

RESOLUTION 2024-75

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY AUTHORIZING THE CREATION OF THE LA BARR MEADOWS ROAD UNDERGROUNDING UTILITY 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, pursuant to certain criteria, CPUC rules allow participating cities and counties to establish legislation authorizing the creation of underground utility districts within which existing overhead electric distribution and telecommunication distribution and service facilities will be converted to underground, and

WHEREAS, the City of Grass Valley, has adopted an ordinance authorizing the City Council to designate 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 City Engineer for the City of Grass Valley has consulted with the affected public utilities and such utilities have agreed that the proposed underground conversion district, designated the LA BARR MEADOWS ROAD Underground Utility District and more particularly described in Exhibit 1 attached hereto and incorporated herein by reference, meets the criteria established by the rules of the CPUC, to wit, that the street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic and that the street or road or right-of-way is an arterial street or major collector as defined by the California Road System functional classification system, and

WHEREAS, each year the City of Grass Valley is notified by 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 City Engineer for City of Grass Valley has consulted with PG&E and determined that the City has accumulated Rule 20A work credits or PG&E has agreed that the City may borrow against future credits sufficient to complete the proposed overhead to underground conversion project, and

RESOLUTION 2024-75

WHEREAS, the City of Grass Valley and the affected utilities have agreed by letter that each utility shall complete the engineering of their respective portion of the LA BARR MEADOWS ROAD Overhead to Underground Utility Conversion Project, and

WHEREAS, the City of Grass Valley 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, and pavement restoration and such other work, and

WHEREAS, the City Engineer of the City of Grass Valley 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 City of Grass Valley 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 City Council of the City of Grass Valley has now received the report from the City Engineer recommending that the area identified in Exhibit 1 should be designated as an underground utility district 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, upon the recommendation of the City Engineer the City Council of the City of Grass Valley has determined that the proposed LA BARR MEADOWS ROAD Underground Utility District is categorically exempt from environmental review pursuant to the California Environmental Quality Act, and

WHEREAS, the City of Grass Valley has notified all affected property owners within the proposed LA BARR MEADOWS ROAD Underground Utility District and inviting same to attend a public hearing to discuss formation of the proposed district, and

WHEREAS, the City Council of the City of Grass Valley held public hearings at which time the Council did receive and consider the recommendation of the City Engineer and did hear any and

RESOLUTION 2024-75

all objections or protests that were raised by the owners of property within the above described district pertaining to designating this area an underground utility district;

NOW, THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY of GRASS VALLEY as follows:

1. The public interest requires the removal of all existing utility poles [excepting those poles supporting streetlights, traffic signals or trolley lines], overhead wires and associated overhead structures and installation of underground wires and facilities for supplying electric power, communication, or similar associated services within the areas as shown in Exhibit 1, attached hereto, with such area being designated as the LA BARR MEADOWS ROAD Underground Utility District, and
2. That the utility companies, cable television services and other affected services shall commence work on installation of underground facility installation in LA BARR MEADOWS ROAD Underground Utility 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
3. The electric utility shall use the underground conversion allocation computed pursuant to decisions of the California Public Utilities Commission for the purpose of providing to each premises requiring it in LA BARR MEADOWS ROAD Underground Utility District a maximum 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 California Public Utilities Commission or as required by its Franchise Agreement with the City of Grass Valley, and
4. The electric utility shall use said underground conversion allowance allocation, up to a maximum amount of \$1500 per service entrance excluding permit fees, for the conversion of electric service panels to accept underground service in the LA BARR MEADOWS ROAD Underground Utility District, and the City of Grass Valley shall be financially responsible for any and all costs not covered by the electric utility for the installation and maintenance of the conduit and termination box located on, under or within any structure on the premises served, and

RESOLUTION 2024-75

5. That upon notification as specified in Section 2, all property owners in LA BARR MEADOWS ROAD Underground Utility District shall have underground electrical entrance facilities installed and inspected pursuant to the City of Grass Valley Electrical Code within sixty (60) days and that should any property owner fail to install satisfactory 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

6. That once all services have been converted from overhead to underground, the utility companies, cable television services and other affected services shall remove all poles (except as specified above) and associated overhead facilities in LA BARR MEADOWS ROAD Underground Utility District, within six months of conversion completion.

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the City Council of the City of Grass Valley at a regular meeting thereof held on the 12th day of November 2024, by the following vote:

AYES:

NOES:

ABSTAINS:

ABSENT:

Jan Arbuckle, Mayor

APPROVED AS TO FORM:

ATTEST:

Michael G. Colantuono, City Attorney

Taylor Whittingslow, City Clerk