



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: June 21, 2022

Subject: HEARING to consider adoption of Resolution 2022/223 to form Underground Utility District No. 32, El Sobrante area. (District I)

**RECOMMENDATION(S):**

1. OPEN the public hearing to consider adoption of Resolution No. 2022/223 establishing Underground Utility District No. 32, Appian Way, City of Pinole Limits to Argyle Road ("District"), and requiring undergrounding of overhead utilities within the District, El Sobrante area; RECEIVE public comments; and CLOSE the public hearing.
2. ADOPT Resolution no. 2022/223 establishing Underground Utility District No. 32, Appian Way, City of Pinole Limits to Argyle Road, and requiring undergrounding of overhead utilities within the District.
3. APPROVE and AUTHORIZE the Public Works Director, or designee, to execute, on behalf of the County, the General Conditions Agreement, Agreement to Perform Tariff Schedule Related Work, and Letter of Streetlight Agreement with Pacific Gas and Electric Company (PG&E).
4. DETERMINE that this activity is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) [DCD-CP #22-15] Project No: 0676-6P1056, pursuant to CEQA guidelines section 15302(d).

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY  
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **06/21/2022** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: June 21, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Craig Standafer,  
925.313.2018

cc:

5. DIRECT the Director of Conservation and Development, or designee, to file a Notice of Exemption with the County Clerk-Recorder; and

## RECOMMENDATION(S): (CONT'D)

6. AUTHORIZE the Public Works Director, or designee, to arrange for payment of a \$25 fee to the Department of Conservation and Development for processing, and a \$50 fee to the Clerk-Recorder for filing the CEQA Notice of Exemption.

### FISCAL IMPACT:

Implementation of the utility undergrounding will be funded under California Public Utilities Commission (CPUC) Tariff Rule 20A. Work completed by the utility companies is incorporated into their business plan as it relates to all work to underground utilities in cities and unincorporated county areas. Funds are ultimately generated by rate payers across the region. Specific areas with undergrounding projects do not have an additional assessment as compared to other locations. Local Road Funds will be used for staff time to conduct community outreach, pre-construction project planning, engineering, right-of-way acquisition, and other costs not funded by Rule 20A.

### BACKGROUND:

In order to proceed with the Appian Way Utility Undergrounding Project (Project), an underground utility district must be established, to allow funding through CPUC Electric Rule 20A.

The Formation of the District will formally begin the process to utilize Electric Rule 20A and Telecommunication Rule 32 funding established by the CPUC. No changes to existing land uses shall be allowed and any future actions will require a separate CEQA analysis to be conducted for the actual construction of the Project.

The trench lead for design and construction management will be PG&E. AT&T and Comcast will be responsible for the design, coordination and construction for their portion of the Project. The Project will also include lateral trenching to connect the newly undergrounded utilities to each residence. The electrical panel for each property will be replaced by PG&E utilizing Rule 20A credits to pay for the work.

The design and construction of the utility joint trench will be funded by Electric Rule 20A work credits that have been saved up by the County for utility undergrounding projects. Work credits are not passed through the County's Finance system since the County does not receive the funds from the CPUC. According to a preliminary estimate, the project will cost between \$4,000,000 and \$10,000,000 in work credits.

There are portions of the work that cannot be funded by work credits such as CEQA, real estate transactions (i.e. the County must purchase easements on behalf of PG&E), coordination work, and certain other charges. It is estimated the County will expend between \$150,000 and \$350,000 in Local Road Funds to fund the utility undergrounding. The County General Fund will not be affected.

In order for PG&E to complete the utility connection work at no expense to the property owner, the property owner must sign a permit-to-enter with PG&E. A building permit will also be required so that the County Building Inspector may perform a safety check before the new service panel can be activated. Staff time spent on the County Building Permit review and inspection will be charged to the Project fund and will not be assessed to the property owner.

The Project will prepare the area for future pedestrian and bicycle improvements along Appian Way. The Project will improve ADA access along this segment of roadway. The Project will also improve aesthetics through this heavily travelled gateway corridor. An increase in foot traffic along the Project route is anticipated, as people would be attracted to a more vibrant area including the corresponding decrease in motorized travel along the busy Appian Way corridor.

A public notice has been sent to the property owners and residents regarding formation of the District. Public awareness will continue as the Project progresses. If the Board approves formation of the District, staff will provide a follow up notice to the owners and residents that the District has been formed with a tentative timeline for improvements.

The Project involves the conversion of overhead utilities to underground facilities and, therefore, is exempt from environmental review under the California Environmental Quality Act. (CEQA Guidelines, § 15302(d).)

CONSEQUENCE OF NEGATIVE ACTION:

Failure to approve the formation of the District will result in postponement or cancellation of the Project.

ATTACHMENTS

Resolution No. 2022/223

CEQA

General Conditions Agreement

Agreement to Perform Tariff Schedule

Letter of Streetlight Agreement

Exhibit 1