



# County of Monterey

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Legislation Details (With Board Report)

**File #:** 15-1195      **Name:** Moss Landing Rule 20A Boundary Change  
**Type:** General Agenda Item      **Status:** Passed  
**File created:** 10/27/2015      **In control:** Board of Supervisors  
**On agenda:** 11/10/2015      **Final action:** 11/10/2015

**Title:** Adopt a Resolution to:  
a. Change a portion of the Moss Landing Underground Utility District No. 14 along a 350-foot portion of Potrero Road from Rule 20A to Rule 20B; and  
b. Authorize the Clerk of the Board to mail a copy hereof to affected utility companies within ten (10) days after the adoption of this resolution.

**Sponsors:** Public Works / RMA

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Resolution, 3. RES 05-120 Dated 6.7.05, 4. Location Map, 5. Completed Board Order, Resolution and Exhibit

Date	Ver.	Action By	Action	Result
11/10/2015	1	Board of Supervisors	approved	Pass

Adopt a Resolution to:

- a. Change a portion of the Moss Landing Underground Utility District No. 14 along a 350-foot portion of Potrero Road from Rule 20A to Rule 20B; and
- b. Authorize the Clerk of the Board to mail a copy hereof to affected utility companies within ten (10) days after the adoption of this resolution.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors adopt a resolution to:

- a. Change a portion of the Moss Landing Underground Utility District No. 14 along a 350-foot portion of Potrero Road from Rule 20A to Rule 20B; and
- b. Authorize the Clerk of the Board to mail a copy hereof to affected utility companies within ten (10) days after the adoption of this resolution.

**SUMMARY:**

Pacific Gas & Electric's (PG&E's) design engineers have determined it is necessary to modify implementation of the Rule 20A phase of the Moss Landing Underground Utility District to postpone undergrounding and removal of the two most-westerly utility poles on Potrero Road to the Rule 20B phase of the project. Changing these two poles from Rule 20A to Rule 20B requires adoption of a resolution by the Board of Supervisors.

**DISCUSSION:**

On June 7, 2005, Board of Supervisors adopted Resolution No. 05-120 (attached) creating the Moss Landing Area Rule 20A and 20B Underground Utility District. The legal description of the district boundary does not differentiate between the areas designated for Rule 20A or Rule 20B. The map attached to the legal description, however, pictorially depicts the areas to be included in Rule 20A and Rule 20B.

On December 11, 2014, the County Zoning Administrator approved a Mitigated Negative Declaration (MND) and Coastal Development Permit (CDP) for the combined Rule 20A-20B scope of work.

Because of funding limitations, Resource Management Agency (RMA) - Public Works has requested that PG&E and American Telephone and Telegraph (AT&T) implement only the Rule 20A portion of the project at this time. Sufficient funds to complete the Rule 20B portion will not be received for many years.

During their recent review of the engineering design for the Rule 20A project, PG&E's engineer's determined that the project would require construction of an underground trench across approximately 125 feet of undeveloped property between the north edge of Potrero Road and the closest existing utility pole behind the houses on Laguna Place. This trenching was not included in the Project Description of the MND and CDP approved by the Zoning Administrator. Because this trenching was not included in the project's environmental approval, and because of the environmentally-sensitive nature of the affected property, PG&E's design engineers recommend that the County change the designation of the western-most 350-foot of Potrero Road from Rule 20A to Rule 20B. This would allow the two affected utility poles to remain in place until the Rule 20B project can be funded and implemented.

In accordance with Monterey County Code Section 14.08.120, staff recommends that the County change a portion of the Moss Landing Underground Utility District No. 14 along a 350-foot portion of Potrero Road from Rule 20A to Rule 20B.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has reviewed and approved the resolution as to form. The involved utility companies, AT&T California, PG&E, and Cable Com, Inc. (Charter and Comcast) concur with the recommendation.

FINANCING:

There is no financial impact to the General Fund, or to the Funding Agreement between Duke Energy Moss Landing LLC and the Moss Landing Chamber of Commerce dated March 23, 2001, as assigned from the Chamber to the County of Monterey on September 24, 2002, and amended on September 14, 2004.

For the Rule 20A project, the cost of the undergrounding project will be funded by the utilities involved. Non-eligible costs for County staff project administration, environmental clearance and mitigation, and acquisition of Public Utility Easements (PUEs), will be funded by the Moss Landing Deposit Account in the Road Fund (Fund 002, Account 2686) funded by Duke Energy/Dynegy. These costs total \$338,573 to date, and are estimated to total \$491,000 by project completion.

For the Rule 20B project, total cost of the project, including design, construction, and payment of utility companies' costs will be funded by the Moss Landing Deposit Account in the Road Fund (Fund 002, Account 2686) funded by Duke Energy/Dynegy. These costs total \$236,125 to date, and are estimated to total \$1,750,000 by project completion.

The recommended action will eliminate the cost of removing the two indicated utility poles and undergrounding the utility lines between them from the Rule 20A scope of work funded by the utility companies, and add it to the Rule 20B scope of work funded by the Duke Energy/ Dynegy fund. PG&E estimates this cost to be approximately \$75,000.

Prepared by: G.H. Nichols, PE, Special Projects Engineer (831) 796-5386

Approved by: Robert K. Murdoch, P.E., Director of Public Works

Approved by: Carl P. Holm, AICP, RMA Director

Dated: October 27, 2015

Attachments: Board Resolution; Resolution 05-120 dated June 7, 2005 (attachments on file with the Clerk of the Board)

cc: Tom Lee, Contract Administrator, **AT&T California**, [TL9312@att.com](mailto:TL9312@att.com) <<mailto:TL9312@att.com>>  
Dave Orosco, **Cable Com, Inc.**, [Dave.Orosco@CableComLLC.net](mailto:Dave.Orosco@CableComLLC.net) <<mailto:Dave.Orosco@CableComLLC.net>>  
Gary Adams, Facilities Supervisor, **Moss Landing Marine Laboratories**, [gadams@mlml.calstate.edu](mailto:gadams@mlml.calstate.edu) <<mailto:gadams@mlml.calstate.edu>>  
Richard S. 'Scott' Garvey, PMP, Senior Project Manager, **PG&E**, [S1Gp@pge.com](mailto:S1Gp@pge.com) <<mailto:S1Gp@pge.com>>  
Saul Valverde, Area Operations Manager, **Sunesys**, [svalverde@sunesys.com](mailto:svalverde@sunesys.com) <<mailto:svalverde@sunesys.com>>