

## **TOWN COUNCIL STAFF REPORT**

Title: Adopt Resolution of Intent to Establish an Undergrounding Utility District (UUD).

Meeting Date: March 16, 2022

Prepared by: Haislip Hayes, PE Public Works Director

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### **RECOMMENDATION:**

Staff recommends that the Town Council:

1. Conduct a public hearing regarding the adoption of a resolution of intention to establish an Underground Utility District (UUD).
2. Adopt the attached Resolution (Attachment A).

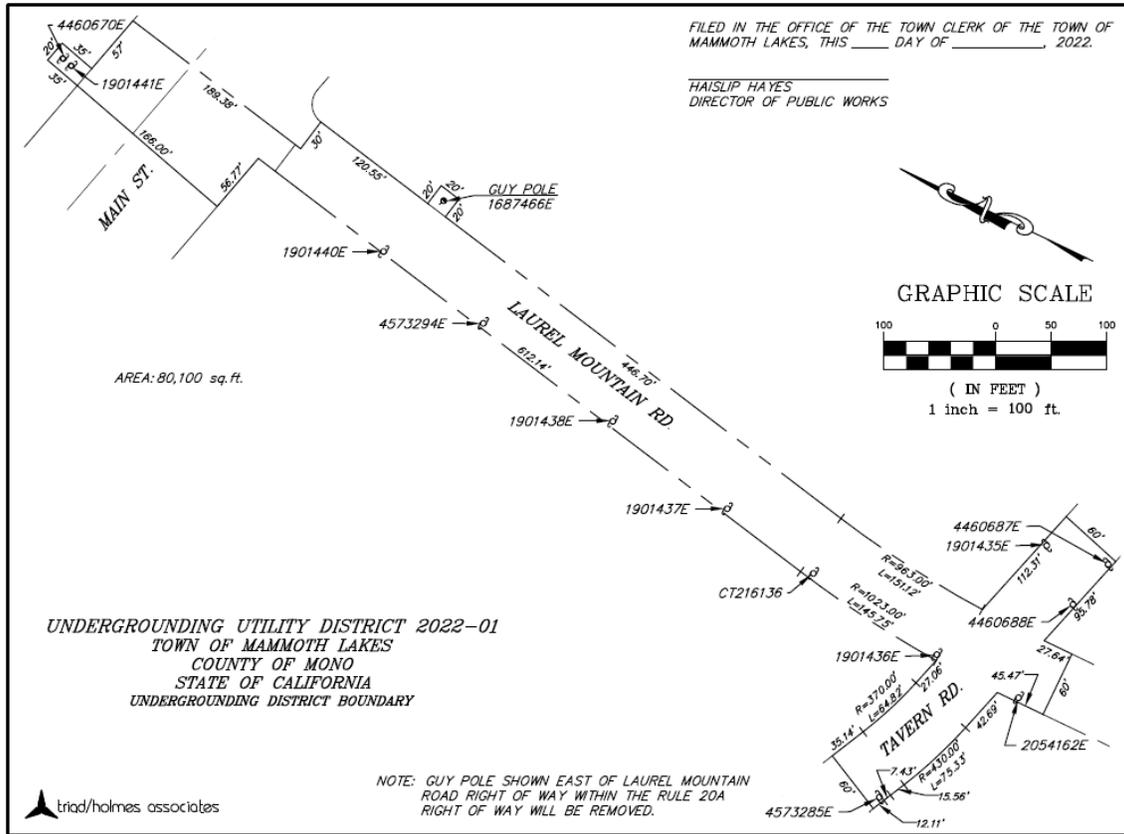
### **BACKGROUND:**

The Town of Mammoth Lakes is actively working on a number of projects in the vicinity of Laurel Mountain Road. These projects will support the development of The Parcel and better integrate the housing project into the neighborhood. Infrastructure improvements along the northerly portion of Laurel Mountain include the addition of new storm drain, sewer lines, conduit for fiber, new pavement, curb & gutter, bike lanes, intersection safety lighting, and sidewalks along the easterly side of the road.

In late 2021, Staff was notified about changes to the Rule 20A undergrounding program administered by Southern California Edison. Rule 20A projects are paid for by all our customers and ratepayers, not just those who live in locations where facilities will be undergrounded. There was a possibility that funding set aside for the Town may expire. Staff discussed options with SCE for potential projects and identified Laurel Mountain as a qualifying project. Advancing a project now would ensure funds did not lapse. Additionally, Staff spoke with Mono County regarding their available funds. Mono County was not in a position to use their funding and has authorized transfer of their funds to the Town. Although the California Public Utilities Commission has recently prohibited most transfers of Rule 20A funds between jurisdictions, the CPUC did make an exception for transfers between a county and a city within the county.

### **ANALYSIS:**

The purpose of this meeting is to hold a public hearing related to the establishment of an underground utility district as reflected in the attached Resolution (Attachment A). This resolution specifically outlines a proposed Underground Utility District No. 2022-01 as the area contiguous with Laurel Mountain Road between Main Street (SR203) and Tavern Road, inclusive of Tavern Road approximately 100' east and west of the intersection of Laurel Mountain Road (Attachment B).



The formation of the proposed UUD is in the interest of public health and safety and will facilitate the removal of utility poles and overhead utility lines (depicted in red on Attachment B) to provide underground utility mainline along the corridor and new underground service to approximately five developed properties. Completion of the formation of the UUD would improve utility system reliability, enhance corridor aesthetics, and reduce utility pole conflicts with other public and private facilities. Additionally, the formation of the UUD would:

- Prohibit the installation of new overhead utilities in the new UUD.
- Require that overhead utilities (overhead lines, poles, and associated structures) be removed within 180 days after the underground facility is complete.
- Increase the obligations of overhead utility providers to fund undergrounding of their telecommunication and cable infrastructure.

It is the Town's intention that all utilities place their telecommunication and cable infrastructure underground within 30 days of SCE undergrounding its electrical facilities, therefore, the UUD has little impact until there is a utility undergrounding project or a new project that requires new utilities. The Town is actively designing new infrastructure for Laurel Mountain Road as part of State Transportation Improvement Project (STIP) and in support of The Parcel. Staff estimates it will take up to three years to complete the design and implementation of this infrastructure.

Utilities within the proposed UUD include Verizon/Frontier, Suddenlink, and SCE. The Town has communicated with each entity related to the proposed UUD and this public hearing. Should Town Council adopt the attached Resolution, the next step is to prepare an ordinance creating the UUD as well as establishing policies and procedures of undergrounding utilities. The ordinance to create the UUD would be reviewed and read at a subsequent public hearing. As reflected in the Resolution, the next public hearing is scheduled for April 6, 2022. For the April hearing staff will mail a copy of adopted Resolution (should Council approve) to all property owners and utilities within the proposed UUD area. The public hearing held in connection with the adoption of Resolution will also serve as one of the public hearings that is required.

**FINANCIAL CONSIDERATIONS:**

The staff time and minimal direct costs to the Town associated with the Rule 20A work will be covered by funds available in the Utility Undergrounding Project budget. At this time the Town has \$661,260 available for the project in Rule 20A funds.

**ENVIRONMENTAL CONSIDERATIONS:**

The proposed action does not constitute a “project” under the California Environmental Quality Act, per the CEQA guideline definition. The undergrounding of utilities is Categorically Exempt from CEQA under §15302(d), Replacement or Reconstruction.

**ATTACHMENTS:**

Attachment A: Resolution

Attachment B: Map of UUD “Proposed Underground Utility District No. 2022-01”

Attachment C: Notice of Public Hearing