

Recording Requested By:  
Public Works Department  
City of Fresno  
No Fee-Gov't. Code Sections  
6103 and 27383

When Recorded, Mail To:  
City Clerk  
City of Fresno  
2600 Fresno Street  
Fresno, CA 93721-3623



FRESNO County Recorder  
Robert C. Werner  
**DOC- 2007-0185643**  
Friday, OCT 05, 2007 09:45:58  
Ttl Pd \$0.00 Nbr-0002618888  
DJG/R6/1-5

SPACE ABOVE THIS LINE FOR RECORDER'S USE

RESOLUTION NO. 2007-318

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
FRESNO, CALIFORNIA, ESTABLISHING UNDERGROUND  
UTILITY DISTRICT NO. FRE-84



RESOLVED, by the Council of the City of Fresno, California, as follows:

WHEREAS, on August 28, 2007, the Council adopted Resolution No. 2007-286 which called for a public hearing on September 25, 2007, at the hour of 10:00 a.m., 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, communication, cable television or similar or associated service within the area generally located on Blackstone Avenue between Shields Avenue and Belmont Avenue as shown on the map entitled "Underground Utility District No. FRE-84", attached hereto as Exhibit "A" and incorporated herein by reference. The area also includes all properties abutting the streets in the District; and

WHEREAS, notice of such hearing has been given to all affected property owners as shown on the last equalized assessment roll and utilities concerned in the manner and for the time required by law; and

Adopted \_\_\_\_\_  
Approved 9-25-07  
Effective \_\_\_\_\_

2007-318



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 the Council of the City of Fresno does hereby find that public 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" because of the safety benefits associated with improvements installed with the associated Redevelopment Agency project.

BE IT FURTHER RESOLVED that the Council of the City of Fresno does hereby adopt and approves the map attached as Exhibit "A" as the description of the designated area comprising the Underground Utility District No. FRE-84.

BE IT FURTHER RESOLVED that the Council of the City of Fresno does hereby fix July 1, 2013, as the date of which affected property owners, within the limits of the District must be ready to receive underground service and does hereby order the full removal of all poles, overhead wires and associated overhead structures and the full underground installation of wires and facilities for supplying electric, communication, cable television or similar or associated service within Underground Utility District FRE-84 on or before December 31, 2013.

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 Underground Utility District No. FRE-84 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 \$1500 per panel, excluding permit fees) to accept the new underground service





facilities pursuant to the Public Utilities 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 the California Public Utilities Commission or as required by its Franchise Agreement with the City. Each property owner in Underground Utility District No. FRE-84 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 following exceptions in said Underground Utility District No. FRE-84 be made and they are hereby authorized:

- a. Equipment appurtenant to underground facilities such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets and concealed ducts.
- b. Any municipal facilities or equipment installed under the supervision and to the satisfaction of the 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 11-808 of the Fresno Municipal Code.

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CLERK'S CERTIFICATION

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

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing Resolution was adopted by the Council of the City of Fresno, California, at a regular meeting thereof, held on the 25th day of September, 2007.

