



Board Agenda Item 44

DATE: September 9, 2025

TO: Board of Supervisors

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

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

RECOMMENDED ACTION(S):

Adopt a Resolution of Intention to form Fresno County Underground Utility District No. 74, Minnewawa Avenue, from E. Swift Avenue to 120 feet South of Gettysburg Avenue, set Formation Hearing for October 21, 2025, at 9:30 A.M., and direct the Clerk of the Board to mail a notice to the affected property owners and utilities.

There is no Net County Cost for this recommended action. Approval of the recommended action will initiate 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), set October 21, 2025, at 9:30 A.M., as the date for the Formation Hearing, and direct the Clerk to the Board (Clerk) to mail a notice to affected property owners and utilities. Notices shall be mailed no less than ten (10) days prior to the Formation Hearing in accordance with Fresno County Ordinance Code Section (FCOC) 15.44.020. This item pertains to a location in District 5.

ALTERNATIVE ACTION(S):

Your Board may not adopt the Resolution of Intention. If not approved, formation of the proposed UUD will not proceed and the County's Rule 20A work credit balance 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 Pacific Gas and Electric (PG&E) due to not having an Active Rule 20A Project.

FISCAL IMPACT:

There is no Net County Cost for this recommended action. Staff costs for UUD projects are included in the Public Works and Planning - Roads Org 4510 FY 2025-26 Recommended 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 California Public Utilities Commission (CPUC) Undergrounding Programs. The estimated cost to underground PG&E facilities in the proposed UUD 74 is approximately \$6,000,000. AT&T and Comcast do not provide their estimated costs to relocate their facilities underground.

DISCUSSION:

Since 1964, your 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 your Board on April 22, 2014..

The expiration of work credits for inactive communities was established by CPUC decision D.23-06-008. Per the decision, the County must form at least one UUD by the end of 2025 to retain the status of having an Active Rule 20A Program and not have the current Rule 20A work credits in the amount of \$13,678,374 expire.

The remaining amount of Rule 20A work credits will be used for an UUD to be presented by staff in the future prior to the expiration of all Rule 20A work credits. By forming this UUD, the new expiration of Rule 20A work credits issued in this program are to be deemed expired at the end of 2033.

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 relocate overhead facilities underground, 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.

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. Undergrounding at the proposed location will improve public safety through the relocation of a high concentration of overhead facilities. Department staff has met with PG&E regarding the proposed UUD 74 and agrees that, if formed, it meets one or more of the requirements specified above and does support the project.

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. If the Resolution of Intention is adopted, staff will prepare for the Clerk an informational letter and notice specifying the date, time, and location of the Formation Hearing wherein the resolution forming UUD 74 will be brought to your Board for consideration.

Prior to the Formation Hearing, the Director of the Department of Public Works shall consult all affected utilities and shall prepare a report for submission at the Formation Hearing containing, among other information, estimates of the extent of such utilities' participation, and an estimate of the time required to complete such underground installations and the removal of overhead facilities.

The Clerk shall notify all affected property owners, as shown on the last equalized assessment roll, and utilities concerned, by mail, of the time and place of the Formation Hearing. The Formation Hearing shall be open to the public and may be continued from time to time. At that hearing all persons interested shall be given an opportunity to be heard. After consideration by your Board of the report and any public comment or presentation your Board may decide to adopt a resolution forming UUD 74 or reject the proposed UUD. The decision of your Board shall be final and conclusive.

If the Resolution of Intention before your Board today is adopted, staff will prepare for the Clerk an information letter and notice specifying the date, time, and location of a Formation Hearing. The Clerk shall mail the notice to all affected property owners within the proposed UUD 74 in accordance with FCOC Sections 15.44.020 at least 10 days prior to the Formation Hearing.

OTHER REVIEWING AGENCIES:

Parties involved in this project are PG&E, AT&T and Comcast. The aforementioned parties have reviewed the proposed UUD74.

REFERENCE MATERIAL:

BAI #11, August 19, 2014

BAI #41, April 22, 2014

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibit A - UUD 74 Boundary Map

Location Map

On file with Clerk - Resolution of Intention

CAO ANALYST:

Maria Valencia