



COUNTY OF SAN DIEGO

LAND USE AGENDA ITEM

BOARD OF SUPERVISORS

GREG COX
First District

DIANNE JACOB
Second District

PAM SLATER-PRICE
Third District

RON ROBERTS
Fourth District

BILL HORN
Fifth District

5

DATE: April 14, 2010 and May 12, 2010

TO: Board of Supervisors

SUBJECT: ADOPT A RESOLUTION OF INTENTION AND INTRODUCE AN ORDINANCE TO ENABLE FORMATION OF UNDERGROUND UTILITY DISTRICT FOR ALPINE BOULEVARD IN THE VICINITY OF ALPINE (1st reading 4/14/2010, second reading and adoption 5/12/2010) (District: 2)

SUMMARY:

Overview

The purpose of the Underground Utility District program is to improve public health, safety and welfare, and enhance the appearance of communities by undergrounding overhead utilities in areas of benefit to the general public. Board Policy J-17, Undergrounding of Existing Overhead Utility Facilities, establishes a policy and procedure for district formation and program administration. This item involves enhancing safety and welfare in the community of Alpine by undergrounding electrical service and other utilities through formation of a Utility Underground District.

This is a request to set a hearing for May 12, 2010, to form a new district, Alpine Boulevard in Alpine (Thomas Guide Page 1234 B-6). Establishing an Underground Utility District is a two-step process. This first step includes adopting a resolution of intention setting May 12, 2010, for a public hearing (Recommendations 1 and 2) and introduction of an ordinance establishing the district (Recommendation 3). The second step on May 12, 2010, will be to hear public testimony and at close of the public hearing, adopt an ordinance forming the district (Recommendation 1).

Recommendation(s)

CHIEF ADMINISTRATIVE OFFICER

At the hearing on April 14, 2010:

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15302(d) of the State CEQA Guidelines.
2. Adopt a Resolution entitled Resolution of Intention to Form Underground Utility District No. 111, Alpine Boulevard, setting a public hearing for May 12, 2010.

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- 3. If the Board adopts the Resolution of Intention in accordance with Recommendation No. 2, introduce (first reading), read title, and waive further reading of the following ordinance:

AN ORDINANCE ADDING SECTION 89.312 TO THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES TO FORM AN UNDERGROUND UTILITY DISTRICT FOR ALPINE BOULEVARD, UNDERGROUND UTILITY DISTRICT NO. 111.

If the Board takes the recommended actions on April 14, 2010, take the following action on May 12, 2010:

- 1. Adopt the Ordinance (second reading) establishing Alpine Boulevard, Underground Utility District No. 111.

Fiscal Impact

Utility companies underground their overhead lines at their own expense. Funds for formation and administration of these districts are budgeted in Department of Public Works General Fund, estimated at \$2,000 current year cost and \$1,000 subsequent year cost. Actual undergrounding project costs are not paid from County funds, but from 20A funds, and that cost is estimated at \$4 million. No additional staff years will be required.

Business Impact Statement

N/A

Advisory Board Statement

The Underground Utility Advisory Committee has approved this project. At a special meeting on March 11, 2010, the Alpine Community Group approved an underground utility district that extends easterly beyond the proposed district to the west of Willows Road. SDG&E has since determined that this extension beyond the currently proposed district does not meet Public Utility Commission's criteria for utility undergrounding and will not qualify for receiving 20A funds. The Alpine Planning Group has been notified of SDG&E's determination and that the extension request is not being brought forward to the Board for consideration today.

BACKGROUND:

The California Public Utilities Commission (PUC) requires electric companies and communication service providers to underground their overhead facilities in areas of public benefit as directed by local government agencies. Work is performed within an area known as an Underground Utility District (UUD), where utility companies are required by ordinance to remove overhead lines and poles and replace them with an underground system. To qualify, a

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road where undergrounding is to take place must generally carry a heavy volume of pedestrian or vehicular traffic, have a heavy concentration of overhead lines, or pass through a civic, scenic or recreation area.

In accordance with Sections 89.101-89.114 of the San Diego County Code of Regulatory Ordinances, forming a UUD involves two steps. The first step is to adopt a resolution of intention setting a public hearing date and to introduce an ordinance forming the UUD. The second step is to adopt the ordinance establishing the UUD. Today's requested action will set the hearing to consider forming Alpine Boulevard, Underground Utility District No. 111, for May 12, 2010.

