

# IN THE BOARD OF SUPERVISORS

County of San Luis Obispo, State of California

\_\_\_\_\_ day \_\_\_\_\_, 20\_\_

PRESENT: Supervisors

ABSENT:

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION ESTABLISHING UNDERGROUND UTILITY DISTRICT NO. 31 ALONG  
SAN LUIS STREET BETWEEN SAN RAFAEL STREET AND FIRST STREET  
IN THE TOWN OF AVILA BEACH  
SUPERVISORIAL DISTRICT NO. 3**

The following resolution is hereby offered and read:

**WHEREAS**, the County of San Luis Obispo desires to have certain utilities undergrounded within that portion of San Luis Street between San Rafael and First Streets, in the Town of Avila Beach, County of San Luis Obispo, more particularly described on the documents attached hereto, marked Exhibit "A" and "B" which are hereby incorporated herein by reference as though here fully set forth; and

**WHEREAS**, a public hearing has been duly held this date concerning the undergrounding of said utilities, by the Board of Supervisors of the County of San Luis Obispo, State of California, to ascertain whether the public necessity, health, safety or welfare requires the removal of poles, overhead wires, and associated overhead structures, and underground installation of wires and facilities for supplying electric, communication, cable television, or similar or associated service within the territory hereinabove referred to; and

**WHEREAS**, notice of such hearing has been given to all affected property owners as shown on the last equalized assessment roll, and to utilities concerned, in the manner and within the time required by law; and

**WHEREAS**, all persons interested have been given an opportunity to appear before said Board and be heard.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors, of the County of San Luis Obispo, State of California, as follows:

1. That pursuant to Chapter 13.50 of the San Luis Obispo County Code, that territory of the County of San Luis Obispo which is more particularly described as shown on the attached map delineating the boundaries of said District marked Exhibit "A" which is hereby expressly incorporated herein by reference as though fully set forth, is hereby declared an underground utility district, and is designated as Avila Beach Underground Utility District No. 31 of the County of San Luis Obispo.

2. That the Board of Supervisors hereby finds as follows: the underground utility district herein created is in the public interest for the following reasons:
  - a. Such undergrounding will avoid or eliminate an unusually heavy concentration of overhead distribution facilities;
  - b. Such right-of-way is extensively used by the general public and carries a heavy volume of vehicular traffic;
  - c. Subject right-of-way adjoins or passes through an area of unusual scenic interest to the general public
3. That the County Clerk is hereby instructed to notify all affected utilities and all persons owning real property within said underground utility district of the adoption of this resolution within ten (10) days after the date of such adoption. Said County Clerk shall further notify said property owners of the necessity that, if they or any person occupying such property desires to continue to receive electric, communication or other similar or associated service, they or such occupants shall, by the date fixed in this resolution, provide all necessary facility changes on their premises so as to receive such service from the lines of supplying utility or utilities at a new location, subject to applicable rules, regulations, and tariffs of the respective utility or utilities on file with the Public Utilities Commission of the State of California. Such notification shall be made by mailing a copy of this resolution together with a copy of said Chapter 13.50 of the San Luis Obispo County Code to affected property owners as are shown on the last equalized assessment roll and to the affected utilities.
4. That said Board of Supervisors does hereby order and fix the following dates as dates by which said affected property owners must be ready to receive underground service, and by which the removal of all poles, overhead wires, and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication or similar or associated service within said Underground Utility District No. 31 must be completed, to-wit:
  - a. The date of October 2019, is the date by which the underground utilities should be installed and hooked up, and the date by which affected property owners must be ready to be hooked up to underground utility service.
  - b. The date of October 2019, is the date by which services to the public are to be completed, and the date by which affected property owners must be receiving underground service; and
  - c. The Board of Supervisors does hereby order the removal of all poles, overhead wires and associated overhead structures and underground installation of wires and facilities for the supplying of electric, communication or similar or associated service within Underground Utility District No. 31 on or before October 2019.

