



County of Monterey

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

Board Report

File #: A 18-009, **Version:** 1

- a. Approve and authorize the Chair to sign a Contract to Purchase from Monterey Bay Aquarium Research Institute two Public Utility Easements (APN 133-342-008 - PUE "C" and APN 133-232-011 - PUE "F") in the amount \$9,500 for the Moss Landing Rule 20A Underground Utility District Project in the community of Moss Landing; and
- b. Direct the Clerk of the Board to record the two Easements with the County Recorder's Office.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Chair to sign a Contract to Purchase from Monterey Bay Aquarium Research Institute two Public Utility Easements (APN 133-342-008 - PUE "C" and APN 133-232-011 - PUE "F") in the amount \$9,500 for the Moss Landing Rule 20A Underground Utility District Project in the community of Moss Landing; and
- b. Direct the Clerk of the Board to record the two executed Easements with the County Recorder's Office.

SUMMARY:

The recommended action will formalize the acquisition of two Public Utility Easements (PUE) over, under, and upon the subject properties for the construction, maintenance, use, and operation of electricity and gas transmission lines, telephone lines, cable television lines, internet service provider lines, sanitary sewers, storm drains and water pipelines, and all the necessary appurtenances thereto, together with the right of ingress and egress from said easement, for the Moss Landing Rule 20A Underground Utility District. These are two of a total of ten PUEs required for the project.

DISCUSSION:

On June 7, 2005, the Board of Supervisors approved Resolution No. 05-120 creating the Moss Landing Area Rule 20A and 20B Underground Utility District No. 14 in the Community of Moss Landing. This resolution set the completion date for underground utility companies and reconnection no later than December 2009, and removal of poles, overhead wires and other associated overhead structures no later than May 2010. On July 26, 2011, the Board approved Resolution No. 11-271 extending these dates to March 2015 and June 2015, respectively. On May 12, 2015, the Board approved Resolution No. 15-110 again extending these dates to March 2020 and June 2020, respectively.

During preparation of engineering designs of the project by the utility companies, it was determined that Public Utility Easements over private property will be required at ten different locations to facilitate placement of the overhead lines underground.

The two Public Utility Easements consist of a total of approximately 1,906 square feet. The property owner, Monterey Bay Aquarium Research Institute, has accepted the County's offer to purchase the easements at the total appraised value of \$9,500.

On December 11, 2014, the Zoning Administrator approved Resolution No. 140-041 adopting a Mitigated Negative Declaration, approving a Combined Development Permit, and adopting a Mitigation Monitoring and Reporting Plan for the Moss Landing Rule 20A Underground Utility District project (PLN130590). On December 16, 2014, the Board of Supervisors approved Resolution No. 14-364 adopting the Conditions of Approval and Mitigation Monitoring and Reporting Program for the project.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has reviewed and approved the Public Utility Easements, Offer to Purchase, and Contract to Purchase as to form. The RMA-Land Use and Community Development Division Special Programs Section is working closely on behalf of the RMA-Public Works and Facilities Division to coordinate with AT&T, PG&E, Charter Communications, Comcast, and Moss Landing Marine Laboratories to implement construction of the project.

FINANCING:

The total cost of the Moss Landing Rule 20A Underground Utility District project will be borne by the utilities involved. Any costs not eligible for reimbursement by Rule 20A funds, such as acquisition of easements and rights of entry, will be borne by the Moss Landing Deposit Account in the Road Fund (Fund 002, Account 2686) funded by Duke Energy/Dynegy.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action complies with the Board of Supervisors' Strategic Initiative for Infrastructure, "Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results," by providing up-to-date utility infrastructure in the community of Moss Landing, and by improving the quality of life of County residents in the community by removing unsightly overhead wires and poles.

- ☐ Economic Development
- ☐ Administration
- ☐ Health & Human Services
- ☒ Infrastructure
- ☐ Public Safety

Prepared by: G.H. Nichols, P.E., Special Programs Section, RMA, ext. 5386

Reviewed by: Melanie Beretti, Special Programs Manager, RMA, ext. 5285

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

The following attachments are on file with the Clerk of the Board:

- Attachment 1 - Contract to Purchase
- Attachment 2 - PUE C
- Attachment 3 - PUE F