

# MEMORANDUM

DEPARTMENT OF PUBLIC WORKS

County of Placer

TO: BOARD OF SUPERVISORS                      DATE: July 22, 2008  
FROM: <sup>JGD</sup> KEN GREHM / BOB COSTA  
SUBJECT: MODIFY BOUNDARY OF CARNELIAN BAY UNDERGROUND UTILITY  
CONVERSION DISTRICT NO. 1

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## ACTION REQUESTED / RECOMMENDATION

Conduct a public hearing and Adopt a Resolution modifying the boundary of the Carnelian Bay Underground Utility Conversion District No. 1, as originally established by Resolution 98-69.

## BACKGROUND / SUMMARY

In 1968, the California Public Utility Commission (PUC) adopted regulations, commonly referred to as Rule 20A, mandating that electric utility companies set aside 2% of their gross revenues for the purposes of converting overhead systems to underground locations. Placer County actively participates in this program, with several projects completed and planned. The primary benefit of such projects is the removal of heavy concentrations of unsightly utility wires in areas of visual interest or business districts.

On March 24, 1998, your Board took action to approve the formation of the Carnelian Bay Underground Utility Conversion District No. 1 by approving Resolution 98-69. This project is currently in the design phase and scheduled to be constructed in 2010 by Sierra Pacific Power Company.

In evaluating existing electric facilities and easement needs, Sierra Pacific Power engineers have recommended that the district boundary be expanded into an adjacent residential area. Including these additional eleven parcels will allow the removal of an existing overhead electrical line situated between the residences and the lake shore, and will better facilitate the required transition from underground to overhead utilities at the district boundary. A letter describing the proposed boundary revision and requesting comments was sent to all of the affected land owners; no substantive comments were received. The attached Resolution revises the boundary and map describing the district.

## **ENVIRONMENTAL**

This project is exempt from California Environmental Quality Control Act (CEQA) under CEQA Guidelines 15302(d), Replacement or Reconstruction.

## **FISCAL IMPACT**

DPW's annual budget includes funding for staff time to coordinate and monitor these projects. The proposed action will require commitment of additional Rule 20A funds collected by Sierra Pacific Power, but is not expected to impact delivery schedules for subsequently planned undergrounding projects. This action will not have a measurable fiscal impact on the County's budget.

Attachments: Resolution  
Attachment 2 (map)  
Copy of Resolution 98-69

**Before the Board of Supervisors  
County of Placer, State of California**

In the matter of: A RESOLUTION MODIFYING THE  
BOUNDARY OF CARNELIAN BAY UNDERGROUND  
UTILITY CONVERSION DISTRICT NO. 1

Resol. No: .....

Ord. No: .....

First Reading: .....

The following RESOLUTION was duly passed by the Board of Supervisors  
of the County of Placer at a regular meeting held \_\_\_\_\_,  
by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:  
Clerk of said Board

\_\_\_\_\_  
Chairman, Board of Supervisors

**BE IT HEREBY RESOLVED** by the Board of Supervisors of the County of Placer, State of California, as follows:

WHEREAS the conversion of overhead utility distribution systems to underground facilities has long been a part of the improvement program of this County; and

WHEREAS removal of unsightly overhead utility wires provides a public benefit through enhancement of scenic view sheds, in business districts, and along major roadway corridors; and

WHEREAS the Board of Supervisors has taken action through approval of Resolution 98-69 on March 24, 1998 to form an underground utility district along State Highway 89 know as "Carnelian Bay Underground Utility Conversion District No. 1"; and

WHEREAS, the Board of Supervisors of the County of Placer has adopted an Ordinance establishing rules and procedures for designating the responsibilities of the County utilities and land owners in such districts; and

WHEREAS, said Board has held a public hearing concerning the modification of the boundary of said underground utility district and has consulted all interested parties; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Placer, State of California, that the boundary of the underground utility district known as "Carnelian Bay Underground Utility Conversion District No. 1" is hereby revised as described in Exhibit "A" and shown on the attached map as Exhibit "B".

