



**Resource Management
Agency
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
EDDIE VALERO
District Four
DENNIS TOWNSEND
District Five

AGENDA DATE: June 9, 2020 – REVISED

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
CONTACT PERSON: Celeste Perez PHONE: 559-624-7010				

SUBJECT: Approve Utility Agreement No 3.01 with Southern California Edison for the Avenue 280 Widening Project- Segment 1

REQUEST(S):
That the Board of Supervisors:

1. Approve Utility Agreement No. 3.01 with Southern California Edison, for relocation work to provide additional vertical clearance below Pole No. 289086E for the Avenue 280 Widening Project-Segment 1, from State Route 99 to Road 100 in Visalia, in an amount not to exceed \$81,000, effective upon approval by the Board of Supervisors; and
2. Authorize the Chair of the Board of Supervisors to sign the Agreement.

SUMMARY:
The County has recently completed construction of the Avenue 280 Widening Project (hereinafter the "Project") as approved by your Board on June 20, 2017 (Resolution No. 2017-0477). The Project consisted primarily of widening a 2-mile segment of Avenue 280, from State Route 99 to Road 100, from an existing two-lane roadway to a four-lane divided highway. The Project is the first phase of the overall Avenue 280 Widening Project to widen approximately eleven (11) miles of the Avenue 280 corridor.

As a result of the Avenue 280 Widening project a total of twenty-one (21) Southern California Edison (SCE) poles along Avenue 280 and an additional four (4) SCE poles along Shirk Road were identified to be in conflict with the widening of the roadway and so required relocation. In order to accomplish this work, the County has entered into two prior Utility Agreements with SCE. The first of these Agreements (TC Agreement 28095) was executed during the design phase of the project in which a

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total of 25 poles were relocated. As part of this work, it was determined that the County was responsible for the relocation of one pole (No. 4568013E); all other pole relocation work was determined to be covered under the County's Franchise Agreement with SCE and relocation costs were covered by SCE. While working through the final stages of construction, it was determined that a vertical separation conflict was present between a previously relocated electrical service line and a proposed street light. The conflict was observed along Avenue 280 between two adjacent SCE utility poles (Nos. 4568014E and 4568015E), approximately 600 feet west of Peppertree Court. Since this conflict was determined after completion of the initial utility relocation work, all expenditures incurred by SCE for this work were determined to be the responsibility of the County. As a result, the County and SCE entered into a second Utility Agreement (TC Agreement No. 29158) to authorize the requested relocation work.

While working through the final stages of the construction, it was observed that several vertical separation conflicts were present between the existing electrical lines (not relocated as part of a prior agreement) and the project's proposed street lighting. These conflicts directly affected the installation of 10 street light poles located on the north side of Avenue 280 on the west end of the project. Upon discovery of the issue, the County directed the Contractor to substitute shorter style streetlights in this area in an effort to minimize the conflict. As a result, all conflicts with the exception of one were avoided. The remaining conflict was observed along Avenue 280 adjacent to an SCE utility pole (No 289086E), located approximately 2,600 feet east of State Route 99.

Although the subject utility pole was located within the County's Right of-Way, SCE was able to provide sufficient evidence to prove that this pole was in place prior to the County's ownership of the land; therefore, SCE was able to claim superior rights. Due to the superior rights claim, all expenditures incurred by SCE to provide the required vertical clearance will be the County's responsibility. For this reason, a third Utility Agreement is required between the County and SCE to authorize the relocation work, as well as establish the payment terms.

Per Liability Claim Letter from SCE, the County's responsibility for the relocation of the electrical service line is estimated at \$65,000. In the event the bill exceeds 125% of the estimated cost per the Agreement (\$81,000), an amended agreement will be required prior to final payment. The relocation work is expected to be completed by SCE during the summer of 2020. Upon completion of the relocation work, the County will be acquiring the services of an electrical contractor to install the remaining streetlight, which is currently in conflict with the overhead lines.

FISCAL IMPACT/FINANCING:

No Net County Cost to the General Fund.

The cost associated with the relocation work is estimated at \$65,000 which will be covered by the Avenue 280 Project Measure R Regional Program funds.

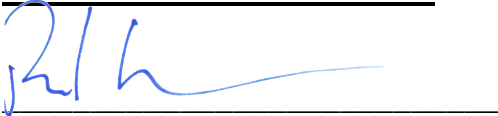
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LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

This project will enhance the safety and security of the public by improving the transportation infrastructure for both the general population in the region and the motorists using this facility.

ADMINISTRATIVE SIGN-OFF:



Reed Schenke, P.E.
Director

cc: County Administrative Office

Attachment(s) Attachment A – Vicinity Map
Attachment B – Utility Agreement 3.01

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF APPROVE UTILITY)
AGREEMENT NO. 3.01 WITH SOUTHERN) Resolution No. _____
CALIFORNIA EDISON FOR THE AVENUE) Agreement No. _____
280 WIDENING PROJECT- SEGMENT 1)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD JUNE 9, 2020, BY THE
FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Approved Utility Agreement No. 3.01 with Southern California Edison, for relocation work to provide additional vertical clearance below Pole No. 289086E for the Avenue 280 Widening Project-Segment 1, from State Route 99 to Road 100 in Visalia, in an amount not to exceed \$81,000, effective upon approval by the Board of Supervisors; and
2. Authorized the Chair of the Board of Supervisors to sign the Agreement.

Attachment A

Vicinity Map

