

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

**Certified copy of portion of proceedings, Meeting on March 9, 2010**

**RESOLUTION NO. 10-16**

**RESOLUTION IDENTIFYING LEAD AGENCY FOR PROJECT DESIGN AND USE OF RULE 20A AND RULE 32A.1 FUNDS FOR RESIDENTIAL SERVICE CONVERSIONS ON THE SCHOOL ROAD UTILITY UNDERGROUNDING DISTRICT**

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, Humboldt County, following criteria dictated by the CPUC, established the procedure for the creation of underground utility districts embodied in Ordinance No. 652; and

WHEREAS, the Humboldt County Board of Supervisors has designated 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 Humboldt County Director of Public Works has consulted with the affected public utilities and such utilities have agreed that the proposed underground conversion district, designated the School Road Utility Undergrounding District and more particularly described in Resolution No. 09-68 meets the criteria established by the rules of the CPUC, to wit:

- Undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities, AND
- that School Road in the proposed district is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic, AND
- that the School Road corridor is an area of scenic interest to the general public, AND
- that School Road in the proposed district is an arterial as defined in the Governor's Office of Planning and Research General Plan Guidelines and identified in the adopted General Plan for the community of McKinleyville and

WHEREAS, each year Humboldt County is notified by the Pacific Gas and Electric Company (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 Public Works for Humboldt County has consulted with PG&E and determined that the County has accumulated Rule 20A work credits sufficient to complete the proposed overhead conversion project, and

WHEREAS, the County of Humboldt and the affected utilities have agreed by letter that each utility shall complete the engineering of their respective portion of the School Road Overhead Utility Conversion Project; and

WHEREAS, the County of Humboldt and the affected utilities have agreed by letter that PG&E shall be responsible for preparation of the trench profile and composite drawings and that PG&E shall be designated as “trench lead” to manage trenching, installation of substructures, pavement restoration and associated work; and

WHEREAS the Director of the Humboldt County Public Works 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 Humboldt 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 Humboldt County Board of Supervisors in Resolution No. 09-68 established the School Road Undergrounding Utility District in McKinleyville from Central Avenue to Highway 101; and

WHEREAS, upon the recommendation of the Director of Public Works, the Humboldt County Board of Supervisors has determined that the proposed School Road Overhead Utility Conversion District is categorically exempt from environmental review pursuant to the California Environmental Quality Act; and

WHEREAS, the County of Humboldt notified all affected property owners within the proposed School Road Overhead Utility Conversion District and inviting same to attend a public hearing to discuss formation of the proposed district; and

WHEREAS, the Humboldt County Board of Supervisors held a public hearing at which time the Board did receive and consider the recommendation of the Public Works Director 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 overhead utility conversion district;

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

Section 1. The public interest requires the removal of all existing utility poles (excepting those poles supporting streetlights or traffic signals) overhead wires and associated overhead structures and installation of underground wires and facilities for supplying electric power, communication, or similar associated services within the undergrounding district as described in Exhibit A, attached hereto, with such area being designated as the School Road Utility Undergrounding 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 the School Road Undergrounding 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 and telecommunication utilities shall use the underground conversion allocation computed pursuant to decisions of the CPUC for the purpose of providing to each premises in the District a maximum average 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 CPUC or as required by its Franchise Agreement with the County of Humboldt; and

Section 4. The electric and telecommunication utilities shall use said underground conversion allowance allocation, to a maximum of \$1500 per service entrance in the district excluding permit fees, for the conversion of service panels to accept underground service in the School Road Utility Undergrounding District, and each individual property owner shall be financially responsible for any and all costs not covered by the electric and telecommunication utilities 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 the School Road Utility Undergrounding District shall have underground electrical entrance facilities installed and inspected pursuant to the County of Humboldt Electrical Code within sixty (60) days utilizing funds specified in Section 4 and that should any property owner fail to allow construction of the underground electrical entrance facilities by the date specified in the notice, the electric utility shall notify the Director of Public Works 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



**EXHIBIT A**

All that real property situated in Section 6, Township 6 North, Range 1 East, Humboldt Meridian, County of Humboldt, State of California, described as follows:

BEGINNING at the southwest corner of the lands of Stuart & Banner as described in Humboldt County Recorder's Instrument No. 1989 -12814-2, being more particularly described therein as Parcel 3 as shown on Parcel Map No. 2528 for Jack Belcher in Section 6, Township 6 North, Range 1 East, Humboldt Base and Meridian, filed August 28, 1987, in the Office of the Humboldt County Recorder, in Book 22 of Parcel Maps, Page 119, Humboldt County Records, said point being shown on said Parcel Map as bearing South 00°30'00" East 318.02 feet from the center quarter corner of said Section 6;