- d. The Board of Supervisors does hereby order that the Pacific Gas & Electric Company and AT&T provide payment, computed pursuant to Rule 20 and Rule 32 respectively for the installation of no more **than one hundred (100) feet** (measured from the property line) of trenching, excavation, conduit installation, backfill, and surface restoration of each customer's individual service lateral to each qualifying premise affected by the District. Each other serving utility will provide service trenching and conductor in accordance with its tariffs on file with the California Public Utilities Commission or as required by its Franchise Agreement with the County. Each property owner in the District shall be responsible for the maintenance of the conduit and termination box located on, under, or within any structure on the premises served.
  
- e. The Board of Supervisors does hereby order that the Pacific Gas & Electric Company pay, from the existing Rule 20A allocation, for the conversion of service panels to accept underground service, up to **\$1,500** per service entrance, excluding permit fees.

Upon motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, and on the following roll call vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing resolution is hereby adopted:

\_\_\_\_\_  
Chairperson of the Board of Supervisors

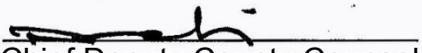
ATTEST:

\_\_\_\_\_  
Clerk of the Board of Supervisors

(SEAL)

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL  
County Counsel

By:   
Chief Deputy County Counsel

Dated: August 27, 2014

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STATE OF CALIFORNIA,    }  
County of San Luis Obispo, } ss.

I, \_\_\_\_\_, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

(SEAL)

\_\_\_\_\_  
County Clerk and Ex-Officio Clerk of the Board  
of Supervisors

By \_\_\_\_\_  
Deputy Clerk.

Exhibit A

**SAN LUIS STREET  
UNDERGROUND UTILITY DISTRICT  
COMMUNITY OF AVILA BEACH  
SAN LUIS OBISPO COUNTY, CALIFORNIA**

All those portions of the map of the Town of Avila on file in Book A of Maps at Page 5 together with portions of the map of the Junior Addition to the Town of Avila on file in Book 3 of Maps at Page 41 and together with portions of land lying within the Rancho San Miguelito filed in Book A of Maps at Page 38, in the community of Avila Beach, County of San Luis Obispo, State of California all on file in the Recorder's Office of said county, being more particularly described as follows:

Commencing at the southeast corner of Block 13 of said map of the Town of Avila;

Thence easterly along the northerly line of First Street, County Road No. 2075 as shown on said map to the southeast corner of Block 15 of said map;

Thence northerly along the westerly line of said Block 15 to the southerly line of Tract 2667-1 as shown on the map of said Tract filed in Book 34 of Maps at Pages 5 through 7 inclusive in said Recorder's Office;

Thence westerly along said southerly line to the southwest corner of said Tract;

Thence northerly along the westerly line of said Tract to the northwest corner of said Tract;

Thence easterly along the northerly line of said Tract to the northeast corner of said Tract;

Thence northerly along the westerly line of Parcel Map COAL 07-0079 filed in Book 73 of Parcel Maps at Page 82 in said Recorder's Office to a point of intersection with the westerly prolongation of the southerly line of that portion of said Rancho San Miguelito described in Volume 1846 of Official Records at Page 158 on file in said Recorder's Office;

Thence easterly along said prolonged line to the easterly line of San Antonia Street, County Road No. 2078, as shown on said map of the Town of Avila;

Thence continuing easterly along said southerly line to the westerly line of San Rafael Street, County Road No. 2077 as said street is described in Book 510 of said Official Records at Page 63;

Thence northeasterly along said westerly line to the southerly line of San Luis Street, County Road No. 2073 as shown on said map of the Junior Addition;

Thence easterly along said southerly line of San Luis Street to the southerly right of way line of Avila Beach Drive, County Road No. 2070 as shown on the "Right of Way Map for a Portion of Avila Road", Document #16141 on file in the office of the County Surveyor of said County;

Thence along said southerly line to the northerly line of said San Luis Street;

Thence southwesterly along said northerly line to the easterly line of that portion of said Rancho San Miguelito as described in Volume 1797 of Official Records at Page 343 on file in said Recorder's Office;

Thence northerly along said easterly line to the said southerly line of said Avila Beach Drive;

Thence northwesterly along said southerly line to the westerly line of Tract 2414 as shown in Book 22 of Maps at Pages 67 through 70 inclusive on file in said Recorder's Office;

