

RESOLUTION NUMBER 3304

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS DECLARING ITS INTENTION TO ESTABLISH AN UNDERGROUND UTILITY DISTRICT ON NUEVO ROAD AND PERRIS BOULEVARD AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON

WHEREAS, the City Council of the City of Perris (the "City Council"), wishes to create an underground utility district in the area spanning Nuevo Road (between Perris Boulevard and Dunlap) and Perris Boulevard (between Nuevo Road and 4th Street) in the City of Perris (the "City") as described on Exhibit A hereto and by this reference incorporated herein (the "Proposed District"); and

WHEREAS, City Council may, pursuant to Chapter 13.04 of the Perris Municipal Code (the "Code"), establish such a district if, following a public hearing, the City Council finds that the public necessity, health, safety or welfare requires the removal of overhead electrical lines and the installation of underground lines within a designated area; and

WHEREAS, pursuant to Rule 20A, an electric tariff filed with California Public Utilities Commission, Southern California Edison will, at its expense replace existing overhead electrical facilities with underground facilities on public streets and roads, provided that (a) the governing body, after consultation with Southern California Edison and holding a public hearing, has found that the undergrounding is in the public interest and (b) the governing body has adopted an ordinance or resolution creating the district; and

WHEREAS, certain other utilities including cable providers and telephone service providers will be required at their own expense to underground their facilities following creation of the Proposed District; and

WHEREAS, pursuant to Section 13.04.040 of the Code, prior to the public hearing, the City Manager shall consult with all affected utilities and prepare a report for submission at such hearing containing, among other things, the extent of the utilities participation and estimates of the cost to the City and affected property owners and the time required to remove the overhead facilities and install the underground facilities (the "Report");

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Perris, California, as follows:

Section 1. The City Council hereby directs the City Manager to consult with the affected utilities and to file the Report with the City Clerk on or before November 30, 2004 (Public Hearing Date).

Section 2. Notice is hereby given that on November 30, 2004, at 6:00 p.m., in the Chambers of the City Council of the City of Perris, 101 North "D" Street, Perris, California, the City Council will conduct a Public Hearing, at which time any and all persons having any comments regarding the formation of the Proposed District or the work shall be heard. The City Council will consider all oral and written comments up until the end of the hearing.

Section 3. The City Clerk is hereby directed to mail notice to all affected property owners within the Proposed District as shown on the last equalized assessment roll and the utilities concerned (together with a copy of this resolution) of the time and place of the public hearing at least ten days prior to the date of the hearing pursuant to Section 13.04.030 of the Code.

Section 4. The City Council hereby designates Habib Motlagh, City Engineer of the City of Perris, (951) 943-6504 as the person to answer inquiries regarding the Proposed District and the work to be accomplished in the Proposed District.

Section 5. That the work in the Proposed District shall be paid for by Southern California Edison and other affected utilities.

ADOPTED, SIGNED and **APPROVED** this 28th day of September, 2004.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Margaret Rey

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Margaret Rey, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 3304 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 28th day of September, 2004, and that it was so adopted by the following called vote:

AYES: Rogers, Yarbrough, Landers, Motte, Busch

NOES:

ABSENT:

ABSTAIN:

City Clerk, Margaret Rey

EXHIBIT "A"