

MEETING DATE: 12/11/06

AGENDA ITEM: Consideration of Formation of an Underground Utility District on Certain Portion of National Boulevard and Exposition Boulevard between the Southerly Side of the Metropolitan Transportation Authority Right-of-Way and the Northern City Limit, Parallel to Venice Boulevard and Adoption of a Resolution Setting a Public Hearing on the Matter.

ATTACHMENTS

		<u>Pages</u>
1	Culver City Municipal Code Section 5.04, et seq.	1-7
2	Map of proposed Underground Utility District 10.	8
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TITLE 5: PUBLIC WORKS**CHAPTER 5.04: PUBLIC UTILITIES**

CHAPTER 5.04: PUBLIC UTILITIES

Section

- 5.04.005 Definitions
- 5.04.010 Public hearing by Council
- 5.04.015 Report by Public Works Director
- 5.04.020 Authority of Council to designate underground utility district
- 5.04.025 Unlawful acts
- 5.04.030 Exception for emergency or unusual circumstances
- 5.04.035 Other exceptions
- 5.04.040 Notice to property owners and utility companies
- 5.04.045 Responsibility of utility companies
- 5.04.050 Responsibility of property owners
- 5.04.055 Responsibility of city
- 5.04.060 Extension of time
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- 5.04.070 Location of electrical transmission lines

§ 5.04.005 DEFINITIONS.

Whenever in this Chapter the words or phrases hereinafter in this Section defined are used, they shall have the respective meanings assigned to them in the following definitions:

COMMISSION. The Public Utilities Commission of the State of California.

PERSON. Includes individuals, firms, corporations, partnerships, and their agents and employees.

POLES, OVERHEAD WIRES and ASSOCIATED OVERHEAD STRUCTURES. Poles, towers, supports, wires, conductors, guys, stubs, platforms, crossbars, braces, transformers, insulators, cutouts,

switches, communication circuits, appliances, attachments and appurtenances located aboveground within a District and used or useful in supplying electric, communication or similar or associated service.

UNDERGROUND UTILITY DISTRICT or DISTRICT. That area in the City within which poles, overhead wires, and associated overhead structures are prohibited as such area is described in a resolution adopted pursuant to the provisions of § 5.04.020.

UTILITY. All persons or entities supplying electric, communication or similar or associated service by means of electrical materials or devices.

('65 Code, § 35A-1) (Ord. No. CS-612 § 1)

§ 5.04.010 PUBLIC HEARING BY COUNCIL.

The Council may from time to time call public hearings to ascertain whether the public health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures within designated areas of the City and the underground installation of wires and facilities for supplying electric, communication, or similar or associated service. The City Clerk shall notify all affected property owners as shown on the last equalized assessment roll and utilities concerned by mail of the time and place of such hearings at least ten (10) days prior to the date thereof. Each such hearing shall be open to the public and will be continued from time to time. At each such hearing all persons interested shall be given an opportunity to be heard. The decision of the Council shall be final and conclusive.

('65 Code, § 35A-2) (Ord. No. CS-612 § 2)

§ 5.04.015 REPORT BY PUBLIC WORKS DIRECTOR.

Prior to holding such public hearings, the Public Works Director may consult all affected utilities and may prepare a report for a submission at such hearing containing, among other information, the extent of such utilities' participation and estimates of the total costs to the City and affected property owners. Such report shall also contain an estimate of the time required to complete such underground installation and removal of overhead facilities. Failure to consult affected utilities and/or to prepare such a report shall have no effect on any action of the City Council.

('65 Code, § 35a-3) (Ord. No. CS-612 § 3)

§ 5.04.020 AUTHORITY OF COUNCIL TO DESIGNATE UNDERGROUND UTILITY DISTRICT.

If, after any such public hearing the Council finds that the public health, safety or welfare requires such removal and such underground installation within a designated area, the Council shall, by resolution, declare such designated area an Underground Utility District and order such removal and underground installation. Such resolution shall include a description of the area comprising such district and shall fix the time within which such removal and underground installation shall be accomplished and within which affected property owners must be ready to receive underground service. A reasonable time shall be allowed for such removal and underground installation, having due regard for the availability of labor, materials and equipment necessary for such removal and for the installation of such underground facilities as may be occasioned thereby. Immediately following its adoption, the City Clerk

shall cause a certified copy of such resolution to be recorded in the Office of the County Recorder.

