

RESOLUTION NO. 2017-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY, CALIFORNIA, DECLARING THE FORMATION OF UNDERGROUND UTILITY DISTRICT 2017-01 AND ORDERING REMOVAL AND UNDERGROUNDING OF POLES, OVERHEAD WIRES, AND ASSOCIATED OVERHEAD STRUCTURES WITHIN SUCH DISTRICT.

WHEREAS, on June 26, 2017, the City Council of the City of Cathedral City met at 3:00 pm in the Council Chambers, Cathedral City, City Hall, 68700 Avenida Lalo Guerrero, Cathedral City, California, to determine whether the public necessity, health, safety, or welfare requires the removal of poles, overhead wires, and associated overhead structures and the undergrounding of wires and facilities for supplying electric, communication or similar, or associated services on those streets, easements, and rights-of-way within that territory included generally within the boundaries, as shown on Exhibit "A", attached hereto and incorporated herein by reference; and

WHEREAS, the notice of such hearing has been given to all utilities concerned in the matter and for the time required by law; and

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

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY, DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. The public necessity, health, safety, and welfare require the removal of poles, overhead wires, and associated structures and the undergrounding of wires and facilities for supplying electric, communication or similar, or associated services in that territory included generally within the boundaries shown on Exhibit "A", attached hereto and incorporated herein by reference, and such described area is hereby established as Underground Utility District No. 2017-01.

SECTION 2. It is ordered that by December 31, 2018, all the electric, communication and similar, or associated service overhead distribution facilities shall be removed from Underground Utility District No. 2017-01, and the underground installation of such distribution facilities shall have been accomplished in said District. Funding for the undergrounding of SCE facilities will be covered by the City's Rule 20(A) funds; future Rule 20(A) annual allocations shall be mortgaged up to a maximum of five years' allocation as needed to complete SCE undergrounding within the District.

SECTION 3. Within ten (10) days from the date hereof, the City Clerk shall notify all affected utilities and all persons owning real property within Underground Utility District No. 2017-01 of the adoption of this Resolution. Such notice shall be made by mailing a copy of this

Resolution and Chapter 14.28 of the Cathedral City Municipal Code to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities.

SECTION 4. Property owners shall grant each utility the necessary easements or land rights when it is necessary by the utilities to place their facilities on private property to complete the occasioned undergrounding.

SECTION 5. In accordance with Chapter 14.28 of the Cathedral City Municipal Code, telecommunications and all other affected supplying utilities shall underground their overhead facilities pursuant to their respective tariffs, franchise agreements, and all other applicable rules and regulations.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Cathedral City held on this 26th day of June, 2017, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Stanley E. Henry, Mayor

ATTEST:

Gary F. Howell, City Clerk

APPROVED AS TO FORM:

Eric S. Vail, City Attorney