

TO: James L. App, City Manager
FROM: Doug Monn, Public Works Director
SUBJECT: Public Hearing to Amend an Established Underground District for Overhead Utilities
DATE: October 21, 2008

Needs: For the City Council to adopt the attached resolution amending Underground District No. 5 within the City of Paso Robles.

Facts:

1. The City of Paso Robles accrues funds through Pacific Gas and Electric Company for the purpose of undergrounding of utilities. These are commonly referred to as Rule 20-A Funds.
2. Rule 20-A Funds must be used to address blight or safety issues. They cannot be used in conjunction with a development project.
3. As of January 1, 2008 the City has approximately \$1.1 million in Rule 20-A Funds available.
4. The City Council may allocate these funds for the undergrounding of overhead utilities provided they have established Undergrounding Districts.
5. On September 16, 2008, City Council adopted Resolution No. 08-137 which proposed amending the location of Underground District No. 5 to Riverside Avenue, 10th Street to 24th Street.
6. Resolution No. 08-137 also directed staff to notify affected property owners and set October 21, 2008 as the Public Hearing to formally adopt a resolution amending Underground District No. 5 to Riverside Avenue, 10th Street to 24th Street. Staff sent the notices to affected property owners and set October 21, 2008 for the Public Hearing.

Analysis and Conclusion:

The revised location of Underground District No. 5 would allow the City to underground the overhead utilities along Riverside Avenue from 10th to 24th. It is projected that PG&E will undertake the project in June of 2011.

Policy

Reference: None

Fiscal

Impact: The revised location of Underground District No. 5 would not impact the General Fund.

Options:

Upon receipt of public comments, take one of the following actions:

1. Adopt Resolution No. 08-xx:
 - a) amending Underground District No. 5 to cover Riverside Avenue from 10th Street to 24th Street; and
 - b) waiving any applicable electrical permit and inspection fees associated with any undergrounding, modification, or changeover caused as a result of the implementation of the undergrounding; and
 - c) setting the dates related to the undergrounding of the utilities.
2. Amend, modify, or reject the above option.

Attachments:

Resolution
Property Owner Notice
Notice of Public Hearing
Exhibit A – List of Property Owners Notified
Exhibit B – Location Map

RESOLUTION NO. 08-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
AMENDING UNDERGROUND DISTRICT NO. 5 AND WAIVING PERMIT AND
INSPECTION FEES RELATED TO UNDERGROUNDING IN AMENDED DISTRICT NO. 5,
AND SETTING DEADLINES FOR COMPLETION OF UNDERGROUNDING OF
ALL UTILITIES WITHIN AMENDED DISTRICT NO. 5

WHEREAS, the City Council of the City of El Paso de Robles desire to have certain utilities undergrounded within the areas described as:

Along Riverside Avenue from 10th Street to 24th Street;

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

WHEREAS, notice of such hearing has been given by U.S. Postal Service to all affected property owners (as listed on Exhibit "A") shown on the last equalized assessment roll, and to all utilities concerned within the time required by law; and

WHEREAS, all persons interested have been given an opportunity to be heard.

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

SECTION I

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 documents marked Exhibit "B", is hereby expressly incorporated herein by reference and is hereby amended and designated as *Underground Utility District Area No. No. 5 of the City of Paso Robles*.

SECTION II

That the City Council of Paso Robles hereby amends Underground Utility District No. 5, which was created 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.

SECTION III

- a. Rules 20A conversion allocation funds shall be available for conversion of electric service panels not exceeding \$1,500 per panel, and excluding City Permit Fees to accept the new underground service facilities pursuant to the Public Utilities Commission of the State of California, Advice Letter 1930-E.

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

SECTION IV

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. 5 must be completed, to-wit:

District No. 5

- a. The date of January 31, 2011 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 January 31, 2011 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. 5 on or before June 30, 2011.

ADOPTED by the City Council of the City of El Paso de Robles at a regular meeting of said Council held on the 21st day of October 2008 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

September 30, 2008

Dear Property Owner:

We are sending you this notice to inform you that on October 21, 2007, the Paso Robles City Council will be considering the formation of an undergrounding utility district consisting of the area along Riverside Avenue from 10th to 24th.