THENCE easterly along the south line of said lands, and the south line of the following lands:  
The lands of Fletcher as described in Humboldt County Recorder's Instrument No. 1996-7719-4,  
The lands of Bailey as described in Volume 864 Page 192, and  
The lands of Neher as described in Volume 1499, Page 162,  
all Official Records of Humboldt County, 410 feet to Neher's southeast corner;

THENCE northerly along Neher's east line 80 feet to the southwest corner of the lands of Fitting as described in Humboldt County Recorder's Instrument No. 2009-15694-5;

THENCE easterly along the south line of said lands, and the south line of the lands of Godett as described in Humboldt County Recorder's Instrument No. 2004-19488-2,  
160 feet to Godett's southeast corner;

THENCE northerly along Godett's east line, 100 feet to the southwest corner of the lands of Chew as described in Humboldt County Recorder's Instrument No. 2006-22156-3;

THENCE easterly along the south line of said lands, 100 feet to the southeast corner thereof, said point being on the west line of Tract No. 456 filed in Book 21 of Maps, Page 108-109, Record of Humboldt County;

THENCE southerly along said line, 50 feet, to the westerly prolongation of the lands of Brown as described in Humboldt County Recorder's Instrument No. 2001-3538-2;

THENCE easterly along said prolongation and along the south line of said lands of Brown, and the south line of the following lands:

The lands of Weiss, as described in Humboldt County Recorder's Instrument No. 2005-7077-3,

The lands of Gardner, as described in Humboldt County Recorder's Instrument No. 2001-6047-2,

The lands of Simas, as described in Humboldt County Recorder's Instrument No. 2003-48178-3,

The lands of Mitchell, as described in Humboldt County Recorder's Instrument No. 2005-12958-2,

The lands of Winkle, as described in Humboldt County Recorder's Instrument No. 2004-31480-2, and

The lands of Berman, as described in Humboldt County Recorder's Instrument No. 2008-29179-1, a distance of 630 feet to Berman's southeast corner, said point being on the west line of the lands of the Mckinleyville Congregation of Jehovah's Witnesses as described in Humboldt County Recorder's Instrument No. 2007-35054-2;

THENCE southerly along said west line, 30 feet to the southwest corner thereof;

THENCE easterly along the south line of said lands and it's easterly prolongation 370 feet to the east line of Betty Court as shown on Book 23 of Maps Pages 10 and 11, Humboldt County Records;

THENCE south along said line 270 feet and southeasterly through two curves 19 feet more or less to the southwest corner of the lands of Schweiger as described in Humboldt County Recorder's Instrument No. 2006-10641-3;

THENCE easterly along Schweiger's south line 175 feet to the southeast corner thereof;

THENCE northerly along Schweiger's east line 135 feet to the southwest corner of the lands of BDC Crestline L.P. as described in Humboldt County Recorder's Instrument No. 2003-44016-4, being more particularly described therein as Parcel 1 of Parcel Map No. 2972, as per map recorded in Book 27 of Parcel Maps, Pages 63 and 64, Humboldt County Records;

THENCE easterly along the south line of said lands to the southeast corner thereof, said point being on the west line of the lands of CHO Mckinleyville L.L.C., Humboldt County as described in Recorder's Instrument No. 2005-8258-2;

THENCE southerly along said west line 110 feet to the southwest corner thereof;

THENCE easterly along the south line of said lands 160 feet to the southeast corner thereof;

THENCE northerly along the east line of said lands and it's northerly prolongation 515 feet to the southeast corner of the lands of P. Wotherspoon, Inc. as described in Tract Six, Parcel One, of Volume 1778, Page 810, Official Records of Humboldt County;

THENCE northerly along the east line of said lands 120 feet to the northeast corner thereof;

THENCE westerly along the north line of said lands 115 feet to the northwest corner thereof, said point being on the east line of the lands of Frazier & Burtchett as described in Humboldt County Recorder's Instrument No. 1990-27945-2;

THENCE northerly along the east line of said lands, 90 feet to the northeast corner thereof;