Thence southerly along the westerly line of said Tract to the northerly line of said Junior Addition;

Thence easterly along said northerly line to the northeast corner of said Junior Addition and continuing easterly along the northerly line of Parcel Map CO 05-0139 filed in Book 73 of Parcel Maps at Pages 88 through 91 inclusive in said Recorder's Office;

Thence southerly along the easterly line of said map to the southerly line of Parcel 2 of said map;

Thence westerly along the southerly line of said Parcel 2 to the easterly line of said Junior Addition;

Thence northerly along said easterly line to the southerly line of Parcel 2 of COAL 03-0068 as described in Document 2004-029947 recorded April 13, 2004 in said Recorder's Office;

Thence westerly along said southerly line to the westerly line of Lot 1 of said Junior Addition;

Thence southerly along said westerly line to the northeast corner of Lot 2 of said Junior Addition;

Thence westerly along the northerly line of said Lot 2 to the easterly line of Laurel Street, County Road No. 2079 as shown on said map of the Junior Addition;

Thence southerly along said easterly line to the intersection with the easterly prolongation of the northerly line of Lot 14 of said Junior Addition;

Thence continuing westerly on said prolonged line to the westerly line of said Laurel Street and the northeast corner of said Lot 14;

Thence westerly along the northerly line of said Lot 14 to the northerly corner of said Lot 14;

Thence northerly along the westerly lines of Lots 13, 12, 11 as shown on said map of the Junior Addition to the southerly line of Lot 10 of said Junior Addition;

Thence westerly along said southerly line to the westerly corner of said Lot 10;

Thence southerly along the westerly line of that portion of said Rancho San Miguelito labeled as "M. DELARM" on said map of the Junior Addition, to the easterly prolongation of the southerly line of 2nd Street, County Road No. 2080, as shown on said map of the Town of Avila;

Thence westerly along said line to the northeast corner of Block 13 of said map;

Thence southerly along the easterly line of said Block 13 to the northeast corner of Parcel B of Parcel Map CO 68-10 filed in Book 2 of Parcel Maps at Page 72 in said Recorder's Office;

Thence westerly along the northerly line of said Parcel B to the northwest corner of said Parcel B;

Thence southerly along the westerly line of said Parcel B to the northerly line of Lot 3 of Block 13 of said Town of Avila;

Thence westerly along said northerly line to the northwest corner of said Lot 3;

Thence southerly along the westerly lines of Lot 3, 4, 5, and 6 of said Block 13 to the southwest corner of said Lot 6;

Thence easterly along the southerly line of said Lot 6 to the northwest corner of Lot 14 of said Block 13;

Thence southerly along the westerly line of said Lot 14 to the southerly line of said Block 13;

Thence easterly along said southerly line to the point of beginning.



*Douglas A. Rion*  
7/18/14

- APN
- 076-201-016
- 076-201-021
- 076-201-030
- 076-201-056
- 076-201-066
- 076-201-069
- 076-201-070
- 076-201-075
- 076-201-079
- 076-201-080
- 076-202-001
- 076-202-002
- 076-202-003
- 076-202-004
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- 076-202-008
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- 076-202-010
- 076-202-011
- 076-217-004
- 076-217-005
- 076-217-011
- 076-217-012
- 076-217-013
- 076-217-020
- 076-217-023
- 076-221-002
- 076-221-004
- 076-221-005
- 076-221-006
- 076-221-009
- 076-223-021

Avila Beach Dr

Lucas Ln

exempt poles

Laurel St

2nd St

San Luis St

exempt pole

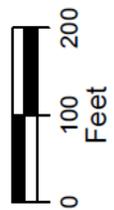
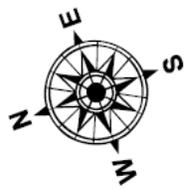
San Antonio St

exempt pole

San Rafael St

First St

Note:  
split parcel due to  
service outside of  
the district boundary



 Rule 20A (proposed district)

**SAN LUIS ST. - UNDERGROUND UTILITY DISTRICT #31**  
**TOWN OF AVILA BEACH**  
**COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA**

**PUBLIC WORKS**  
 GIS SERVICES



SAN LUIS OBISPO COUNTY