('65 Code, § 35A-4) (Ord. No. CS-612 § 4)

§ 5.04.025 UNLAWFUL ACTS.

Whenever the Council creates an Underground Utility District and orders the removal of poles, overhead wires and associated overhead structures therein as provided in § 5.04.020 hereof, it shall be unlawful for any person or utility to erect, construct, place, keep, maintain, continue, employ or operate poles, overhead wires and associated overhead structures in the District after the date when said overhead facilities are required to be removed by such resolution, except as said overhead facilities may be required to furnish service to an owner or occupant of property prior to the performance of such owner or occupant of the underground work necessary for such owner or occupant to continue to receive utility service as provided in § 5.04.050 hereof, and for such reasonable time required to remove said facilities after said work has been performed, and except as otherwise provided in this chapter.

('65 Code, § 35A-5) (Ord. No. CS-612 § 5)

§ 5.04.030 EXCEPTION FOR EMERGENCY OR UNUSUAL CIRCUMSTANCES.

Notwithstanding the provisions of this chapter, overhead facilities may be installed and maintained in order to provide emergency service, not to exceed ten (10) days without permission of the Chief Administrative Officer; however, the Chief Administrative Officer may, if he finds the need exists, extend, in writing, such emergency operating permit for an additional thirty (30) days. No additional extension may be authorized without the approval of the City Council. The Council may grant special permission, on such terms as the Council may deem appropriate, in cases of unusual circumstances, without discrimination as to any person or utility, to erect, construct, install, maintain, use or operate poles, overhead wires and associated overhead structures.

('65 Code, § 35A-6) (Ord. No. CS-612 § 6)

§ 5.04.035 OTHER EXCEPTIONS.

A. This chapter and any resolution adopted pursuant to § 5.04.020 hereof shall, unless otherwise provided in such resolution, not apply to the following types of facilities:

1. Poles or electroliers used exclusively for street lighting.
2. Overhead wires (exclusive of supporting structures) crossing any portion of a District within which overhead wires have been prohibited.
3. Antennae, associated equipment and supporting structures used for such antennae by a utility for furnishing communication services.
4. Equipment appurtenant to underground facilities such as surface mounted transformers, pedestal mounted terminal boxes and meter cabinets, and concealed ducts.
5. Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects and to remain in place only during construction.

B. In any resolution adopted pursuant to § 5.04.020 hereof, the City Council may authorize any or all of the following exceptions:

1. Poles, overhead wires and assorted overhead structures used for the transmission of electric energy at nominal voltages in excess of 34,500 volts.
2. Any municipal facilities or equipment installed under the supervision of and to the satisfaction of the Public Works Director of the City of Culver City.
3. Overhead wires connecting to buildings on the perimeter of a District when such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited.
4. Overhead wires attached to the surface of a building by means of a bracket or other fixture and extending from one location on the building to another location on the same building or to an adjacent building without crossing any public street.

('65 Code, § 35a-7) (Ord. No. CS-612 § 7)

§ 5.04.040 NOTICE TO PROPERTY OWNERS AND UTILITY COMPANIES.

A. Within ten (10) days after the effective date of a resolution adopted pursuant to § 5.04.020 hereof, the City Clerk shall notify all affected utilities and all persons owning real property within the District created by said resolution of the adoption thereof. Said City Clerk shall further notify such affected property owners of the necessity that, if they or any person occupying such property desire to continue to receive electric communication, or similar or associated service, they or such occupant shall provide all necessary facility changes on their premises so as to receive such service from the lines of the supplying utility or utilities at a new location, subject to applicable rules, regulations and tariffs of the respective utility or utilities on file with the Commission.

B. Notification by the City Clerk shall be made by mailing a copy of the resolution adopted pursuant to § 5.04.020 hereof, together with a copy of the ordinance published herein, to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities.

('65 Code, § 35A-8) (Ord. No. CS-612 § 8)

§ 5.04.045 RESPONSIBILITY OF UTILITY COMPANIES.

If underground construction is necessary to provide utility service within a District created by any resolution adopted pursuant to § 5.04.020 hereof, the supplying utility shall furnish that portion of the conduits, conductors and associated equipment required to be furnished by it under its applicable rules, regulations and tariffs on file with the Commission.