The purpose of forming such a district is to allow the City to use Rule 20A funds set aside by the Public Utilities Commission for the purpose of undergrounding the overhead utilities. If the utilities presently serving your property are overhead you will need to convert to an underground service in conjunction with the relocation of the utilities in the public way. Typically, this requires conduits to be extended underground from the electrical, cable television and phone services on your building to a designated connection point at the curb line of the street. Arrangements for switchovers are coordinated by the utility companies and the underground contractor in advance of any actual switch over taking place. Funds of up to \$1,500 per service will be available for undergrounding.

If approved, the completion date for the undergrounding would be on or before January 1, 2011.

The official Notice of Public Hearing reads as follows:

NOTICE IS HEREBY GIVEN that the City Council of the City of El Paso de Robles will hold a Public Hearing to consider a request by the City of Paso Robles to amend an established Undergrounding District Area No. 5 for Utility Undergrounding, by designating the district area to be Riverside Avenue from 10th Street to 24th Street.

This hearing will take place in the City Hall/Library Conference Room, 1000 Spring Street, Paso Robles, California, at the hour of 7:30 PM on Tuesday, October 21, 2008, at which time all interested parties may appear and be heard.

Comments on the proposed project may be mailed to the Public Works Department, Attn: Ditas Esperanza, P.E., Capital Projects Manager, 1000 Spring Street, Paso Robles, CA 93446, provided that such comments are received prior to the time of the hearing.

If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing.

If you have any questions regarding this letter or the formation of the district, please contact this office at (805) 237-3861.

Sincerely,

Ditas Esperanza, P.E.
Capital Projects Engineer

NOTICE OF PUBLIC HEARING

UNDERGROUND UTILITIES DISTRICT NO. 5

NOTICE IS HEREBY GIVEN that the City Council of the City of El Paso de Robles will hold a Public Hearing to consider a request by the City of Paso Robles to amend an established Undergrounding District Area No. 5 for Utility Undergrounding, by designating the district area to be Riverside Avenue from 10th Street to 24th Street.

This hearing will take place in the City Hall/Library Conference Room, 1000 Spring Street, Paso Robles, California, at the hour of 7:30 PM on Tuesday, October 21, 2008, at which time all interested parties may appear and be heard.

Comments on the proposed project may be mailed to the Public Works Department, Attn: Ditas Esperanza, P.E., Capital Projects Manager, 1000 Spring Street, Paso Robles, CA 93446, provided that such comments are received prior to the time of the hearing.

If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing.

