

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, TO ADOPT A RESOLUTION
ESTABLISHING UNDERGROUND DISTRICT NO. FRE-93
ALONG THE NORTH SIDE OF NEES AVENUE FROM
MAPLE AVENUE TO HAYSTON AVENUE

WHEREAS, on June 12, 2014, Council adopted Resolution 2014 - 89 which called for the public hearing July 17, 2014, at the hour of 10:00 AM in the Council Chambers in City Hall, Fresno, California, to ascertain whether the public necessity, health, safety, or welfare require the full removal of poles, overhead wires and associated overhead structures and the full underground installation of wires and facilities for supplying electric, communications, cable television or similar or associated service within the area generally located on the north side of Nees Avenue west of Maple Avenue to Hayston Avenue alignment, as shown on the map entitled Underground Utility District FRE-93 (UUD FRE-93) attached hereto as Exhibit "A" and incorporated herein by reference;

WHEREAS, notice of such hearing has been given to all affected property owners as shown on the last assessment roll and utilities concerned in the manner required by Chapter 13, Article 6, of the Fresno Municipal Code; and

WHEREAS, such hearing has been duly and regularly held, and all persons interested have been given an opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED that pursuant to Chapter 13, Article 6, Section 604 of the Fresno Municipal Code, Council does hereby find that public

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Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: Bl

Resolution No.

necessity, health, safety, and welfare require the full removal of poles, overhead wires and associated overhead structures, and underground installation thereof within the area designated in Exhibit "A," which is attached hereto and incorporated herein by reference, because the streets involved are extensively used and carry a heavy volume of traffic; and pass through a special area in which undergrounding is of special necessity or effect due to the City's proposed street widening project.

BE IT FURTHER RESOLVED that Council does hereby adopt and approve the map attached as Exhibit "A" as the description of the designated area comprising the UUD No. FRE-93.

BE IT FURTHER RESOLVED that Council does hereby fix May 1, 2015, as the date by which affected property owners must be ready to receive underground service, and by ordering the full removal of poles, overhead wires and associated overhead structures and the full underground installation of wires and facilities for supplying electric, communication, cable television or similar associated service within UUD FRE-93 on or before August 1, 2015.

BE IT FURTHER RESOLVED that the utility which undertakes underground installation of its facilities shall use the underground conversion allocation computed pursuant to decisions of the Public Utility Commission of the State of California for the purpose of providing service to each premise in UUD FRE-93 requiring it [a maximum of one hundred feet of individual electric service trenching and conductor (as well as backfill, paving and conduit, if required)]. Rule 20A conversion allocation funds shall be available for conversion of electric service panels (not to exceed \$1,500 per panel, excluding permit fees) to accept the new underground service facilities pursuant to the

Public Utility Commission of the State of California Advice Letter 1930-E. Each other serving utility will provide service trenching and conductor in accordance with its tariffs on file with Public Utility Commission of the State of California or by its Franchise Agreement with the City. Each property owner in the UUD FRE-93 shall be responsible for the installation and maintenance of the conduit and termination box located on, under or within any structure on the premises served.

BE IT FURTHER RESOLVED that the Public Works Director or the Assistant Public Works Director or his designee has the authority granted by Council to sign and/or execute various underground utility district agreements, of a routine or minor nature with Pacific Gas and Electric. Examples of agreements that would fall under this resolution are Rule 20A General Conditions, Rule 20A Electric Panel Service Conversions, Letter of Street Light Agreement and any other minor or routine action which would require an agreement.

BE IT FURTHER RESOLVED that the following exceptions in said UUD FRE-93 be made and they are hereby authorized:

- a. Equipment appurtenant to underground facilities such as surface-mounted transformers, pedestal-mounted terminal boxes, meter cabinets, and concealed ducts.
- b. Any municipal facilities or equipment installed under the supervision and to the satisfaction of the Public Works Director.

BE IT FURTHER RESOLVED that the City Clerk, within thirty (30) days after the adoption of this Resolution, shall give notice as required by Section 13-608 of the Fresno Municipal Code.

* * * * *

CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF FRESNO)ss.
CITY OF FRESNO)

I, YVONNE SPENCE, CMC, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the ___ day of _____, 2014.

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor Approval: _____, 2014
Mayor Approval/No Return: _____, 2014
Mayor Veto: _____, 2014
Council Override Vote: _____, 2014

YVONNE SPENCE, CMC
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

BY: _____
Brandon M. Collet Date
Deputy City Attorney

EXHIBIT "A"

Boundary Map for UUD FRE-93

Nees Avenue between Maple Avenue & Hayston Avenue