THENCE westerly along the north line of said lands, and the north line of the following lands:  
The lands of Winnacott as described in Humboldt County Recorder's Instrument No. 2000-3940-2,  
The lands of Hoffman Enterprises LTD as described in Humboldt County Recorder's Instrument No. 2004-41033-2,  
The lands of King as described in Humboldt County Recorder's Instrument No. 2003-14612-1,  
The lands of Damgaard as described in Humboldt County Recorder's Instrument No. 2006-37345-1,  
The lands of Riley as described in Humboldt County Recorder's Instrument No. 2005-8326-3,  
The lands of Smith as described in Humboldt County Recorder's Instrument No. 1996-22341-2,  
The lands of Morningstar as described in Humboldt County Recorder's Instrument No. 2006-16187-2,  
The lands of Morningstar as described in Humboldt County Recorder's Instrument No. 2006-16185-2,  
The lands of Gayle as described in Humboldt County Recorder's Instrument No. 1992-30301-1,  
The lands of Hardway as described in Humboldt County Recorder's Instrument No. 1992-30208-1, and  
The lands of Koskela as described in Volume 1807 Page 713, Official Records of Humboldt County, 1246.31 feet to the northwest corner of said lands;

THENCE southerly along the west line of said lands, 105 feet to the northeast corner of the lands of Johnson as described in Humboldt County Recorder's Instrument No. 1990-11033-1;

THENCE westerly along the north line of said lands 138 feet to the east right-of-way line of Washington Avenue as shown on Book 5 Parcel Maps, Page 30-31, Humboldt County Records;

THENCE along said line and the east right-of-way line shown on Book 17 of Maps, Page 132-133, Book 20 of Parcel Maps, Page 133-134, Book 11 of Parcel Maps, Page 28, Book 23 of Parcel Maps, Page 114, all Humboldt County Records, and along the east line of the lands of Mckinleyville Union School District as described in Volume 656, Page 14, Official Records of Humboldt County, to the northeast corner of said lands;

THENCE westerly along the north line of said lands, 315 feet to northwest corner thereof;

THENCE southerly along the west line of said lands, 235 feet to the northeast corner of the lands of JLF Construction INC. as described in Humboldt County Recorder's Instrument No. 2003-34517-3;

THENCE westerly along the north line of said lands 195 feet to northwest corner thereof;

THENCE southerly along the west line of said lands, 120 feet to the northeast corner of the lands of Santos as described in Humboldt County Recorder's Instrument No. 2005-25963-2;

THENCE westerly along the north line of said lands 280 feet to the northwest corner thereof, said point being on the easterly line of the lands of Santos as described in Humboldt County Recorder's Instrument No. 2003-27325-3;

THENCE northerly along said line 250 feet to the most southerly northeast corner of said lands;

THENCE along the boundary of said lands the following courses:

westerly 320 feet,  
northerly 230 feet,  
westerly 97 feet,  
northerly 190 feet, and  
westerly 235 feet to the northwest corner of said lands;

THENCE southerly along Santos's west line 1055 feet to the easterly prolongation of the north line of the lands of the Mckinleyville Baptist Church, as described in Volume 1062, Page 9, Official Records of Humboldt County;

THENCE westerly along said prolongation, and said north line of said lands 269 feet to the northwest corner thereof;

THENCE southerly along the west line of said lands and the west line of the lands of the Mckinleyville Baptist Church as described in Volume 1767, Page 1250, Official Records of Humboldt County, 210 feet to the most westerly southwest corner of said lands;

THENCE South 32° East 150 feet to the northwest corner of the lands of Laam as described in Humboldt County Recorder's Instrument No. 1993-9710-3;

THENCE southerly 10 feet along the west line of said lands and easterly, southeasterly and southerly 70 feet more or less through a curve to the southwest corner thereof, said line being the east line of Harper Avenue as shown on Book 12 of Maps, Page 71, Humboldt County Records;

THENCE easterly along the south line of said lands 120 feet to the west line of the lands of Agliolo as described in Humboldt County Recorder's Instrument No. 2002-43332-2;

THENCE along the boundary of said lands the following courses;

southerly 75 feet,  
easterly 30 feet,  
southerly 75 feet, and  
easterly 175 feet to the southeast corner thereof;

THENCE northerly along the east line of said lands 130 feet to the westerly prolongation of the south line of Burchfield as described in Humboldt County Recorder's Instrument No. 2003-39243-2;

THENCE easterly along said prolongation and said south line, and along the south line of the lands of Hood as described in Humboldt County Recorder's Instrument No. 1991-18173-2, a distance of 220 feet to the southeast corner thereof, said point being on the west line of the lands of Santos as described in Humboldt County Recorder's Instrument No. 2007-6348-5;

THENCE southerly along said line 350 feet to the southwest corner thereof;

THENCE east along the south line of said lands 270 feet to the southeast corner thereof;

THENCE northerly along the east line of said lands 190 feet to the POINT OF BEGINNING.

END OF DESCRIPTION



David J. Ryan, LS 6212. License expires 3/31/2010.  
Dated \_\_\_\_\_