Attachments: Exhibit "A" – Legal Description of Carnelian Bay Underground Utility Conversion District No. 1  
Exhibit "B" – Map of Carnelian Bay Underground Utility Conversion District No. 1

EXHIBIT "A"

CARNELIAN BAY UNDERGROUND  
UTILITY CONVERSION DISTRICT NO. 1

Being a portion of the Northwest Quarter of Section 22, Township 16 North, Range 17 East MDB&M, Placer County, California being more particularly described as follows:

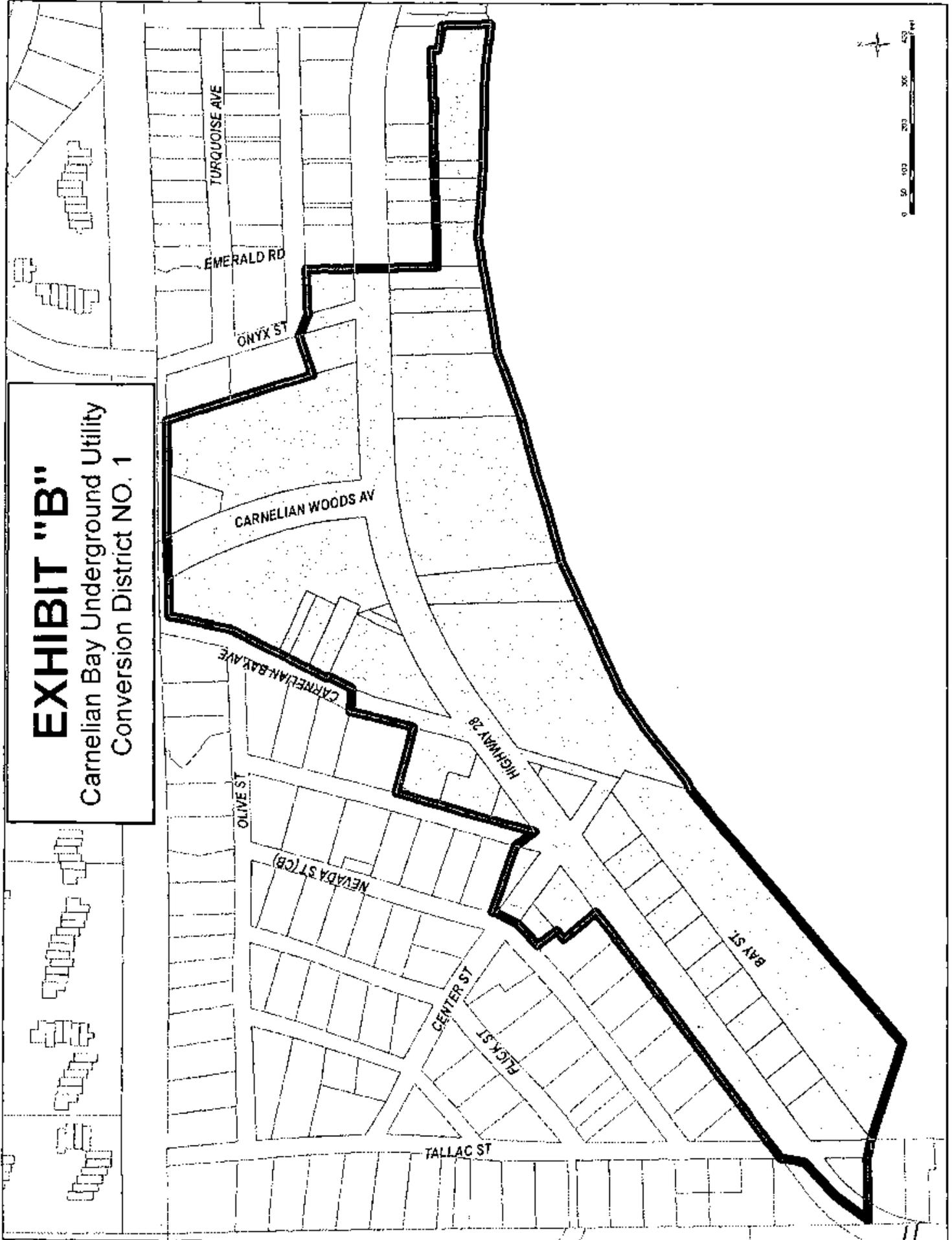
Beginning at the intersection of the east line of the northwest quarter of said Section 22 with the low water line of Lake Tahoe as shown and delineated on the Record of Survey filed on May 3, 1965 in Book 2 of Surveys at Page 71, Placer County Official Records; thence from said Point of Beginning Westerly and Southwesterly along said low water line 2,640 feet more or less to a point from which the most southerly corner of Lot 11 Block "C" as shown and delineated on the plat entitled "Carnelian Bay on Lake Tahoe" filed in Book C of Maps, at Page 14, Placer County Official Records bears North 45°00'00" West; thence North 45°00'00" West a distance of 235 feet to the most southerly corner of said Lot 11; thence West a distance of 40 feet to the southeast corner of Lot 9 Block "B" as shown and delineated on said plat entitled "Carnelian Bay on Lake Tahoe"; thence North along the east boundary of said Lot 9 a distance of 10 feet more or less to the southeast corner of the property described in the deed to James S. Cahan recorded as document No. 99-0034218 Placer County Official Records; thence West along the south boundary of said Cahan property and the westerly prolongation thereof a distance of 140 feet more or less to the center of State Highway No. 28; thence Northeasterly along the center of State Highway 28 a distance of 165 feet more or less to the east boundary of Block "A" as shown and delineated on said plat entitled "Carnelian Bay on Lake Tahoe"; thence North along the east boundary of said Block "A" a distance of 47 feet to the northwesterly right of way of State Highway 28; thence Northeasterly along said northwesterly right of way a distance of 690 feet more or less to the most southerly corner of the property described in the deed to Stephen L. Sims and Lynn R. Sims recorded July 20, 1990 as Document No. 90-046838 Official Records of Placer County; thence along the boundary of said Sims property the following four (4) courses: (1) North 36°45' West a distance of 100.00 feet (2) North 53°15' East a distance of 25.00 feet (3) North 36°45' West a distance of 50.00 feet (4) North 53°15' East a distance of 62.35 feet to the most northerly corner of Lot 1 Block "D" as shown and delineated on said plat entitled "Carnelian Bay on Lake Tahoe"; thence Northeasterly a distance of 40 feet, more or less, to the most westerly corner of Lot 9 Block "K" as shown and delineated on said plat entitled "Carnelian Bay on Lake Tahoe"; thence North 16°45' East along the boundary of said Lot 9 a distance of 12.35 feet, to the most northerly corner thereof; thence South 73°34' East along the northeasterly boundary of said Lot 9 and the southerly projection thereof a distance of 190.00 feet, to a point on the northwesterly boundary of Block "L" and easterly right-of-way of California Street (County Road W-7012) as shown and delineated on said plat entitled "Carnelian Bay on Lake Tahoe"; thence North 16°45' East along said easterly right-of-way, and westerly boundary of said Block "L" a distance of 300 feet, more of

