

RESOLUTION CALLING FOR THE PUBLIC HEARING TO REINITIATE FORMATION OF
UNDERGROUND UTILITY DISTRICT NO. 24

February 23, 2010

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RECOMMENDATION

It is recommended that the City Council adopt the attached Resolution calling for a Public Hearing to be held March 9, 2010, to re-initiate Underground Utility District No. 24.


KEITH G. JONES
Public Works Director


By: Kamyar Dibaj
Assistant Engineer

Recommended for Approval


Matthew Fertal
City Manager

Attachment 1: Resolution

Attachment 2: Resolution NO. 8822-08

Attachment 3: District Boundary

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE CALLING FOR A PUBLIC HEARING TO DETERMINE WHETHER PUBLIC NECESSITY, HEALTH, SAFETY, OR WELFARE REQUIRES THE FORMATION OF AN UNDERGROUND UTILITY DISTRICT ON THE NORTHERLY SIDE OF HAZARD AVENUE FROM THE CENTERLINE OF EUCLID STREET TO 600 FEET WESTERLY

WHEREAS, Chapter 11.24 of the Garden Grove Municipal Code establishes a procedure for the creation of underground utility districts and requires as the initial step in such procedure the holding of a public hearing to ascertain whether public necessity, health, safety or welfare requires the removal and underground of poles, overhead wires, and facilities for supplying electric, communication or associated services in any such district; and

WHEREAS, it has been recommended that such an underground utility district, hereafter called "District", be formed from the centerline of Hazard Avenue to 85 feet northerly and from the centerline of Euclid to 600 feet westerly; and

WHEREAS, it is desirable to complete this District prior to any construction of the Hazard Avenue/Euclid Street Intersection Improvements.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Garden Grove:

1. Finds that notice is hereby given for a Public Hearing to be held by the City Council of the City of Garden Grove on Tuesday, March 9, 2010, at the hour of 6:30 p.m. (or as soon thereafter as City Council may hear same) in the Council Chamber in the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California, to determine whether public necessity, health, safety or welfare requires the removal and underground of poles, overhead wires, and facilities for supplying electric, telephone, cable, communication, and associated services in the District hereinabove described; and
2. At such hearing all persons interested shall be given an opportunity to be heard. Said hearing may be continued from time to time as may be determined by the City Council; and
3. That the City Clerk shall notify all affected property owners as shown on the last equalized assessment roll and utilities concerned of the time and place of such hearing by mailing a copy of this resolution to such property owners and utilities at least ten days prior to the date thereof; and
4. That the area proposed to be included in the District is shown upon that certain map entitled "Proposed Underground Utility District No. 24," which is on file in the office of the City Clerk of the City of Garden Grove.

RESOLUTION NO. 8822-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE
ESTABLISHING UNDERGROUND UTILITY DISTRICT NO. 24 UNDER THE CALIFORNIA
PUBLIC UTILITIES COMMISSION RULE 20-A AND TITLE 11-CHAPTER 11.24 OF
THE GARDEN GROVE MUNICIPAL CODE

WHEREAS, a public hearing was called for on Tuesday, June 10, 2008, at the hour of 6:30 p.m. in the Council Chamber of the Community Meeting Center, Garden Grove, California, to ascertain whether public necessity, health, safety or welfare requires the removal and underground of poles, overhead wires, and facilities for supplying electric, communication, or associated services from the public right-of-way on the northerly side of Hazard Avenue from the centerline of Euclid Street to 600 feet westerly, as shown on the attached map entitled "Proposed Underground Utility District No. 24" within that certain area in the City of Garden Grove; and

WHEREAS, it has been recommended that such an underground utility district, hereafter called "District", be formed from the centerline of Hazard Avenue to 40 feet northerly and from the centerline of Euclid to 600 feet westerly; and

WHEREAS, it is desirable to complete this District prior to any construction of the Hazard Avenue/Euclid Street Intersection Improvements; and

WHEREAS, such hearing was duly and regularly held on June 10, 2008, in the Council Chamber in Garden Grove, California, and all persons interested were given an opportunity to be heard.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Garden Grove:

1. Hereby finds that the public necessity, health, safety, or welfare requires the removal and underground of poles, overhead wires, and facilities for supplying electric, telephone, cable communication, and associated services in the District hereinabove described as Underground Utility District No. 24; and
2. That Underground Utility District funds may be used as provided under California Public Utilities Commission Rule 20-A; and
3. Hereby declares the above-referenced property, as shown on the attached map entitled "Proposed Underground Utility District No. 24", is designated as Underground Utility District No. 24; and
4. Hereby orders that the above-referenced utility facilities be removed and installed underground; and

5. Hereby directs that such removal and underground installation shall be accomplished by December 2008, and that affected property owners shall be ready by such date to receive underground service of the affected utilities.

Adopted this 10th day of June 2008.

