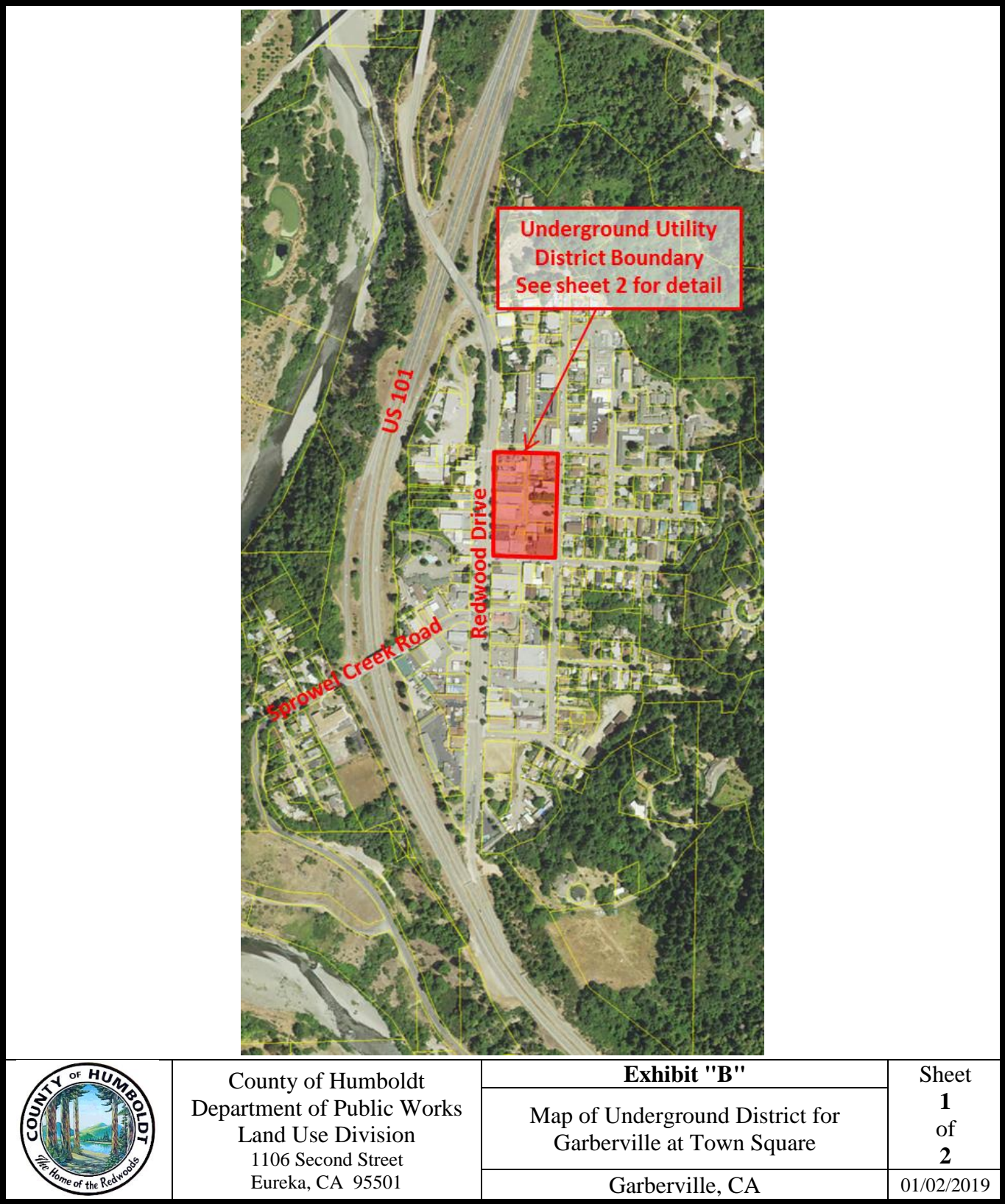



Robert W. Bronkall, LS 7645

01/11/2019

Date

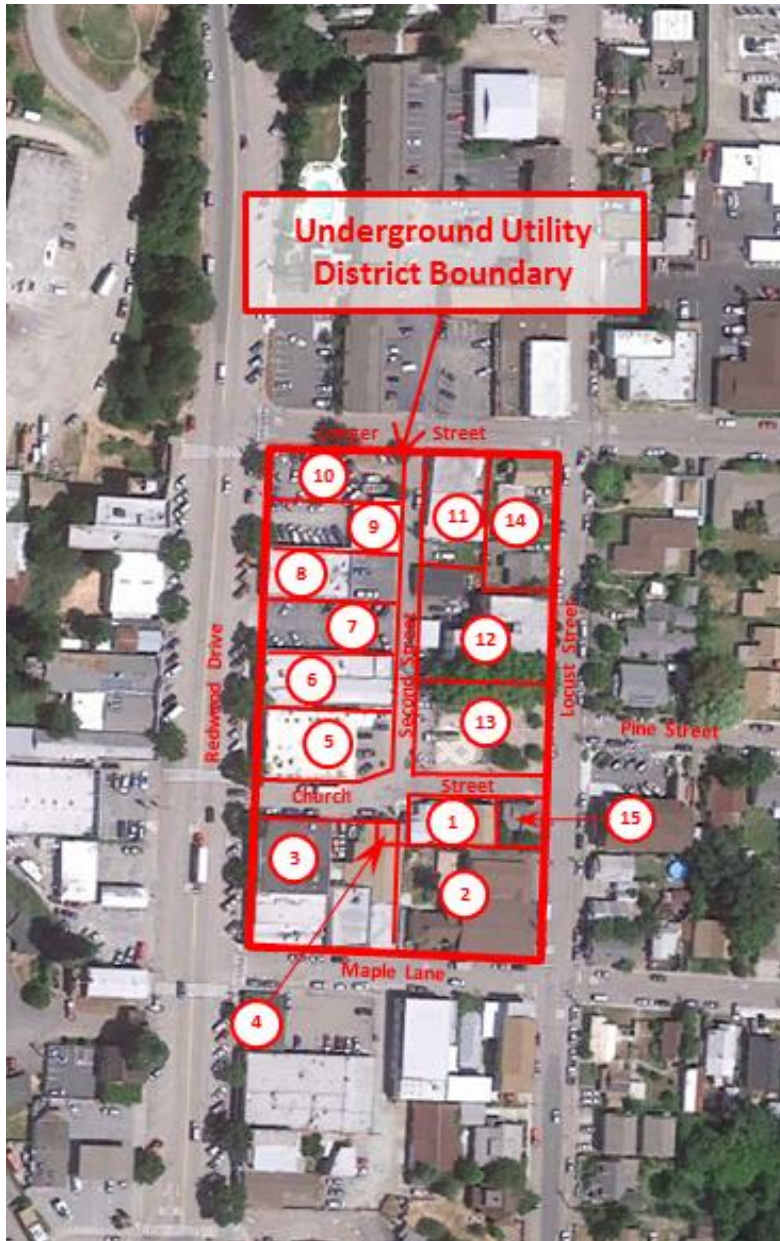




	County of Humboldt Department of Public Works Land Use Division 1106 Second Street Eureka, CA 95501	Exhibit "B"	Sheet 1 of 2
		Map of Underground District for Garberville at Town Square	
		Garberville, CA	01/02/2019

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District Parcel No.	Assessor Parcel No.
1	032-044-001
2	032-044-007
3	032-044-008
4	032-044-009
5	032-042-014
6	032-042-016
7	032-042-006
8	032-042-007
9	032-042-008
10	032-042-010
11	032-042-017
12	032-042-019
13	032-042-020
14	032-042-018
15	032-044-002



County of Humboldt
Department of Public Works
Land Use Division
1106 Second Street
Eureka, CA 95501

Exhibit "B"

Map of Underground District for
Garberville at Town Square

Garberville, CA

Sheet
2
of
2

01/02/2019