less, to the most northerly corner of Lot 6 of said Block "L"; thence along the northeasterly boundary of said Lot 6 South 73°15' East a distance of 150.00 feet to the most easterly corner thereof, said point being also a point of the westerly right-of-way of Carnelian Bay Avenue and the easterly boundary of said Block "L"; thence along said Block "L" boundary North 16° 45' East a distance of 80 feet, more of less, to a point that lies South 89°18'45" West from the most westerly corner of Lot 21 Block "R" as shown and delineated on the plat entitled "Subdivision of Hotel Reserve of Carnelian Bay on Lake Tahoe" filed May 5, 1915 in Book "C" of Maps at Page 80, Placer County Official Records; thence North 89°18'45" East a distance of 45 feet to the most westerly corner of said Lot 21; thence South 89°39' East along the south boundary of said Lot 21 a distance of 5.21 feet to a point in the easterly line of a Highway Easement to Placer County described by the deed recorded in Volume 1671, at page 379, Official Records of Placer County; thence along the easterly line of said Highway Easement the following two (2) courses: (1) North 16°45' East a distance of 50.53 feet (2) North 28°23' East a distance of 72 feet to the northeasterly boundary of said Lot 21; thence North 61°37' West along the boundary of said Lot 21 a distance of 5.00 feet to the boundary of said Block "R"; thence along the boundary of said Block "R" the following three (3) courses: (1) North 28°23' East a distance of 241.80 feet (2) North 13°18'30" East a distance of 148.30 feet (3) North 89°45' East a distance of 433.21 feet to the northwest corner of Lot 3 of said Block "R"; thence along the westerly boundary of said Lot 3 South 16°24' East a distance of 348.00 feet to the most southerly corner of the property granted to Jacqueline Foret by that deed recorded March 9, 1970 in Volume 1285 at Page 252, Placer County Official Records; thence along the southerly boundary of said Foret property North 73°36'00" East a distance of 96.05 feet to the southeast corner thereof being a point on the boundary of said Block "R"; thence along the boundary of said Block "R" South 16°24' East a distance of 18 feet, more of less, to a point which bears South 89°53'30" West from the northwest corner of Lot 13, Block "P" as shown and delineated on said plat entitled "Carnelian Bay on Lake Tahoe"; thence North 89°53'30" East a distance of 45 feet, more of less, to the northwest corner of said Lot 13; thence along the north boundary of said Block "P" East a distance of 100.00 feet to the northeast corner of Lot 12 of said Block "P"; thence South along the east boundary of said Lot 12, the southerly projection thereof and the east boundary of Lot 12 Block "Q" as shown and delineated on said plat entitled "Carnelian Bay on Lake Tahoe" a distance of 300.00 feet to the southeast corner of said Lot 12 Block "Q"; thence along the south boundary of said Block "Q" East a distance of 550 feet more or less to the east line of the northwest quarter of said Section 22 ; thence South 135 feet, more of less to the point of beginning.

