



Board Agenda Item 8

DATE: October 21, 2025

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: Adopt a Resolution Forming Underground Utility District No. 74, Minnewawa Avenue, from E. Swift Avenue to 120 feet south of Gettysburg Avenue.

RECOMMENDED ACTION(S):

- 1. Conduct a Public Hearing concerning the formation of Fresno County Underground Utility District No. 74, Minnewawa Avenue, from E. Swift Avenue to 120 feet South of Gettysburg Avenue.**
- 2. Consider and adopt a Resolution forming Underground Utility District No. 74, direct the Clerk of the Board to mail a notice to the affected property owners and utilities, and make one or more of the following findings as required by the California Public Utilities Commission:**
 - a. Minnewawa Avenue is extensively used by the public and carries a heavy volume of pedestrian and vehicular traffic; and/or**
 - b. That such undergrounding will eliminate an unusually heavy concentration of overhead electric facilities; and/or**
 - c. That Minnewawa Avenue, from E. Swift Avenue to 120 Feet South of Gettysburg Avenue is located within a civic area of interest to the public; and/or**
 - d. That formation of the Underground Utility District No. 74 promotes public safety and is in the public interest.**
- 3. Approve and authorize the Chairman to execute Pacific Gas and Electric Tariff Scheduled Related Work Rule 20A Agreements for the purpose of undergrounding existing overhead utilities within Underground Utility District No. 74.**

Approval of the first recommended action will allow your Board to conduct the necessary public hearing prior to considering the formation of Fresno County Underground Utility District (UUD) No. 74, Minnewawa Avenue, from E. Swift Avenue to 120 feet South of Gettysburg Avenue (see Exhibit A).

Approval of the second recommended action will allow your Board to consider any testimony received during the Public Hearing and make any one or all findings under the second recommended action, if such determination can be made, and adopt a Resolution forming UUD No. 74.

Approval of the third recommended action will authorize the Chairman to execute the Pacific Gas & Electric (PG&E) Rule 20A General Conditions Agreement and Wheelchair Access Consideration Agreement

(Agreements). Execution of these agreements is required by PG&E before they will proceed with the engineering necessary to underground the overhead utilities in UUD No. 74. This item pertains to a location in District 5.

ALTERNATIVE ACTION(S):

Your Board may not approve the recommended actions 1 and 2. If the recommended actions are not approved the formation proceedings will be abandoned, UUD No. 74 will not be formed, and the utilities will not be relocated underground, and the County's Rule 20A Allocations in the amount of \$13,678,374 will be at risk of expiring on December 31, 2025, and the County will not be able to initiate any Rule 20A projects with PG&E due to inactivity.

If your Board does not approve the third recommended action, the relocation of the overhead facilities along the north side of Minnewawa Avenue cannot move forward. The Agreements, adopted by the California Public Utility Commission (CPUC), are required by PG&E to perform the engineering and construction of the undergrounding project.

FISCAL IMPACT:

There is no Net County Cost associated with these recommended actions. Staff costs for UUD projects are included in the Public Works and Planning - Roads Org 4510 FY 2025-26 Adopted Budget.

All utility construction costs within the road right-of-way will be at the expense of the PG&E, American Telephone and Telegraph (AT&T) Inc. and Comcast Corporation. The utility companies will fund 100 percent of the construction costs under the Rule 20 and Rule 32 of the CPUC Undergrounding Programs.

PG&E will install up to 100 feet of underground electrical service line on private property for each service connection included in UUD 74 and provide a credit of \$1,500 for each panel conversion. Replacement of non-code compliant service panels and undergrounding service line beyond 100 feet will be paid by the property owner or other responsible party.

DISCUSSION:

Since 1964, the Board has adopted a program for the undergrounding of overhead electrical, telephone, and cable television facilities in the unincorporated areas of the County. UUD 74 is one of twelve backup projects listed on the five-year program (2013-2017) adopted by the Board on April 22, 2014.

The last formed and completed UUD project was UUD 71 Ashlan Avenue which was approved by the Board on August 19, 2014, and the project completed January 23, 2019.

For a proposed UUD to qualify for an allocation of Rule 20A credits and the subsequent expenditure of funds by the utility to underground overhead facilities, your Board must find that one or more of the following conditions exist and that undergrounding the facilities is in the general public interest:

- Undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities.
- The street, road, or right-of-way is extensively used by the public and carries a heavy volume of pedestrian or vehicle traffic.
- The street, road or right-of-way adjoins or passes through a civic area or public recreation area or an area of unusual scenic interest to the public.
- The street or road or right-of-way is considered an arterial street or major collector as defined in the Governor's Office of Planning and Research General Plan Guidelines.

