



**COUNTY OF NEVADA**  
**COMMUNITY DEVELOPMENT AGENCY**  
**DEPARTMENT OF PUBLIC WORKS**  
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Trisha Tillotson  
Community Development Agency Director

David Garcia  
Director of Public Works

**NEVADA COUNTY BOARD OF SUPERVISORS**  
**Board Agenda Memo**

**MEETING DATE:** September 10, 2024  
**TO:** Board of Supervisors  
**FROM:** David Garcia, Director of Public Works  
**SUBJECT:** Public Hearing to adopt a Resolution to establish the Red Dog Road Underground Utilities District - District I

**RECOMMENDATION:** Approve the attached Resolution.

**FUNDING:** Funding for mailing letters and holding public hearings comes from the Roads Fund. Project construction is estimated to cost \$5.8 million. \$5.8 million of the \$7.3 million in PG&E Rule 20A work credits are available for the project. County Staff will continue to pursue other funds including but not limited to Regional Surface Transportation Program and Highway Use Tax Account funds to cover staff time (approximately \$400,000 or 5% of the project).

**BACKGROUND:** This resolution is a formal action for the Board of Supervisors to form a new Utility Undergrounding District. Electric Rule 20A is a tariff that governs undergrounding of overhead utilities under the jurisdiction of the California Public Utilities Commission (CPUC). Rule 20A funding is provided in the form of work credits, which are not true currency but are credit discounts equivalent to one U.S. dollar for the costs of a Rule 20A undergrounding project.

CPUC Decision 23-06-008 determined that all communities work credit balances will expire on December 31, 2033, and PG&E will file an advice letter to the CPUC which, when approved, will result in all remaining PG&E work credits to be reallocated by June 8, 2025, to projects within Environmental and Social Justice Community census tracts. The County's current balance of approximately \$7.3 million in PG&E Rule 20A work credits and \$2.8 million in Liberty Utilities Rule 20A work credits are at risk of reallocation if active project districts are not established. County Staff have identified a qualifying project to utilize the PG&E Rule 20A that involves undergrounding overhead utilities along Red Dog Road which would prevent the work credits from being reallocated.

The County's policies and procedures for establishment of underground utility districts is governed by the Nevada County Code Section 2.14.010. On August 6<sup>th</sup>, 2024, the Board of Supervisors approved Resolution 24-441 which scheduled a subsequent public meeting on August 28<sup>th</sup>, and a Board of Supervisor's public hearing on September 10<sup>th</sup>, 2024. The Clerk of the Board of Supervisors notified all affected property owners, as shown on the last equalized assessment roll, and utilities concerned by mail on August 10<sup>th</sup>, 2024, of the public informational meeting on August 28<sup>th</sup>, 2024, at 6:00 pm, and the public hearing scheduled for September 10<sup>th</sup>, 2024, at 10:00 am, both of which to be held in the Board of Supervisors Chamber. These public meetings and hearing are 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, or similar or associated service. Public input from the August 28<sup>th</sup> public meeting is included for reference in Attachment 4.

If, after any such public hearing, the Board of Supervisors finds that there is a necessity for such removal and such underground installation within a designated area, the Board of Supervisors shall, by Resolution, declare such designated area an underground utility district and order such removal and underground installation. The Director of Public Works may make any final modifications to the boundaries described in attachments 2 and 3 as necessary.

**RECOMMENDATION:**

In accordance with the CPUC Electric Rule 20A and the County of Nevada Code, Staff is requesting that the Board of Supervisors adopt the attached Resolution finalizing the establishment of the Red Dog Road Underground Utilities District as described and shown on Attachments 2 and 3. The Resolution is recommended to be adopted based on gathered public input, that the public necessity, health, safety, and welfare requires removal of overhead utilities and installation of underground utilities in the proposed district area.

**Attachments**

1. Resolution to establish the Red Dog Road Underground Utilities District – District I
2. Exhibit A: Red Dog Road Underground Utilities District – Legal Description
3. Exhibit B: Red Dog Road Underground Utilities District – Boundary Map
4. Public input for the August 28, 2024, Red Dog Road Underground Utilities District Public Informational Meeting
5. Public Hearing Notice

**Item Initiated by:** Patrick Perkins, Principal Civil Engineer

**Approved by:** David Garcia, Director of Public Works