

RESOLUTION NO. 102-07

RESOLUTION OF THE MEMBERS OF THE RICHMOND CITY COUNCIL SETTING A PUBLIC HEARING TO DETERMINE WHETHER PUBLIC NECESSITY, HEALTH, SAFETY, OR WELFARE REQUIRES THE FORMATION OF AN UNDERGROUND UTILITY DISTRICT ON MACDONALD AVENUE BETWEEN 6TH STREET AND GARRARD BOULEVARD.

WHEREAS, Chapter 12.48 of the Municipal Code of the City of Richmond 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 of poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication, or similar or associated service in any such district; and

WHEREAS, it has been recommended that such an underground utility district, hereinafter called "District", be formed within the City of Richmond on Macdonald Avenue between 6th Street and Garrard Boulevard as shown on the map referred to in Paragraph 4 below.

NOW THEREFORE, BE IT RESOLVED by the members of the Richmond City Council as follows:

1. NOTICE IS HEREBY GIVEN that on October 2, 2007 at a regular meeting of the Richmond City Council, 1401 Marina Way South, City Council Chambers, 7:00 p.m. it will be decided whether the public necessity, health, safety, or welfare requires the removal of poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supply of electric, communication, or similar or associated service in the District hereinabove described.
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.
3. The City Engineer shall notify all affected property owner(s) as shown on the last equalized assessment roll and utility companies of the time and place of such hearing by mailing a copy of this resolution to such property owners and concerned utility company(ies) at least ten (10) days prior to the date thereof.
4. The area proposed to be included in said recommended district is shown upon that certain map numbered U.D. No. 2007-1. Entitled "Underground District U.D. 2007-1," dated June 29, 2007, and prepared by BKF Engineers for said City, which is on file in the office of the Clerk of the City of Richmond, California and a copy of which is submitted with the staff report in support of this resolution.

BE IT FURTHER RESOLVED that the Council of the City of Richmond does hereby intend to utilize the California Public Utilities Commission's Rule 20A Tariff requiring complete funding by PG&E to pay for costs associated with the underground electric distribution within the district.

BE IT FURTHER RESOLVED that the Council of the City of

Richmond will pay for the installation of each customer's underground electric service lateral occasioned by the undergrounding, and pay for the conversion of each customer's electric service panels to accept underground service.

I certify that the foregoing Resolution was passed and adopted by the Richmond City Council at a regular meeting held on September 18, 2007, by the following vote:

AYES: Councilmember Bates, Butt, Lopez, Marquez, Rogers, Sandhu, and Mayor McLaughlin
NOES: None
ABSTENTIONS: None
ABSENT: Councilmember Thurmond and Viramontes

DIANE HOLMES
CLERK OF THE CITY OF RICHMOND

(SEAL)

Approved:

GAYLE McLAUGHLIN
Mayor

Approved as to form:

LOUISE RENNE, Interim
City Attorney

State of California }
County of Contra Costa : ss.
City of Richmond }

I certify that the foregoing is a true copy of Resolution No. 102-07, finally passed and adopted by the Council of the City of Richmond at a meeting held on September 18, 2007.