AYES: Calhoun, Dages, Duncan, Sterling, Westerlund, Perea

NOES: None

ABSTAIN: None

ABSENT: Xiong

Mayor Approval: \_\_\_\_\_ N/A \_\_\_\_\_, 2007

Mayor Approval/No Return: \_\_\_\_\_ N/A \_\_\_\_\_, 2007

Mayor Veto: \_\_\_\_\_ N/A \_\_\_\_\_, 2007

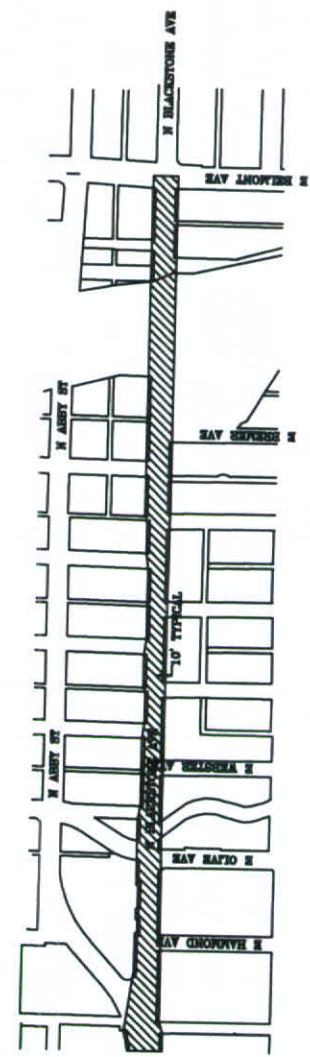
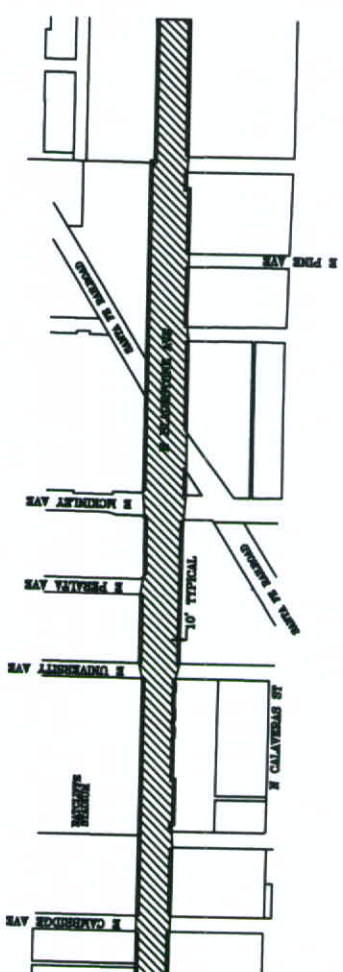
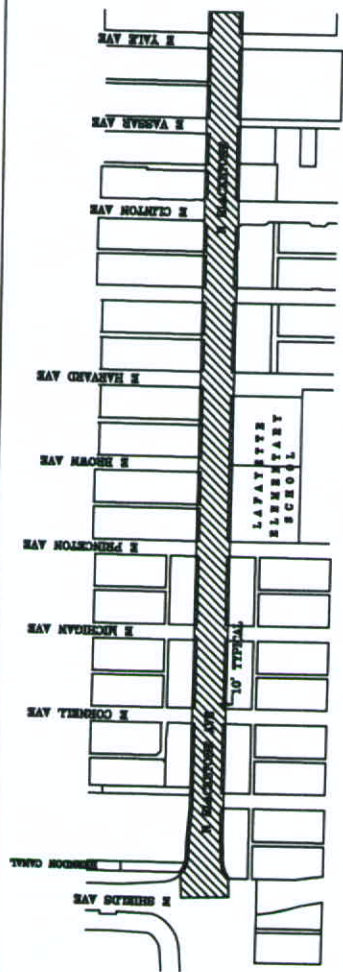
Council Override Vote: \_\_\_\_\_ N/A \_\_\_\_\_, 2007

REBECCA E. KLISCH  
City Clerk

BY: Rebecca E. Klisch  
Deputy

APPROVED AS TO FORM:  
CITY ATTORNEY'S OFFICE

BY: [Signature]  
K. BRADLEY, Deputy



LEGEND  
 \_\_\_\_\_ PROPERTY LINE  
 [Hatched Box] LIMITS OF UNDERGROUND UTILITY DISTRICT FRE-84

IN ACCORDANCE WITH ARTICLE 8 OF CHAPTER 8 OF THE FRESNO MUNICIPAL CODE, THE COUNCIL OF THE CITY OF FRESNO ON \_\_\_\_\_, CREATING UNDERGROUND UTILITY DISTRICT NUMBER FRE-84.

THE WITHIN DESCRIBED UNDERGROUND UTILITY DISTRICT WAS ESTABLISHED BY THE ADOPTION OF THE ABOVE INDICATED RESOLUTION. IT INCLUDES ALL OF THE AREAS SHOWN ON THE DISTRICT MAP AND ALSO INCLUDES ALL YARDS REQUIRED BY THE ZONING ORDINANCE OF THE CITY OF FRESNO ALONG THE STREETS OR ALLEYS ON ALL PROPERTIES ADJACENT ANY STREETS OR ALLEYS WITHIN THE DISTRICT.

FILED IN THE OFFICE OF THE CLERK OF THE CITY OF FRESNO, STATE OF CALIFORNIA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2007.

REBECCA E. MURCH  
 CITY CLERK OF THE CITY OF FRESNO

BY: \_\_\_\_\_

FILED IN THE OFFICE OF THE PUBLIC WORKS DIRECTOR OF THE CITY OF FRESNO, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2007.

JON RUIZ  
 PUBLIC WORKS DIRECTOR  
 OF THE CITY OF FRESNO

BY: \_\_\_\_\_

DOCUMENT NO. \_\_\_\_\_  
 FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2007, AT THE HOUR OF \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.  
 IN BOOK \_\_\_\_\_ AT PAGE \_\_\_\_\_ OF UNDERGROUND UTILITIES DISTRICT MAPS IN THE OFFICE  
 OF THE COUNTY RECORDER OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA.

ROBERT C. WEINER  
 COUNTY RECORDER OF THE  
 COUNTY OF FRESNO

BY: \_\_\_\_\_



**EXHIBIT 'A'**  
 CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS  
 UNDERGROUND UTILITY DISTRICT NUMBER FRE-84