

June 5, 2007

AGENDA ITEM NO.

COUNCIL MEETING

June 5, 2007

APPROVED BY

DEPARTMENT DIRECTOR

CITY MANAGER

FROM: JON R. RUIZ, Interim Director
Public Works Department

BY: SCOTT L. MOZIER, PE, Assistant Director
Public Works Department, Engineering Division

SUBJECT: ADOPT A RESOLUTION SETTING THE TIME AND PLACE FOR THE PUBLIC HEARING TO CONSIDER FORMATION OF UNDERGROUND UTILITY DISTRICT NO. FRE-85 (BELMONT AVENUE BETWEEN FREEWAY 41 AND CHESTNUT AVENUE) (COUNCIL DISTRICT 7)

KEY RESULT AREA

Customer Satisfaction

RECOMMENDATION

Adopt the attached Resolution setting the time and place for the public hearing to consider formation of Underground Utility District No. FRE-85, Belmont Avenue between Freeway 41 and Chestnut Avenue.

EXECUTIVE SUMMARY

UUD No. FRE-85 is generally located on Belmont Avenue between Freeway 41 and Chestnut Avenue as shown on Exhibit A of the attached Resolution. This district is proposed to be constructed in two phases. Phase 1 is located on Belmont between Freeway 41 and Cedar Avenue. Phase 2 is located on Belmont between Cedar Avenue and Chestnut Avenue. The Underground Utility District (UUD) is in conjunction with a proposed Redevelopment Agency improvement project to install street lighting and median island landscaping.

The formation of underground utility districts imposes the requirement upon utility companies to convert their existing overhead electrical and communication facilities to underground service. The formation of an underground utility district also requires affected property owners to modify their existing overhead services to accept utility service from underground facilities. It is proposed that the costs associated with the conversion of public facilities in street right of way be included in the proposed Redevelopment Agency improvement project.

Underground installation of transmission facilities is funded by utility company funds set aside pursuant to Public Utility Commission Rule 20A. PG&E estimates a cost of \$4,000,000 for the proposed UUD No. FRE-85 undergrounding project using Rule 20A funds.

BACKGROUND

On May 2, 2006, the Council approved the Revised Three Year Underground Utility District (UUD) Plan (see Attachment 1) which includes UUD No. FRE-85. UUD No. FRE-85 is generally located on Belmont

Avenue between Freeway 41 and Chestnut Avenue as shown on Exhibit A of the attached Resolution. This district is proposed to be constructed in two phases. Phase 1 is located on Belmont between Freeway 41 and Cedar Avenue. Phase 2 is located on Belmont between Cedar Avenue and Chestnut Avenue. The Underground Utility District (UUD) is in conjunction with a proposed Redevelopment Agency improvement project to install street lighting and median island landscaping.

The formation of underground utility districts imposes a requirement upon the utility companies to convert their existing overhead electrical and communication facilities to underground service, including the removal of poles, overhead wires and associated overhead structures within the district.

The formation of an underground utility district also requires affected property owners to modify their existing overhead services to accept utility service from underground facilities installed by the utility companies. Ten services have been identified by PG&E as needing to convert from overhead to underground service. It is proposed that the costs associated with any conversion of public facilities in street right of way be included in the proposed Redevelopment Agency improvement project.

Underground installation of transmission facilities is funded by utility company funds, set aside pursuant to Public Utility Commission Rule 20A. PG&E estimates a cost of \$4,000,000 for the proposed UUD No. FRE-85 undergrounding project using Rule 20A funds.

Chapter 11, Article 8 of the Fresno Municipal Code establishes the procedures for the creation of an underground utility district. The initial step of this procedure is the setting of a public hearing for the determination of whether public necessity, health, safety or welfare requires the underground installation of existing overhead wires and associated overhead structures within the proposed district area. All property owners and utility companies in the proposed district will be mailed a notice of the public hearing in accordance with the provisions of the Code.

Should the Council not approve the formation of this district, overhead services will continue in the area.

KEY OBJECTIVE BALANCE

The proposed Three-Year Underground Utility District Plan balances the three key objectives of Customer and Employee Satisfaction, and Financial Management. The proposed UUD No. FRE-85 provides for Customer Satisfaction by providing a safer and more attractive environment for the City of Fresno. Financial Management is enhanced by utilizing the CPUC Rule 20A allocation eliminating the need to use public funds to make these improvements.

FISCAL IMPACT

There will be no impact to the City's General Fund. All costs associated with the conversion of public facilities in street right of way will be included as part of the proposed Redevelopment Agency improvement project.

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, CALLING A PUBLIC HEARING TO DETERMINE WHETHER PUBLIC NECESSITY, HEALTH, SAFETY OR WELFARE REQUIRES THE FORMATION OF UNDERGROUND UTILITY DISTRICT NO. FRE-85

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

WHEREAS, Chapter 11, Article 8, of the Fresno Municipal Code, establishes a procedure for the creation of underground utility districts and requires as the initial step in such procedure the holding of a public hearing to ascertain whether public necessity, health, safety or welfare requires 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 in any such district; and

WHEREAS, it has been recommended that such an underground utility district, hereinafter called District, be formed on Belmont Avenue between Freeway 41 and Chestnut Avenue as shown on the map entitled "Underground Utility District No. FRE-85", which is attached as Exhibit A and on file in the Office of the City Clerk of the City of Fresno, at the Fresno City Hall, 2600 Fresno Street, Fresno, California.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRESNO AS FOLLOWS:

1. Notice is hereby given that a public hearing will be held by the Council of the City of Fresno on June 26, 2007, at the hour of 10:00 a.m., in the Council Chambers of City Hall, 2600 Fresno Street, Fresno, California to ascertain whether the public necessity, health, safety or welfare requires the full removal of poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication, cable television or similar or associated service in the district hereinabove described.

2. At such hearing, all persons interested shall be given an opportunity to be heard. Said hearing may be continued from time to time as may be determined by the Council.

3. The City Clerk shall notify all affected property owners as shown on the last equalized assessment roll and concerned utilities of the time and place of such hearing by mailing a copy of this Resolution to such property owners and utilities concerned at least 10 days prior to the date thereof.

4. The area proposed to be included in the District is shown upon that certain map entitled "Underground Utility District No. FRE-85", which is on file in the Office of the City Clerk of the City of Fresno, and is attached hereto as Exhibit A, and incorporated herein by reference.

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 _____ day of _____, 2007.

AYES:

NOES:

ABSTAIN:

ABSENT:

Mayor Approval: _____, 2007

Mayor Approval/No Return: _____, 2007

Mayor Veto: _____, 2007

Council Override Vote: _____, 2007

REBECCA E. KLISCH
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

BY: 
Deputy Coyle