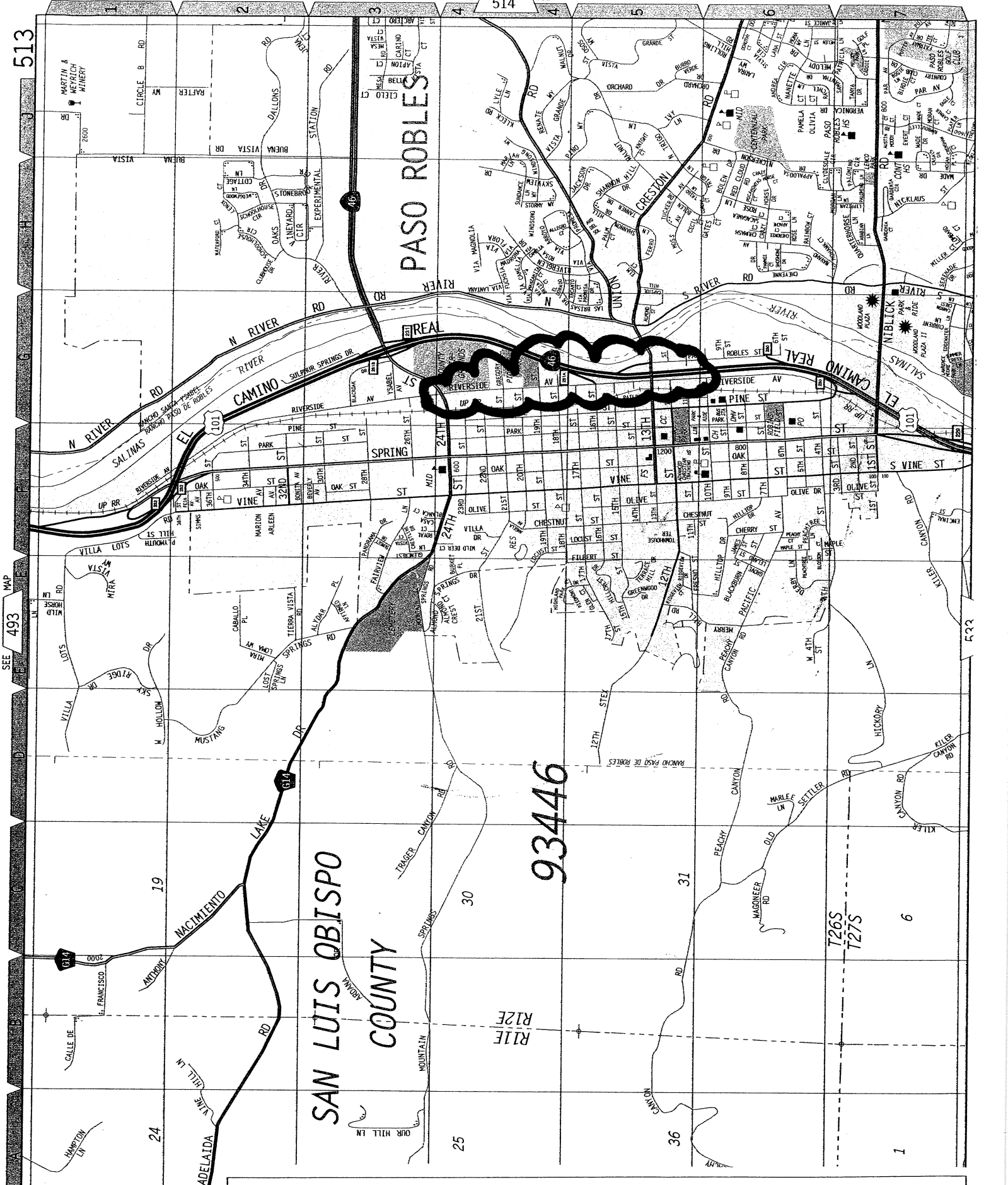


Ditas Esperanza, P.E.
Capital Projects Engineer

PLEASE PUBLISH 1 TIME: WEDNESDAY, October 8, 2008

Owner Name (line 1)	Assessee Name (line 2)	ire	Mailing address	Mail City	State	Zip	Zip+4
ABNEY PHYLLIS T TRUST (TR 2)	ABNEY PHYLLIS E TRE ETAL		5116 CHARITON AVE	LA	CA	90056	
AFANA HELEN	AFANA HELEN		107 EL DORADO CT	PASO ROBLES	CA	93446	1840
BLACKBURN CHARLES M	BLACKBURN CHARLES M & DIANA		935 RIVERSIDE AVE STE 7A	PASO ROBLES	CA	93446	2663
BLAKE FRANCIS & JUNE L 1995 REVOCABLE TRUST	BLAKE FRANCIS TRE ETAL		PO BOX 283	PASO ROBLES	CA	93447	283
BRILL DAVID E & LISA K FAMILY TRUST	BRILL DAVID E TRE ETAL		4915 E. HWY 41	PASO ROBLES	CA	93446	
BROOKS ANTON D	WILBON ROY ETAL		3 028 BRIGHT	FT WORTH	TX	76105	
CA STATE OF -16TH DIST AG ASSN	%DEPT OF GENERAL SERVICES		650 HOWE AVE	SACRAMENTO	CA	95825	
CALIF STATE OF	DEPT OF GENERAL SERVICES		707 3RD ST 5TH FL	WEST SACRAMEN	CA	95605	
CALIFORNIA COASTAL INVESTMENTS LLC	CALIFORNIA COASTAL INVESTMENTS LLC		PO BOX 3260	SLO	CA	93403	3260
CARNAZZO ARACELI V	CARNAZZO WILLIAM S & ARACELI V ETAL		PO BOX 6031	ATASCADERO	CA	93423	6031
CARNAZZO WILLIAM S	CARNAZZO WILLIAM S ETAL		PO BOX 6031	ATASCADERO	CA	93422	6031
CEPHAS INVESTMENTS LLC A CA LLC	CEPHAS INVESTMENTS LLC % PETER LO %F		201 W MAIN ST	SANTA MARIA	CA	93458	5091
CONCEPCIONOSOS GROUP LLC	CONCEPCIONOSOS GROUP LLC %WM.S.%N		PO BOX 6031	ATASCADERO	CA	93423	6031
CONE ESTHER J	CONE NORMAN L & ESTHER J		5710 PRANCING DEER PL	PASO ROBLES	CA	93446	7347
CULLORS HAZEL L	CULLORS HAZEL L		PO BOX 1763	PASO ROBLES	CA	93446	1763
CULVER FAMILY TRUST (TR 2)	HINGTGEN DONNA J ETAL %MILTON CULV %N		PO BOX 1345	PASO ROBLES	CA	93447	1345
DANLEY FAMILY TRUST	DANLEY BILLY L TRE ETAL %HASTINGS EI %H		504 FIRST ST #A	PASO ROBLES	CA	93446	
DZIDA FAMILY TRUST	DZIDA MICHAEL S TRE ETAL		1825 RIVERSIDE	PASO ROBLES	CA	93446	1749
DZIDA FAMILY TRUST	DZIDA CYNTHIA E TRE ETAL		4050 LINNE RD	PASO ROBLES	CA	93446	8442
