

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA BARBARA
STATE OF CALIFORNIA**

IN THE MATTER OF DECLARING A CERTAIN)
PORTION OF BRADLEY ROAD IN THE ORCUTT)
AREA AN UNDERGROUND UTILITY DISTRICT) RESOLUTION NO. _____
UNDER CHAPTER 34 OF THE CODE)
OF THE COUNTY OF SANTA BARBARA)

WHEREAS, pursuant to Chapter 34 of the Santa Barbara County Code, the Board of Supervisors of the County of Santa Barbara has the authority, after notice and public hearing, to declare a designated area within the unincorporated area of the County an Underground Utility District and to order the removal of overhead electric, communication or similar or associated service facilities and the underground installation of such facilities within the designated area; and

WHEREAS, pursuant to Section 34-2 of Chapter 34 of the Santa Barbara County Code, this Board has called a public hearing to ascertain whether the public necessity, health, safety or welfare requires the removal of such overhead facilities and this underground installation of such facilities in a certain portion of Bradley Road in the Orcutt area as described in Exhibit "A" and depicted on the map thereof attached hereto as Exhibit and "B" and the Road Commissioner has given notice of the time and place of said hearing to all affected property owners and utilities concerned; and

WHEREAS, all affected utility companies shall use conversion allocation funds to pay for the undergrounding of their overhead electric and communication facilities within the undergrounding district.

WHEREAS, the public hearing has been held, all persons interested have been heard, and the report by the County Road Commissioner required by Section 34-3 Chapter 34 of Santa Barbara County Code has been submitted and considered,

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. The public necessity, health, safety or welfare requires the removal of poles, overhead wires, and associated overhead structures and the underground installation of such facilities for the supply of electric, communication or similar or associated services in

a portion of the unincorporated area of the County of Santa Barbara, more particularly described in Exhibit “A” and shown on the map thereof attached hereto as Exhibit “B”, which are incorporated herein by this reference.

3. The area described in Exhibit “A” and shown on Exhibit “B” is designated an Underground Utility District, pursuant to Section 34-4 of the Santa Barbara County Code, and is named Bradley Road Underground Utility District from Amethyst Drive to Larch Avenue.
4. Pursuant to Section 34-7 of Chapter 34 of the Santa Barbara County Code, the following facilities are excepted from the requirement of underground installation, and therefore, poles, overhead wires and associated overhead structures may be erected, constructed, installed, maintained, used and operated in conjunction with the following:
 - a. Any County facilities or equipment installed under the supervision and to the satisfaction of the director of Public Works.
 - b. Poles or electroliers used exclusively for street lighting, fire alarm boxes or emergency services.
 - c. Overhead wires (exclusive or supporting structures) crossing any portion of a District, when such wires originated in an area from which poles, overhead wires, and associated overhead structures are not prohibited.
 - d. Poles, overhead wires and associated overhead structures used for the transmission of electric energy at nominal voltages in excess of 34,500 volts.
 - e. Overhead wires attached to the exterior surfaces of a building by means of a bracket or other fixture and extending from one location on the building to another location on the same building or to an adjacent building without crossing any public street.
 - f. Antennae, associated equipment and supporting structures used by a utility for furnishing communications services.
 - g. Equipment appurtenant to underground facilities, such as surface mounted transformers, surface mounted switches, and pedestal mounted terminal boxes and meter cabinets and concealed ducts.

- h. Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects.
5. The undergrounding of electric, communication or similar or associated services in the Bradley Road Underground Utility District from Amethyst Drive to Larch Avenue is in the general public interest because, among other reasons, such undergrounding will eliminate an existing unusually heavy concentration of overhead distribution facilities, and Bradley Road is extensively used by the general public and has a significant volume of vehicular traffic.
6. Undergrounding of up to 100 feet of the service connections to each building including trenching, conduit, conductors, backfill and paving, and conversion of electrical panels (up to \$1,500 per panel but excluding permit fees) shall be provided by the utility companies subject to applicable California Public Utilities Commission rules and regulations.
7. It is ordered by April 2012, all underground construction (installation of ducts and structures) of the utility companies shall be completed, and all affected property owners within the Bradley Road Underground Utility District from Amethyst Drive to Larch Avenue must be ready to receive underground electric, communication or similar associated service by May 2012, if they or any persons occupying such property desire to continue to receive such services.
8. It is ordered that by June 2012, all the electric, communication and similar or associated service overhead distribution facilities shall be removed from the Bradley Road Underground Utility District from Amethyst Drive to Larch Avenue and the underground installation of such distribution facilities shall have been accomplished in said District.
9. The Road Commissioner is authorized and directed to notify all affected utilities and all persons owning real property within the Bradley Road Underground Utility District from Amethyst Drive to Larch Avenue, as such are shown on the last equalized assessment roll, of the adoption of this resolution and of their respective obligations under Chapter 34 of the Santa Barbara County Code by mailing a copy of this Resolution and a copy of Chapter 34 to them within ten (10) days after the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____ 2009, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ACCEPTED AND AGREED:
COUNTY OF SANTA BARBARA

By: _____
Joseph Centeno, Chair
Board of Supervisors

ATTEST:

MICHAEL F. BROWN
CLERK OF THE BOARD

By _____
Deputy

APPROVED AS TO FORM:
DENNIS A. MARSHALL
COUNTY COUNSEL

By _____
Deputy County Counsel