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RESOLUTION NO. 21.049

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH CALIFORNIA ESTABLISHING UNDERGROUND UTILITY DISTRICT NO. 2021-02 PURSUANT TO CALIFORNIA PUBLIC UTILITIES COMMISSION RULE 20 AND CHAPTER 21.24 OF THE LAGUNA BEACH MUNICIPAL CODE

WHEREAS, a Public Hearing was called for and noticed to be conducted on Tuesday, June 15, 2021 at the hour of 5:00 p.m. in the Council Chambers of the City Council located at 505 Forest Avenue, to ascertain whether the public necessity, health, safety or welfare requires the removal of existing poles, overhead wires, and facilities for supplying electric, communication, or associated services and placing them underground, within the portion of the road right-of-way on Park Avenue between approximately 844 and 960 Park Avenue, as identified in Exhibit "A" of the attached report titled "Engineer's Report for Proposed Park Avenue Underground Utility District 2021-02" ("Engineer's Report"); and

WHEREAS, it has been recommended that such an underground utility district, hereafter called "District," be formed within the portion of the road right-of-way on Park Avenue between approximately 844 and 960 Park Avenue, and adjacent cross streets, as identified in Exhibit "A" of the Engineer's Report; and

WHEREAS, a Public Hearing was duly and regularly held on June 15, 2021, in the Council Chambers of the City Council, and all interested and affected persons were given an opportunity to be heard and to present testimony and evidence;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH DOES RESOLVE AND ORDER as follows:

1. The City Council hereby finds that the public necessity, health, safety, or welfare requires the removal of existing poles, overhead wires, and facilities for supplying electric, telephone, communication, and associated services and placing them underground within the District as identified in Exhibit "A" of the Engineer's Report.
2. The City Council hereby authorizes Street Light and Utility Fund monies to be used for

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the design and construction of the utility undergrounding and the City owned streetlight system within the district.

3. The City Council hereby declares the properties, as shown on the map attached to the Engineer’s Report as Exhibit “A,” to be designated as Underground Utility District No. 2021-02.
4. The City Council hereby orders that the above-referenced overhead facilities be removed and installed underground.
5. The City Council hereby orders that funding for each utility which undertakes underground installation of its facilities shall be made available from the monies authorized by the Council, for the purpose of providing to each property in the District no more than one hundred (100) feet of underground electric and communications services laterals required by the undergrounding and conversion of a customer’s meter panel to accept underground service required by the undergrounding project. After installation, each property owner in the District shall be responsible for the maintenance of the conduits and electrical panel conversion equipment located on, under, or within any structure on the premises served.
6. The City Council hereby orders that all above-referenced removal and underground installation of utilities shall be accomplished by the end of December 2024.
7. The City Council hereby directs the City Clerk to provide notice of this Resolution to all affected utilities and all affected persons owning real property within ten (10) days after the date of its adoption. Such notification by the City Clerk shall be made by mailing a copy of this Resolution and a copy of Laguna Beach Municipal Code Chapter 21.24 to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities.
8. The establishment of the District is exempt from further review under the California Environmental Quality Act pursuant to Section 15302(d) of the State CEQA Guidelines.

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ADOPTED this 15th day of June 2021.

Bob Whalen, Mayor

ATTEST:

City Clerk

I, ANN MARIE MCKAY, City Clerk of the City of Laguna Beach, California, do hereby certify that the foregoing Resolution No. 21.049 was duly adopted by the City Council of said City at a regular meeting thereof held on June 15, 2021, by the following vote:

AYES: COUNCILMEMBERS: Blake, Iseman, Weiss, Kempf, Whalen

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

City Clerk, City of Laguna Beach, CA