DZIDA FAMILY TRUST	DZIDA MICHAEL S TRE ETAL		4050 LINNE RD	PASO ROBLES	CA	93446	8442
FIRST AMERICAN ESCHANGE CO LLC (INTERMEDIARY)	FIRST AMERICAN EXCH CO LLC % CHUONG %C		6743 E ALMADA ST	LONG BEACH	CA	90815	
FIRST PRESS PARTNERS LLC	FIRST PRESS PARTNERS LLC		806 9TH ST STE1A	PASO ROBLES	CA	93446	2568
FLOOD DEBRAH J	FLOOD LESLIE I & DEBRAH J		2561 TRADITIONS LOOP	PASO ROBLES	CA	93446	7136
FORD DONALD TRUST	FORD DONALD TRE		1106 COAST VILLAGE RD #D	SANTA BARBARA	CA	93108	708
HALLORAN CHRISTINE	HALLORAN PATRICK J & CHRISTINE		935 RIVERSIDE AVE STE 10	PASO ROBLES	CA	93446	2663
INGLE ANNA M (AKA 1)	INGLE ROGER L & ANNA M		5020 JARDINE RD	PASO ROBLES	CA	93446	9226
JK DEWAR PROPERTIES LP A CA LP	JK DEWAR PROPERTIES LP A CA LP		PO BOX 3059	SLO	CA	93403	3059
KIRCHER GARY J & SHEILA A TRUST OF 1991	KIRCHER GARY J TRE ETAL		757 BRAHMA	PASO ROBLES	CA	93446	4639
KULLGREN FREDERICK C & BARBARA E 2007 REVOCABLE TR	KULLGREN BARBARA E TRE ETAL		PO BOX 426	PASO ROBLES	CA	93447	426
LA LUZ DEL MUNDO	LA LUZ DEL MUNDO %MARIA T VALDEZ %N		PO BOX 355	SHANDON	CA	93461	355
LANGILLE CONRAD	LANGILLE CONRAD % NORTH COUNTY RE %		935 RIVERSIDE AVE #17	PASO ROBLES	CA	93446	2663
LYNCH GINA	LYNCH GINA		PO BOX 3672	PASO ROBLES	CA	93446	3672
MACGILLIVRAY FAMILY TRUST	MACGILLIVRAY RANCH LLC ETAL		225 LOS ROBLES	TEMPLETON	CA	93465	
MARTIN DONALD P	MARTIN DONALD P		1529 LAS BRISAS DR	PASO ROBLES	CA	93446	1848
MEISLER MYRNA	MEISLER RICHARD & MYRNA		PO BOX 776	SAN MIGUEL	CA	93451	776
MORILLO LUPE L	MORILLO LUPE L		1915 RIVERSIDE AVE	PASO ROBLES	CA	93446	1757
NICKLAS DAVID A & TRINA L 2005 REVOCABLE TRUST	NICKLAS DAVID A TRE ETAL		2736 STONEBROOK CIR	PASO ROBLES	CA	93446	9501
ODOM JOHN R	ODOM JOHN R		3395 S HIGUERA #67	SLO	CA	93401	
PADILLA VAL M & JULIA K	PADILLA VM & JK		1635 RIVERSIDE	PASO ROBLES	CA	93446	1746
PARISH CECIL FAMILY TRUST	PARISH KENNETH TRE ETAL %CECIL PARISH %C		PO BOX 53	PASO ROBLES	CA	93447	53
PAROS JOHN D & ERNESTINE R 2003 TRUST	PAROS JOHN D TRE ETAL		3139 MOSSHALL WAY	SAN JOSE	CA	95135	
