

RESOLUTION NO 21-30

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, DECLARING THE FORMATION OF UNDERGROUND UTILITY DISTRICT NO 1 AND ORDERING REMOVAL AND UNDERGROUNDING OF POLES, OVERHEAD WIRES AND ASSOCIATED OVERHEAD STRUCTURES ADJOINING THE EXISTING PARKS

WHEREAS, on October 5, 2021, the Town Council conducted a public hearing to ascertain whether the public necessity, health, safety or welfare requires formation of an underground utility district for the removal of poles, overhead wires and associated overhead structures within the territory described in Exhibit A, and depicted in Exhibit B, which Exhibits are attached hereto and made a part hereof; and

WHEREAS, the Town Clerk notified all affected property owners as shown on the last equalized assessment roll and utilities concerned by mail of the time and place of such hearing at least ten days prior to the date thereof; and

WHEREAS, prior to holding such public hearing, the city engineer consulted with all affected utilities and submitted a report at such hearing identifying the extent of such utilities' participation and estimates of the total costs to the town and affected property owners, and estimating the time required to complete the underground installation and removal of overhead facilities; and

WHEREAS, this project is categorically exempt from the provision of the California Environmental Quality Act pursuant to Section 15302 of the State CEQA Guidelines (Class 2: replacement or reconstruction of existing facilities); and

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY DOES RESOLVE AS FOLLOWS.

Section 1. The public necessity, health, safety or welfare require formation of an underground utility district for the removal of poles, overhead wires and associated overhead structures within the territory described in Exhibit A and depicted in Exhibit B.

Section 2. The undergrounding of utilities within the territory described in Exhibit A, and depicted in Exhibit B, is in the general public interest for the following reasons:

The right-of-way adjoins or passes through a public recreation area.

Section 3. The territory described in Exhibit A , depicted in Exhibit B, is hereby declared to be Underground Utility District No. 1.

Section 4. Within one year from the date of the adoption of this resolution: (a) all existing overhead wires and facilities within Underground Utility District No 1 for supplying electric, communications or associated service shall be removed and underground installations made in said District, (b) each property served from such overhead facilities shall have installed in accordance with the supplying utility's rules for underground service all facility changes on the premises necessary to receive service from underground facilities as soon as such underground facilities are available.

Section 5. Within ten days from the date hereof, the Town Clerk shall notify all affected utilities and all persons owning real property within Underground Utility District No. 1 of the adoption of this resolution and that, except as provided in Section 6 of this resolution, if the affected property owners or any person occupying such property desire to continue to receive electric, communication, or similar or associated service, they or such occupant shall provide all necessary facility changes on their premises so as to receive such service from the lines of the supplying utility or utilities at a new location, subject to the applicable rules, regulations, and tariffs of the respective utility or utilities on file with the Public Utilities Commission. Such notice shall be made by mailing a copy of this resolution and of Title 8 Chapter 90 Subsection 10 of the Municipal Code to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities.

Section 6. Pursuant to Southern California Edison's approved Advice 1399-E, Rule 20A funds will be used for the conversion of affected property owners meter panels from overhead to underground service. The cost of such meter conversions using Rule 20A funds shall be limited to existing meters and shall not include permit fees and any upgrades requested by affected property owners.

Section 7. Southern California Edison and all other affected utilities are hereby authorized to discontinue overhead service within Underground Utility District No. 1, subject to the provision of underground service as specified in Section 4(a) of this resolution.

PASSED, APPROVED AND ADOPTED THIS 5th day of October, 2021.



MAYOR

ATTEST:



TOWN CLERK

APPROVED AS TO FORM:



TOWN ATTORNEY

STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

TOWN OF YUCCA VALLEY

I, Lesley R. Copeland, Town Clerk of the Town of Yucca Valley, California hereby certify that the foregoing Resolution No. 21-30 as duly and regularly adopted at a meeting of the Town Council of the Town of Yucca Valley, California at a meeting thereof held on the 6th day of September 2021, by the following vote:

| | |
|----------|--|
| Ayes: | Council Members Denison, Drozd, Lombardo, Schooler, and Mayor Abel |
| Noes: | None |
| Abstain: | None |
| Absent: | None |



Lesley R. Copeland, CMC
TOWN CLERK

Exhibit A

Underground Utility District No. 1
Legal Description
Little League Ave and Palm Dr

Little League Drive: Starting at SCE pole G89150555 (pole not included) and proceeding west from centerline of street to north boundary of right-of way (approx. 880'), to centerline of Palm Dr. (to include undergrounding Boys and Girls Club service and undergrounding service for street-light feeding baseball fields. Both services on the south side of Little League Dr.).

Palm Avenue: Starting at centerline of Little League Dr. and proceeding north from centerline to east boundary of right-of-way (approx. 630') to SCE pole 2429805 (pole not included).

Exhibit B