Undergrounding Costs

Costs for undergrounding are shared by utility companies, the local governmental agency, and customers whose services are affected. Utility companies design and construct their underground distribution facilities and remove overhead wires and poles. The local agency forms and administers the UUD. Utility providers are responsible for converting customer service lines and electric meter panels. The obligations of utility providers are outlined in PUC Rules 20 and 32.

Alpine Boulevard Project

This project will convert existing overhead electric, cable and telephone lines to underground along Alpine Boulevard, from 270' east of Marshall Road to 975' east of South Grade Road. This road meets the PUC criteria because it is extensively used by the general public and has a high volume of vehicular traffic. This undergrounding project was initiated at the request of the Alpine Community Planning Group. Project costs are estimated at \$4 million. Formation of the Alpine Boulevard UUD will be independent of SDG&E's Sunrise Powerlink project. Should the Sunrise Powerlink project move forward, the two projects would be coordinated to minimize community impacts and inconvenience.

SDG&E, AT&T and Other Allocations

In accordance with PUC requirements, SDG&E allocates funds each year for the UUD program. These allocations are a commitment by SDG&E to spend up to a specified amount of money to underground their facilities as directed by local governmental agencies. Allocations are apportioned among the cities and County, based on relative revenue from overhead customer services. AT&T and cable companies budget for each specific project, rather than allocating funds for the program in general. The project before your Board today uses funding allocations from SDG&E.

Environmental Statement

Section 15302(d) of the State CEQA Guidelines exempts utility undergrounding from CEQA review where the surface of the ground is restored. The project involves the adoption of resolutions and ordinances necessary to establish a UUD. Once the UUD is formed, overhead utility lines within the UUD must be undergrounded and the surface of the area where work is

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performed will be restored. As such, this action is exempt from CEQA review pursuant to Section 15302(d) of the State CEQA Guidelines.

Linkage to the County of San Diego's Strategic Plan

The County's Strategic Plan includes an initiative to promote Safe and Livable Communities with an objective to develop and support services, programs, and initiatives that enrich or protect our resident's quality of life. The Utility Undergrounding District program helps to fulfill this objective by visually improving local roadways and enhancing public safety.

Respectfully submitted,



CHANDRA L. WALLAR
Deputy Chief Administrative Officer

ATTACHMENT(S)

- A. Alpine Boulevard UUD Boundary Map
- B. Resolution of Intention
- C. Ordinance Establishing Alpine Boulevard, Underground Utility District No. 111

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COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS

AGENDA ITEM INFORMATION SHEET

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CONCURRENCE(S)

- COUNTY COUNSEL REVIEW** TUS Yes No
- Written disclosure per County Charter §1000.1 required? Yes No
- GROUP/AGENCY FINANCE DIRECTOR** Yes N/A
- CHIEF FINANCIAL OFFICER** Yes N/A
- Requires Four Votes Yes No
- GROUP/AGENCY INFORMATION TECHNOLOGY DIRECTOR** Yes N/A
- COUNTY TECHNOLOGY OFFICE** Yes N/A
- DEPARTMENT OF HUMAN RESOURCES** Yes N/A

Other Concurrence(s): N/A

ORIGINATING DEPARTMENT: Public Works

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AUTHORIZED REPRESENTATIVE:


JOHN L. SNYDER, Director

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5

AGENDA ITEM INFORMATION SHEET

(continued)

PREVIOUS RELEVANT BOARD ACTIONS:

N/A

BOARD POLICIES APPLICABLE:

J-17, Undergrounding of Existing Overhead Utility Facilities

BOARD POLICY STATEMENTS:

