

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

Certified copy of portion of proceedings, Meeting of October 15, 2019

**RESOLUTION NO. 19-102**

**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.
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.

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RESOLUTION NO. 19-102

Dated: October 15, 2019

  
\_\_\_\_\_  
Rex Bohn, Chair  
Humboldt County Board of Supervisors

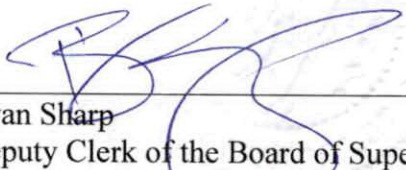
Adopted on motion by Supervisor Wilson, seconded by Supervisor Fennell, and the following vote:

AYES:	Supervisors	Bohn, Fennell, Wilson, Bass
NAYS:	Supervisors	--
ABSENT:	Supervisors	Madrone
ABSTAIN:	Supervisors	--

STATE OF CALIFORNIA   )  
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 an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

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

  
\_\_\_\_\_  
Ryan Sharp  
Deputy Clerk of the Board of Supervisors of  
the County of Humboldt, State of California

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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





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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

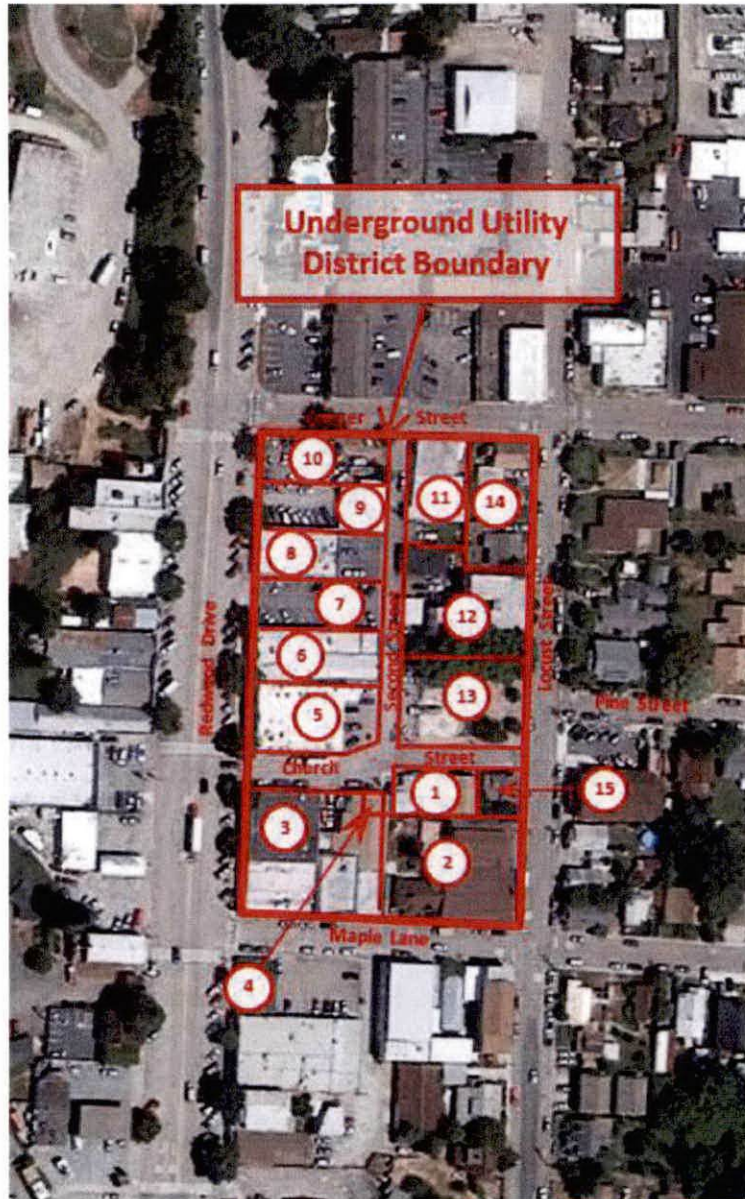
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**2**

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

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**2**

01/02/2019