

**TOWN OF
APPLE VALLEY, CALIFORNIA**

AGENDA MATTER

Subject Item:

UNDERGROUNDING UTILITY DISTRICT NO. 3 ALONG YUCCA LOMA ROAD, BETWEEN APPLE VALLEY ROAD AND RINCON ROAD.

Summary Statement:

Attached is a Resolution which initiates the proceedings to form the utility underground district, which is planned to be performed along Yucca Loma Road, between Apple Valley Road and Rincon Road. This Resolution sets June 28, 2011 as the date for the Town Council to hold a public hearing to consider the matter.

The purpose of this proposed underground utility district is to underground the utilities along Yucca Loma Road from Apple Valley Road to Rincon Road adjacent to developed residential lots. The estimated cost of this undergrounding project is \$1,800,000. Currently, the Town has \$1,995,764 in allocated funds.

Recommended Action:

- 1) Staff recommends that the Town Council adopt Resolution No. 2011-20“ A Resolution of the Town Council of the Town of Apple Valley, California, authorizing the initiation of proceedings to establish Undergrounding Utility District No. 3 along Yucca Loma Road, between Apple Valley Road and Rincon Road”.
- 2) Direct the Town Clerk to give notice, by mail, of the time and place of the hearing to all affected property owners as shown on the last equalized assessment roll, or as known to the Town Clerk, at least ten (10) days before the date set for the hearing.

Proposed by: Engineering Division

Item Number _____

T. M. Approval: _____

Budgeted Item Yes No N/A

RESOLUTION NO. 2011-20

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, AUTHORIZING THE INITIATION OF PROCEEDINGS TO ESTABLISH UNDERGROUNDING UTILITY DISTRICT NO. 3, ALONG YUCCA LOMA ROAD, BETWEEN APPLE VALLEY ROAD AND RINCON ROAD.

WHEREAS, Ordinance No. 95 provides for the establishment of underground of utility districts to provide for the orderly removal of existing overhead facilities and the construction of new underground facilities; and

WHEREAS, Town staff has consulted with affected utilities as provided in Ordinance No. 95. The Town Engineer has conducted preliminary studies and made investigations concerning the feasibility of the establishment of an underground utility district to convert existing facilities from overhead to underground and these studies and investigations indicate that further proceedings under Ordinance No. 95 are warranted to determine whether or not the district should be established; and

WHEREAS, the Council of the Town of Apple Valley finds that it is in the public interest and general welfare to pursue continued efforts at encouraging the conversion of overhead facilities to underground and that the initiation of proceedings to form Underground Utility District No. 3 is necessary and desirable.

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

Section 1: The Town Council initiates proceedings for the formation of Underground District No. 3 under the provisions of Ordinance No. 95.

Section 2: Tuesday, June 28, 2011, at 6.30 p.m. at the Town Council Chambers, located at 14955 Dale Evans Parkway, Apple Valley, California, is fixed as the time and place for holding a public hearing to determine whether or not the Town should continue with the proceedings to create and implement an underground utility district for the conversion of overhead facilities to underground facilities.

All persons interested in the question whether or not the district should be created are invited to appear at the time and place set for the hearing and present their views concerning the creation of the district. Persons who wish to object to the formation of the district should state their views in writing and file them with the Town Clerk no later than the time set for the public hearing.

Section 3: The area to be included within the proposed boundaries of Underground Utility District No. 3 is described in exhibits "A" & "B" attached to this Resolution and incorporated in it by this reference.

Section 4: The Town Clerk shall give notice of the time and place of the hearing to all owners of property within the proposed underground utility district as shown on the last equalized assessment roll or as known by the Town Clerk. The Town Clerk shall also give notice to each public utility within the proposed underground utility district in the same manner. The notice shall be mailed to each property owner and utility at least ten (10) days before the date set for the hearing. The Town Clerk may comply with this notice requirement by mailing a copy of this Resolution to each property owner and utility.

Section 5: The purpose of the public hearing is to receive evidence and hear the views of property owners and utilities affected by the proposed conversion and to thereafter determine whether or not the public necessity, health, safety and welfare require or not require the installation of facilities underground. Reference is made to Ordinance No. 95, a copy of which is on file with the Office of the Town Clerk for further particulars concerning the procedures for construction and financing of the conversion if the Town Council determines to proceed at the conclusion of the public hearing.

Section 6: The Town Clerk shall certify the adoption of this Resolution.

APPROVED and ADOPTED this 14th day of June, 2011.

MAYOR

ATTEST:

(SEAL)

TOWN CLERK

STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

TOWN OF APPLE VALLEY

I, LAVONDA PEARSON, TOWN CLERK of the Town of Apple Valley, California, do hereby certify that the foregoing Resolution No. 2011-20 as duly and regularly adopted by the Town Council of the Town of Apple Valley, California, at a meeting thereof held on the 14th day of June, 2011 by the following vote of the Council:

AYES: Council Members Coleman, Emick, Roelle, Mayor Pro Tem Stanton, Mayor Nassif

NOES:

ABSTAIN:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Apple Valley, California, this 14TH day of June 2011.

LaVonda M-Pearson, C.M.C.
Town Clerk

(SEAL)