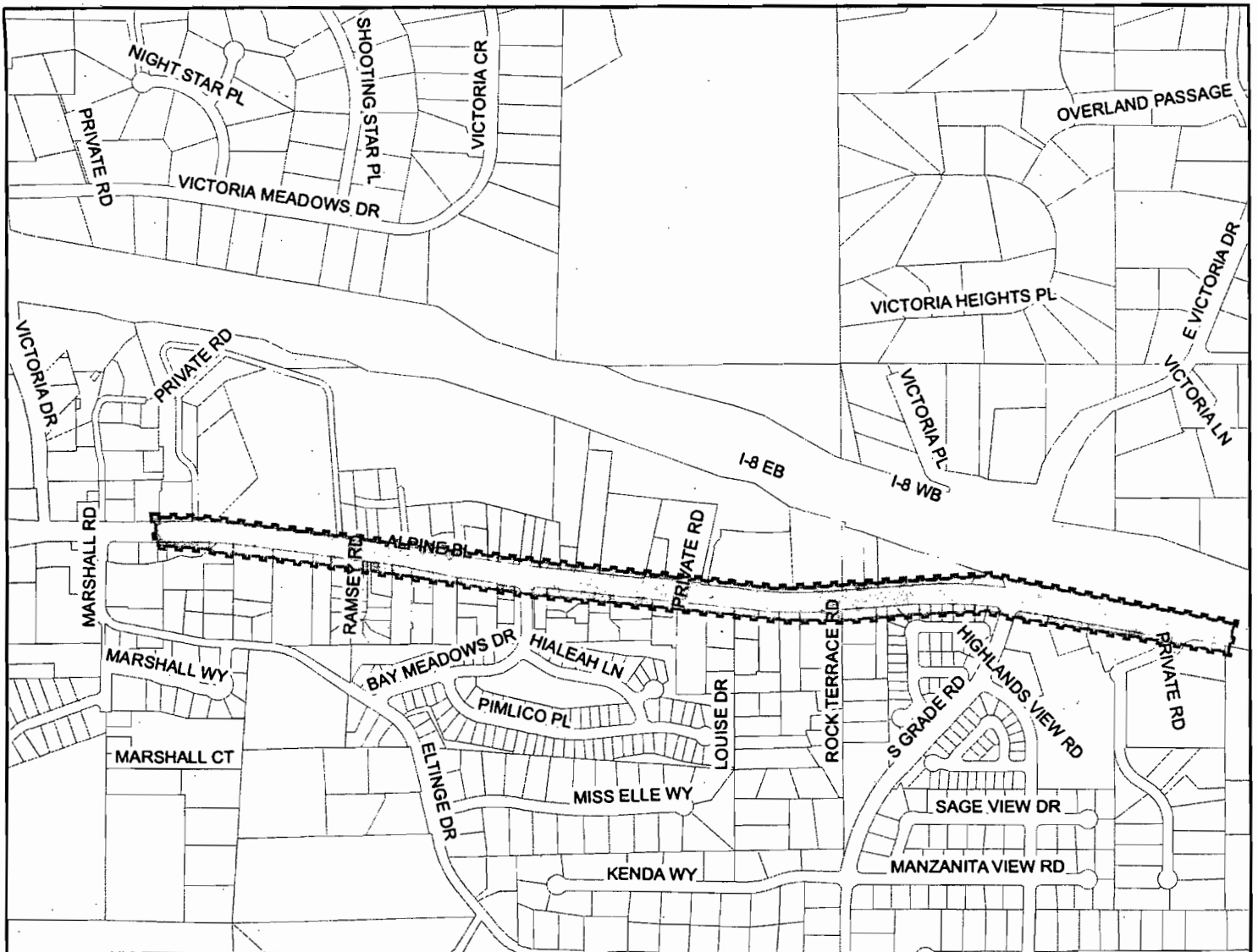
N/A

ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):

N/A

**County of San Diego
Department of Public Works**

Attachment "A"



**Underground Utility District No. 111
Alpine Blvd**

(From 270' East of Marshall Road to 975' East of South Grade Road)

RESOLUTION OF INTENTION TO FORM
UNDERGROUND UTILITY DISTRICT NO. 111
ALPINE BOULEVARD

WHEREAS, San Diego County Ordinance No. 3217 (New Series) added Division 9 to Title 8 of the San Diego County Code of Regulatory Ordinances, and said Division as amended establishes a procedure for the creation of underground utility districts and requires as the initial step in such procedure the adoption of a resolution of intention and holding of a public hearing to ascertain whether public health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication or similar or associated service in any such district; and

WHEREAS, it has been recommended that an underground utility district, hereinafter called District, be formed along Alpine Boulevard; NOW THEREFORE,

IT IS HEREBY RESOLVED that it is the intention of the Board of Supervisors of the County of San Diego to establish an underground utility district to be formed in that portion of the County of San Diego along Alpine Boulevard, more particularly described as follows:

A portion of Section 26 and Section 27, Township 15 South, Range 2 East, in the County of San Diego, State of California, being a 160 foot wide strip lying 80 feet on either side of a portion of centerline of Alpine Boulevard (SC1883) more particularly described as follows:

BEGINNING at a point on centerline of said Alpine Boulevard being 270 feet easterly of the centerline intersection of (100 foot wide) Alpine Boulevard and (40 foot wide) Marshal Road as shown on Record of Survey 12657, filed April 19, 1990 in the Office of the San Diego Recorder; Thence easterly along the centerline of said Alpine Boulevard to a point being 975 feet easterly of the intersection of 100 foot wide Alpine Boulevard and 74 foot wide South Grade Road (SA 370) as shown on Map 13736 filed March 18, 1999 in the Office of the San Diego Recorder, being the **POINT OF TERMINATION**.