There is a heavy concentration of overhead facilities along Minnewawa Avenue within the proposed project

limits. The Minnewawa Avenue right-of-way is extensively used by the public and carries a heavy volume of pedestrian and vehicle traffic. In addition, the Tarpey Elementary School is located at the Northwest corner of W. Gettysburg Avenue and Minnewawa Avenue located in the City of Clovis creating additional pedestrian and vehicle traffic during certain parts of the day during the school year. Undergrounding at the proposed location will improve public safety through the relocation of a high concentration of overhead facilities located along the east side of Minnewawa Avenue. Undergrounding at this location meets CPUC qualifications for UUD formation and is supported by PG&E.

PG&E's estimated construction and engineering cost to underground the utilities within the proposed UUD 74 is \$6,000,000.

Fresno County Ordinance Code (FCOC) 15.44.030 allows your Board to form underground utility districts by resolution, if the Board finds that public necessity, health, and safety or welfare requires the removal of overhead facilities within a designated area. On September 9, 2025, your Board approved Resolution No. 25-282 which set the date for the Public Hearing to gather information and opinion from affected members of the public regarding proposed UUD No. 74. In accordance with FCOC 15.44.020, notices were mailed by the Clerk to the Board to the affected property owners and utilities informing the recipients as to the date of this Public Hearing. The notice also provided information regarding property owner responsibilities if UUD No. 74 is formed and also stated that any interested party would have the opportunity to address your Board in matters concerning the formation of UUD No. 74. The aforementioned notices were mailed at least 10 days before today's hearing. Notices of today's hearing were also posted at certain locations with the proposed UUD No. 74.

Agreements:

PG&E requires that the County enter into agreement with PG&E prior to performing the engineering required to relocate the overhead facilities underground. Required are the General Conditions Agreement and Wheelchair Access Consideration Agreement.

Rule 20A General Conditions Agreement: Responsibilities of the Applicant

The General Conditions Agreement contains language that requires the County to, "Own and manage all Contaminated Soils," and "Own and Manage all Cultural Resource Findings." This language makes the County responsible for the cost of any mitigation required if such items are encountered. The costs for that mitigation are not quantifiable.

Generally, the County would be responsible to manage the aforementioned findings if encountered in the public right-of-way. However, work will be performed by PG&E or their agent on private property and the language in the General Conditions Agreement does not exclude such findings on private property. This places the County in direct responsibility for any such findings if encountered during the course of the work.

There has been occasion in the past where contaminated soil on private property was encountered by contractors performing work on County road or bridge project. On those occasions, the Department managed the remediation and then sought reimbursement from the responsible party. If contaminated soils or cultural resources were discovered in the course of this work, the same process would be used. The Department will manage the sites, and recourse will be pursued from the parties responsible for the sites.

The General Conditions Agreement also requires the County to waive work hour restrictions. This is necessary for PG&E to perform the work involved in undergrounding their facilities. In the event of a temporary interruption of service resulting from work performed on the undergrounding by PG&E, PG&E may need to work outside regular work hours to make repairs or leave the site in a safe condition. In addition, the General Conditions Agreement requires the County to waive all costs for an encroachment permit, parking charges, rental cost of county properties, and other incidental County costs associated with the work. The Department does not anticipate these costs to be significant. Incidental County costs associated with the work will only be waived if the waiving of said costs is statutorily permissible and comply

with the work involved.

Rule 20A Wheelchair Access Consideration Agreement

The work required to satisfy the requirements of the Wheelchair Access Consideration Agreement will not be required.

OTHER REVIEWING AGENCIES:

Parties involved in this project are PG&E, AT&T and Comcast. The aforementioned parties have reviewed and been given a chance to comment and consult on the proposed UUD 74.

REFERENCE MATERIAL:

BAI #44, September 9, 2025

BAI #11, August 19, 2014

BAI #41, April 22, 2014

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibit A - UUD 74 Boundary Map

On file with Clerk - Location Map

On file with Clerk - Resolution

On file with Clerk - Engineer's Report

On file with Clerk - PG&E Scheduled Related Work Rule 20A Agreements

CAO ANALYST:

Maria Valencia