PASO M&M LLC A LLC	PASO M&M LLC %ROSSETTI CO %F		1301 CHORRO ST	SLO	CA	93401	4005
PASO ROBLES EVENT CENTER	VIVIAN ROBERTSON		P O Box 8	PASO ROBLES	CA	93447	
PASO AIR HOLDINGS LLC A CA LLC	%RICHARD J WOODLAND		3945 BUENA VISTA RD	PASO ROBLES	CA	93446	9532
PISTORESI GEORGE J & SHIRLEY A FAMILY TRUST	PISTORESI GEORGE J TRE ETAL		PO BOX 4307	PASO ROBLES	CA	93447	
REDDICK NANCY D	REDDICK RANDOLPH L & NANCY D		3104 42ND ST	LUBBOCK	TX	79413	
RODRIGUEZ ARGELIA	RODRIGUEZ FLORENCIO & ARGELIA P		1808 RIVERSIDE AVE #A	PASO ROBLES	CA	93446	1750
SECOND BAPTIST CHURCH OF PASO ROBLES	SECOND BAPTIST CHURCH OF PASO ROBLES		PO BOX 884	PASO ROBLES	CA	93447	884
SEID & ZUCKER ENTERPRISES A GEN PTP	SEID & ZUCKER ENTERPRISES A GEN PTP		935 RIVERSIDE #1	PASO ROBLES	CA	93446	2620
SILVA FAMILY TRUST	SILVA DAVID J TRE ETAL		6850 ADELAIDE RD	PASO ROBLES	CA	93446	9784
SLUSHER JAMES C	SLUSHER JAMES C & TINA		1038 17TH ST	PASO ROBLES	CA	93446	1706
STENMAN ALEX TRUST	%BROCK & JUDY STENMAN REV TRUST		10609 E KAREN GANNON PL	TUCSON	AZ	85747	
TAKACS J SUZANNA	TAKACS J SUZANNA		PO BOX 2751	PASO ROBLES	CA	93447	2751
TANNEHILL GAIL K FAMILY TRUST	TANNEHILL GAIL K TRE ETAL		6620 STONEY PL	PASO ROBLES	CA	93446	8458
THE GRANARY CENTER LLC A CA LLC	THE GRANARY CENTER LLC %HASTINGS %H		504 FIRST ST STE A	PASO ROBLES	CA	93446	
VEGA DAVID W	VEGA DAVID W & DOROTHY M		5490 FRESNO AV	ATASCADERO	CA	93422	3440
VIBORG DEBBIE	VIBORG PAUL & DEBBIE ETAL		1529 N RIVER RD	PASO ROBLES	CA	93446	7325
VIBORG INVESTMENTS	VIBORG INVESTMENTS		1529 NO RIVER RD	PASO ROBLES	CA	93446	9331
VIBORG OLE K FAMILY TRUST	VIBORG OLE K TRE ETAL		2470 EL POMAR DR	TEMPLETON	CA	93465	8623
WALDMAN LINDA	WALDMAN RICHARD & LINDA		230 OGIER AVE	MORGAN HILL	CA	95037	
WEYRICK COLIN & CANDACE FAMILY TRUST	WEYRICK COLIN G TRE ETAL		PO BOX 688	TEMPLETON	CA	93465	688
WILLIAMS KARLE E	WILLIAMS KARLE E TRE ETAL		RT 1 BOX 177A	PASO ROBLES	CA	93446	9617

EXHIBIT 'A'



PROPOSED UNDERGROUNDING DISTRICT
EXHIBIT 'B'
ALONG RIVERSIDE FROM 10TH TO 24TH