The sidelines of said strip will begin and end at right angles to the centerline of said Alpine Boulevard.

As shown on the maps entitled UNDERGROUND UTILITY DISTRICT NO. 111, ALPINE BOULEVARD, which is on file in the Office of the Clerk of the Board of Supervisors and in the Office of the County Engineer of the County of San Diego, as shown on the following copy of said maps:



Underground Utility District No. 111
Alpine Blvd
(From 270' East of Marshall Road to 975' East of South Grade Road)

NOTICE IS HEREBY GIVEN that on the Twelfth day of May, 2010, at 9 a.m., in the Chamber of said Board of Supervisors, Room 310, San Diego County Administration Center, San Diego, California, a public hearing will be held to ascertain whether the public health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication or similar or associated service in the District herein above described. At such hearing all persons interested shall be given an opportunity to be heard and show cause why said District should not be established in accordance with this resolution. Said hearing may be continued from time to time as may be determined by the Board of Supervisors.

The Clerk of the Board of Supervisors is hereby directed to mail notice of the adoption of this Resolution of Intention, postage prepaid, to the utilities serving the hereinabove described area and to all persons owning real property within the proposed District, whose names and addresses appear on the last equalized assessment roll, or as known to said Clerk. The notice shall specify the time and place for the hearing and shall be mailed to the utilities and property owners at least ten days prior to the date of said hearing.

ORDINANCE NO. ____ (NEW SERIES)

AN ORDINANCE ADDING SECTION 89.312
TO THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES
TO FORM AN UNDERGROUND UTILITY DISTRICT
ON ALPINE BOULEVARD
UNDERGROUND UTILITY DISTRICT NO. 111

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Section 89.312 is hereby added to the San Diego County Code of Regulatory Ordinances to read as follows:

Sec. 89.312 UNDERGROUND UTILITY DISTRICT NO. 111.

The following described portion of San Diego County, State of California, is hereby declared to be Underground Utility District No. 111 of the County of San Diego:

A portion of Section 26 and Section 27, Township 15 South, Range 2 East, in the County of San Diego, State of California, being a 160 foot wide strip lying 80 feet on either side of a portion of centerline of Alpine Boulevard (SC1883) more particularly described as follows:

BEGINNING at a point on centerline of said Alpine Boulevard being 270 feet easterly of the centerline intersection of (100 foot wide) Alpine Boulevard and (40 foot wide) Marshal Road as shown on Record of Survey 12657, filed April 19, 1990 in the Office of the San Diego Recorder;
Thence easterly along the centerline of said Alpine Boulevard to a point being 975 feet easterly of the intersection of 100 foot wide Alpine Boulevard and 74 foot wide South Grade Road (SA 370) as shown on Map 13736 filed March 18, 1999 in the Office of the San Diego Recorder, being the **POINT OF TERMINATION**.

The sidelines of said strip will begin and end at right angles to the centerline of said Alpine Boulevard.

The Board of Supervisors shall by subsequent resolution set the dates by which all affected property owners shall be ready to receive underground utility service and by which the utility or utilities must remove all poles, overhead wires and associated overhead structures and make the necessary underground installation of wires and facilities for supplying electric, communication or similar or associated service within Underground Utility District No. 111 and notice of the adoption of such

subsequent resolution shall be given by the Clerk of the Board of Supervisors in the manner provided in Section 89.107(a) and (b) of this Division.

Section 2. It is the finding of the Board of Supervisors of San Diego County that the public health, safety and welfare require the removal of poles, overhead wires and associated structures, and the underground installation of wires and facilities for supplying electric, communication or similar or associated service within Underground Utility District 111. The Board of Supervisors further finds that Underground Utility District No.111, herein created, is in the general public interest because that portion of Alpine Boulevard, from 270' east of Marshall Road to 975' east of South Grade Road, within Underground Utility District No. 111, carries a heavy volume of vehicular traffic.

Section 3. This ordinance shall take effect and be in force thirty (30) days after the date of its passage, and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against the same in _____, a newspaper of general circulation published in the County of San Diego.

CCSF, 84.27, 4/77