ATTEST:

/s/ WILLIAM J. DALTON
MAYOR

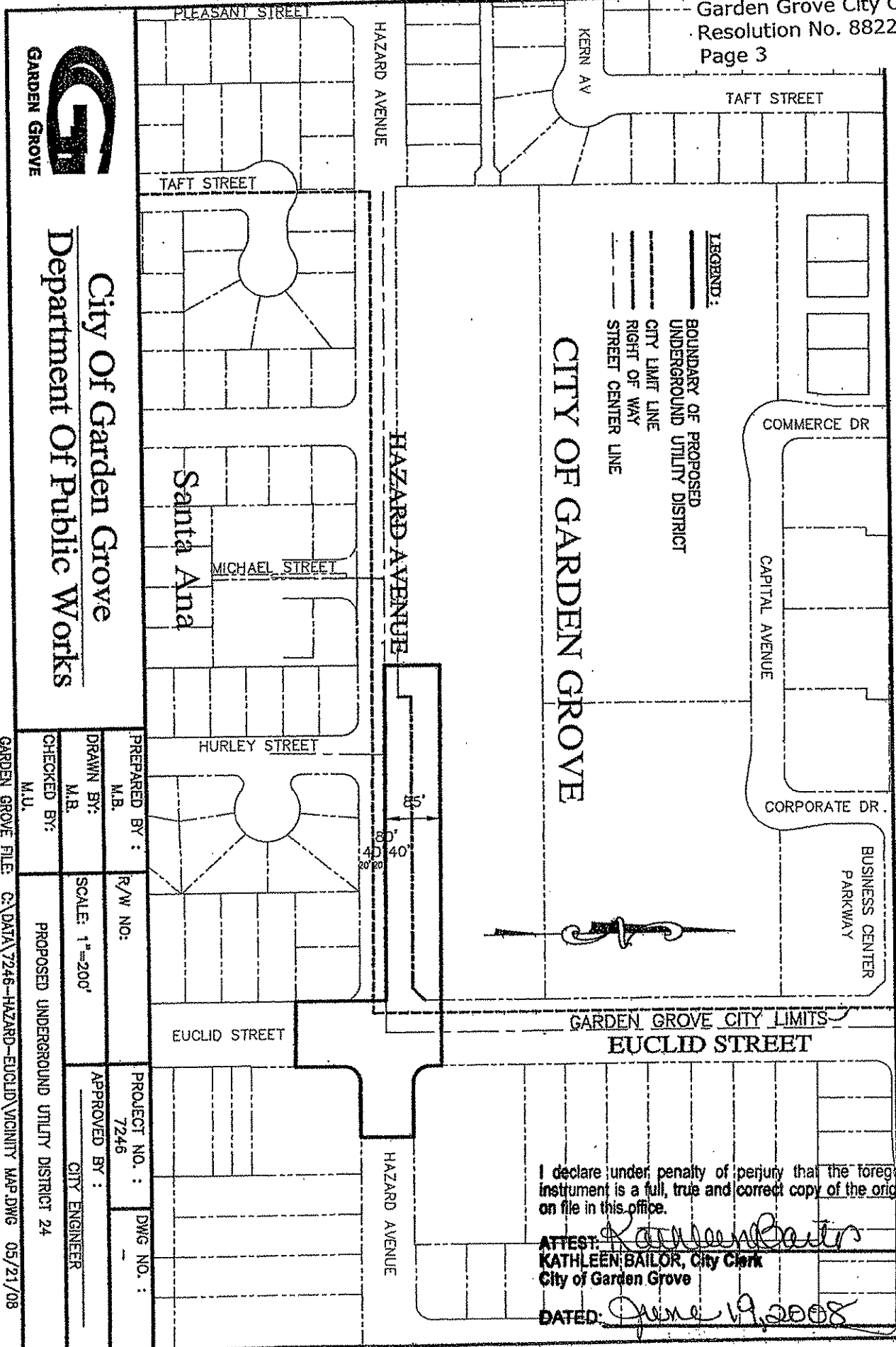
/s/ KATHLEEN BAILOR
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, KATHLEEN BAILOR, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Garden Grove, California, at a meeting held on the 10th day of June 2008, by the following vote:

AYES: COUNCIL MEMBERS: (5) BROADWATER, JONES, NGUYEN, ROSEN, DALTON
NOES: COUNCIL MEMBERS: (0) NONE
ABSENT: COUNCIL MEMBERS: (0) NONE

/s/ KATHLEEN BAILOR
CITY CLERK



City Of Garden Grove
 Department Of Public Works

PREPARED BY : M.B.	R/W NO.:	PROJECT NO. : 7246	DWG NO. :
DRAWN BY : M.B.	SCALE: 1"=200'	APPROVED BY : CITY ENGINEER	
CHECKED BY : M.U.	PROPOSED UNDERGROUND UTILITY DISTRICT 24		

GARDEN GROVE FILE: C:\DATA\7246-HAZARD-EUCLID\VICINITY MAP.DWG 05/21/08

I declare under penalty of perjury that the foregoing instrument is a full, true and correct copy of the original on file in this office.

ATTEST: *Kathleen Bailor*
 KATHLEEN BAILOR, City Clerk
 City of Garden Grove

DATED: *June 19, 2008*