

RESOLUTION NO. 00-272

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES
ESTABLISHING DISTRICTS FOR THE UNDERGROUNDING OF OVERHEAD UTILITIES

WHEREAS, the City Council of the City of El Paso de Robles desires to have certain utilities underground within the areas described as

Both sides of Golden Hill Road from approximately north of Union Road to Highway 46 as illustrated on the attached Exhibit 'A'.

WHEREAS, a public hearing has been duly held this date concerning the underground of said utilities, the City Council of the City of Paso Robles, State of California, to ascertain whether the public necessity, health, safety or welfare requires the removal of poles, overhead wires, associated overhead structures, and underground installation of wires and facilities for supplying electric, communication or similar or associated service within the territory herein above referred to; and

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

WHEREAS, all persons interested have been given an opportunity to appear before City Council and be heard.

THEREFORE BE IT RESOLVED by the City Council of the City of El Paso de Robles, that:

SECTION I.

That pursuant to Chapter 15.00 of the City of Paso Robles Municipal Code, that territory of the City of Paso Robles which is more particularly described on the attached document marked Exhibits "A" which is hereby expressly incorporated herein by reference, is hereby declared an underground utility district, and is designated as *Underground Utility District No.3 of the City of Paso Robles*. Attached hereto marked Exhibits "A" and incorporated by reference as though here fully set forth, is a map delineating the boundaries of said District.

SECTION II.

That the City Council of Paso Robles hereby establishes the underground utility district herein created is in the public interest for the following reasons:

- a. Such undergrounding will avoid or eliminate an unusually heavy concentration of overhead distribution facilities;
- b. Such right-of-way is extensively used by the general public and carries a heavy volume of vehicular traffic;
- c. Subject right-of-way adjoins or passes through an area of unusual scenic interest to the general public.

SECTION III.

That the City Clerk is hereby instructed to notify all affected utilities and all persons owning real property within said underground utility district of the adoption of this resolution within ten (10) days after the date of such adoption.

SECTION IV.

That said City Clerk shall further notify said property owners of the necessity that, if they or any person occupying such property desires to continue to receive electric communication or other similar or associated service, they or such occupants shall, by the date fixed in this resolution, provide all necessary facility changes on their premises so as to receive such service from the lines of supplying utility or utilities at a new location, subject to applicable rules, regulations and tariffs of the respective utility or utilities on file with the Public Utilities Commission of the State of California. Such notification shall be made by mailing a copy of this resolution together with a copy of said Chapter Section 15.04.030 of the Paso Robles City Code to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities.

SECTION V.

The City of Paso Robles hereby waives any applicable electrical permit and inspection fees associated with any undergrounding, modification, change over, caused as a result of the implementation of these Districts.

SECTION VI.

That said, the City Council of Paso Robles does hereby order and fix the following dates as dates by which said affected property owners must be ready to receive underground service, and by which the removal of all poles, overhead wires, and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication or similar or associated service within said Special Underground Utility District No. 3 must be completed, to-wit:

District #3

- a. The date of July 01, 2001, is the date by which the underground utilities shall be installed and hooked up, and the date by which affected property owners must be ready to be hooked up to underground utility service.
- b. The date of July 01, 2001, is the date by which services to the public are to be completed and the date by which affected property owners must be receiving underground service; and
- c. The City Council of Paso Robles does hereby order the removal of all poles, overhead wires and associated overhead structures and underground installation of wires and facilities for the supplying of electric, communication or similar or associated service within Special Underground Utility District No. 3 on or before July 01, 2001.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 19th day of December 2000 by the following vote:

AYES: Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSENT: None
ABSTAIN: None

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk