



TOWN OF APPLE VALLEY

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor and Town Council **Date:** July 10, 2012
From: Brad Miller / Town Engineer **Item No:** 8
Subject: UNDERGROUNDING UTILITY DISTRICT NO. 4 ALONG YUCCA LOMA ROAD BETWEEN MOHAWK ROAD AND RANCHERIAS ROAD

T.M. Approval: _____ **Budgeted Item:** Yes No N/A

RECOMMENDED ACTION:

- 1) Open the public hearing;
- 2) Close the public hearing;
- 3) After considering public testimony,

Adopt Resolution No. 2012-38 " A Resolution of the Town Council of the Town of Apple Valley, California, making a finding that the overhead facilities should be installed underground, declaring the formation of Underground Utility District No. 4 and ordering the installation of utilities underground".

SUMMARY:

Attached is a Resolution which relates to the utility underground district which is planned to be performed along Yucca Loma Road, between Mohawk Road and Rancherias Road. This Resolution makes a finding that the overhead facilities should be installed underground, declares the formation of Underground Utility District No. 4 and orders the installation of underground utilities.

As you may recall, the purpose of this proposed underground utility district is to underground the utilities along Yucca Loma Road from Mohawk Road to Rancherias Road adjacent to the Yucca Loma Elementary School, Yucca Loma Park and developed residential lots. The estimated cost of this undergrounding project is \$730,000. By 2015 the Town will have \$635,229 in allocated funds, leaving a balance of (\$94,771). With an estimated annual allocation of \$109,866, by 2016 (project's close-out year) the Town's allocated funds will be \$15,095.

BACKGROUND:

The Town of Apple Valley was awarded a grant from the Safe Routes To School Program for street improvements along the entire frontage of Yucca Loma Elementary School. The pavement will be widened and new sidewalk, curb, gutter, ADA access ramps and commercial driveways will be constructed along Yucca Loma Road between Mohawk Road and Rancherias Road and along Rancherias Road between Yucca Loma Road and Powhatan Road. As part of this project, it is proposed that the existing overhead utilities be underground and the existing power poles be removed.

June 12, 2012, Town Council approved Resolution 2012-26, authorizing the initiation of proceedings to establish Undergrounding Utility District No. 4. Along Yucca Loma Road between Mohawk Road and Rancherias Road.

Through the use of Rule 20A Town's allocated funds, the undergrounding operations will be completed without spending any Town funds.

FISCAL IMPACT:

None.

RESOLUTION NO. 2012-38

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, MAKING A FINDING THAT THE OVERHEAD FACILITIES SHOULD BE INSTALLED UNDERGROUND, DECLARING THE FORMATION OF UNDERGROUND UTILITY DISTRICT NO. 4 AND ORDERING THE INSTALLATION OF UTILITIES UNDERGROUND.

WHEREAS, the Town Council adopted Resolution no. 2012-26 initiating proceedings to form Underground Utility District No. 4, under the terms of Ordinance No. 95 which provides for the establishment of underground utility districts to provide for the orderly removal of existing poles, overhead wires and associated overhead structures and equipment for supplying electric, communication, community antenna television and similar associated services within the area described in exhibits "A" and "B", attached hereto, and the construction of new underground facilities; and

WHEREAS, the Town Clerk gave notice of the time and place of the hearing to all affected utilities and property owners within the proposed Underground Utility District in the time and manner prescribed under Ordinance No. 95; and

WHEREAS, a public hearing was held on July 10, 2012, at the Town Council Chambers, located at 14955 Dale Evans Parkway, Apple Valley, California, to determine whether or not the public necessity, health, safety and welfare requires that the Town should continue with the proceedings to create and implement an underground utility district for the conversion of overhead facilities to underground facilities, and the Town Council received and heard oral and written views of persons interested in the formation of said district.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, DOES HEREBY RESOLVE, DETERMINE AND FIND AS FOLLOWS:

Section 1: The Town Clerk gave notice of the time and place of the hearing to all affected utilities and property owners within the proposed Underground Utility District no. 4 as shown on the last equalized assessment roll or as known to the Town Clerk in the time and manner prescribed under Ordinance No. 95 and Resolution No. 2012-26 adopted on June 12, 2012.

Section 2: The public necessity, health, safety and welfare require formation of an underground utility district for the removal of poles, overhead wires and associated overhead structures within the area described in exhibit "A" and depicted in exhibit "B".

Section 3: The undergrounding of utilities within the area described in exhibit "A" and depicted in exhibit "B", is in the general public interest for the following reasons:

- a) Underground will avoid or eliminate an unusually heavy concentration of overhead distribution facilities;
- b) The street or road right-of-way is extensively used by the general public and carries a heavy volume of pedestrians or vehicular traffic;
- c) The street adjoins or passes through a civic area or a public recreation area or an area of unusual scenic interest to general public;
- d) Yucca Loma Road is considered a Major Road, as identified in the circulation element of the Town's general plan.

Section 4: Underground Utility District No. 4 is hereby declared and described in exhibit "A" and depicted in exhibit "B", both attached to this Resolution and incorporated in it by this reference.

Section 5: The Town Council hereby orders the removal of all existing poles, overhead wires and associated overhead facilities within Underground Utility District No. 4 for supplying electric, communication, community television antenna and associated services within said District. The Town Council orders installed underground all facilities as that term is defined in section 14.38.020 of Ordinance No. 95 which are located within Underground Utility District No. 4.

Section 6: All affected utilities are hereby authorized to discontinue overhead service Underground Utility District No. 4, subject to the provision of underground service as specified in this Resolution.

Section 7: Pursuant to Southern California Edison's Rule 20 Tariff, Rule 20A funds will be used for the installation of no more than 100 feet of each customer's underground electric service lateral on private property, as well as the conversion of affected property owners meter panels from overhead to underground service. The cost of such meter conversions using Rule 20A funds shall be limited to existing meters, and shall not include permit fees and any upgrades requested by affected owners. Each affected telecommunications provider will also provide the necessary underground facilities on private property including underground service laterals and associated wiring and connections.

Section 8: 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 9: The work of removal of all existing poles, overhead wires and associated overhead facilities and the installation of underground facilities must be completed by each utility within Underground Utility District No. 4 not later than June, 2015. Reference is made to Section 14.038.090 of Ordinance No. 95 for allocation of the responsibility between each utility.

Section 10: In compliance with Ordinance No. 95's Section 14.38.080, within thirty (30) days after the adoption of the Resolution, the Town Clerk shall give notice to each utility affected and each property owner within the Underground Utility District No. 4 by mailing a form of notice and a copy of Ordinance No. 95.

Section 11: The Town Clerk shall certify the adoption of this Resolution.

APPROVED and **ADOPTED** by the Town Council of the Town of Apple Valley this 10th day of July, 2012.

Barb Stanton, Mayor

ATTEST:

La Vonda M-Pearson, Town Clerk

(SEAL)

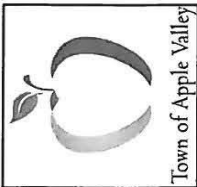
EXHIBIT "A"

DESCRIPTION OF UNDERGROUND UTILITY DISTRICT NO. 4

All property within a strip of land approximately one hundred and four (104) feet wide, lying approximately fifty two (52) feet on each side of Yucca Loma Road centerline, beginning fifty (50) feet East of the centerline intersection of Yucca Loma Road and Mohawk Road and ending at the centerline intersection of Yucca Loma Road and Rancherias Road. All applicable properties being within the boundaries of the Town of Apple Valley, County of San Bernardino, State of California.

TOWN OF APPLE VALLEY EXHIBIT B

PROPOSED RULE 20A



PROJECT WILL OCCUR WITHIN YUCCA LOMA ROAD 52 FEET ON EACH SIDE OF THE CENTERLINE (TOTAL 104 FEET WIDE) BEGINNING AT 50 FEET EAST OF CENTERLINE OF MOHAWK ROAD AND ENDING AT THE CENTERLINE OF RANCHERIAS ROAD.