**EXCEPTING THEREFROM:** all that property abandoned by the Placer County Board of Supervisors by Resolution No. 77-415 recorded in Volume 1865 at Page 468 Official Records of Placer County.

Containing 29.1 acres, more of less.

**EXHIBIT "B"**  
Carnelian Bay Underground Utility  
Conversion District NO. 1



**Before the Board of Supervisors  
County of Placer, State of California**

In the matter of: A RESOLUTION ESTABLISHING  
CARNELIAN BAY UNDERGROUND UTILITY  
CONVERSION DISTRICT NO. 1

Resol. No: 98-69.....

Ord. No:.....

First Reading:.....

The following RESOLUTION was duly passed by the Board of Supervisors  
of the County of Placer at a regular meeting held 3-24-98  
by the following vote on roll call:

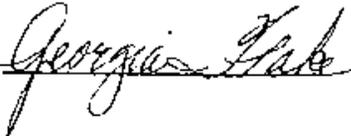
Ayes: WEYGANDY, WHITE, WILLIAMS, BLOOMFIELD, SANTUCCI

Noes: NONE

Absent: NONE

Signed and approved by me after its passage.

Attest:  
Clerk of said Board



  
Chairman, Board of Supervisors

WHEREAS, the conversion of overhead utility distribution systems to underground facilities has long been a part of the improvement program of this County; and

WHEREAS, the Placer County Department of Public Works in cooperation with the various utilities has proposed that an underground utility district be formed along State Highway 28 as described in Exhibit "A" and shown on the attached map as Exhibit "B"; and

WHEREAS, such a district would meet the following desired criteria:

1. Conversion in conjunction with a street improvement program; or
2. Conversion in conjunction with a minor public development; or

THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE ATTEST

GEORGIA FLAKE

Clerk of the Board of Supervisors of the County of Placer, State



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Date:  
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3. Conversion in conjunction with a major private development; or
4. Conversion in the interests of improved traffic safety, urban environmental quality and general public interest; and

WHEREAS, the Board of Supervisors of the County of Placer has adopted an Ordinance establishing rules and procedures for designating the responsibilities of the County utilities and land owners in such districts; and

WHEREAS, said Board has held a public hearing concerning the establishment of said underground utility district and has consulted all interested parties.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Placer, State of California, that an underground utility district is hereby established for State Highway 28 as described in Exhibit "A" and shown on the attached map as Exhibit "B"; and

BE IT FURTHER RESOLVED that said Board finds that such undergrounding is in the general public interest because:

1. Such undergrounding will avoid or eliminate an unusually heavy concentration of overhead distribution facilities; and
2. Said street or road right-of-way is extensively used by the general public and carries a heavy volume of pedestrian and vehicular traffic; and
3. Said street or road right-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

BE IT FURTHER RESOLVED by said Board that the date by which replacement of overhead facilities with underground facilities will take place and by which all existing overhead facilities will be removed shall be December 1, 1999 and that affected property owners must be ready to receive underground service by July 1, 1999, and further, that all concerned utilities are hereby authorized to discontinue overhead service in accordance with the provisions of this resolution and applicable County Ordinances.

BE IT FURTHER RESOLVED, that the electrical utility which undertakes underground installation of its facilities shall use the underground conversion allocation computed pursuant to decisions of the Public utilities Commission of the State of California for the purpose of providing to each premise in the Carnelian Bay Underground Utility Conversion District, No. 1 a maximum of 100 feet of individual electric service trenching and conductor, as well as backfill, paving and electrical conduit, if required, in an

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amount not to exceed \$500. The underground conversion allocation participation on private property is limited to those properties upon which a residence, commercial establishment or other structure that currently receives electrical power exists as of the adoption of this resolution.

BE IT FURTHER RESOLVED, in order to qualify for said \$500 financial assistance from the underground fund, property owners must participate in completing their conversion work at the same time the utility companies are doing their work; otherwise the contribution is forfeited.

BE IT FINALLY RESOLVED that the various utility companies are authorized to leave in place any poles, guy lines, service lines or appurtenances that are on or near the district boundaries. Said boundaries are intended to terminate at or near poles that are acceptable to said utility companies to be used as "riser poles".

# Attachment 2 Carnelian Bay Underground Utility Conversion District NO. 1 Boundary Revision