('65 Code, § 35A-9) (Ord. No. CS-612 § 9)

§ 5.04.050 RESPONSIBILITY OF PROPERTY OWNERS.

A. Every person owning, operating, leasing, occupying or renting a building or structure within a District shall perform construction and provide that portion of the service connection on his property between the facilities referred to in § 5.04.045 and the termination facility on or within said building or

structure being served, all in accordance with applicable rules, regulations and tariffs of the respective utility or utilities on file with the Commission.

B. In the event any person owning, operating, leasing, or renting said property does not comply with the provisions of Subsection A. of this Section within the time provided for in the resolution enacted pursuant to § 5.04.020 hereof, the Public Works Director shall post written notice on the property being served and thirty (30) days thereafter shall have the authority to order the disconnection and removal of any and all overhead service wires and associated facilities supplying utility service to said property.

C. In the event that the Public Works Director shall determine that the method of enforcing this Section hereof is not an efficient or effective method of enforcement, he is authorized to pursue the following method of enforcement:

1. Every person owning, operating, leasing, occupying or renting a building or structure within a District shall perform construction and provide that portion of the service connection on his property between the facilities referred to in § 5.04.045 and the termination facility on or within said building or structure being served, all in accordance with applicable rules, regulations and tariffs of the respective utility or utilities on file with the Commission. If the above is not accomplished by any person within the time provided for in the resolution enacted pursuant to § 5.04.020 hereof, the Public Works Director shall give notice in writing to the person in possession of such premises, and a notice in writing to the owner thereof as shown on the last equalized assessment roll to provide the required underground facilities within ten (10) days after receipt of such notice.

2. The notice to provide the required underground facilities may be given by personal service or by mail. In the case of service by mail on either of such persons, the notice must be deposited in the United States mail in a sealed envelope with postage prepaid, addressed to the person in possession of such premises at such premises and the notice must be addressed to the owner thereof as such owner's name appears, and must be addressed to such owner's last known address as the same appears on the last equalized assessment roll, and when no address appears, to General Delivery, City of Culver City, California. If notice is given by mail, such notice shall be deemed to have been received by the person to whom it has been sent within forty-eight (48) hours after mailing thereof. If notice is given by mail to either the owner or occupant of such premises, the Public Works Director shall, within forty-eight (48) hours after mailing thereof, cause a copy thereof, printed on a card not less than eight (8) inches by ten (10) inches in size, to be posted in a conspicuous place on said premises.

3. The notice given by the Public Works Director to provide the required underground facilities shall particularly specify what work is required to be done, and shall state that if said work is not completed within thirty (30) days after receipt of such notice, the Public Works Director will provide such required underground facilities, in which case the cost and expense thereof will be assessed against the property benefitted and become a lien upon such property.

4. If upon the expiration of the thirty (30) day period, the said required underground facilities have not been provided, the Public Works Director shall forthwith proceed to do the work; provided, however, if such premises are unoccupied and no electric or communications services are being furnished thereto, the Public Works Director shall, in lieu of providing the required underground facilities, have the authority to order the disconnection and removal of any and all overhead service wires and associated facilities supplying utility service to said property. Upon completion of the work by the Public Works Director, he shall file a written report with the City Council setting forth the fact that the required underground facilities have been provided and the cost thereof, together with a legal description of the property against which such cost is to be assessed. The Council shall thereupon fix a

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time and place for hearing protests against the assessment of the cost of such work upon such premises, which said time shall not be less than ten (10) days thereafter.

5. The Public Works Director shall forthwith, upon the time for hearing such protests having been fixed, give a notice in writing to the person in possession of such premises, and a notice in writing thereof to the owner thereof, in the manner herein above provided for the giving of the notice to provide the required underground facilities, of the time and place that the Council will pass upon such report and will hear protests against such assessment. Such notice shall also set forth the amount of the proposed assessment.

6. Upon the date and hour set for the hearing of protests, the Council shall hear and consider the report and all protests, if there be any, and then proceed to affirm, modify or reject the assessment.

7. If any assessment is not paid within five (5) days after its confirmation by the Council, the amount of the assessment shall become a lien upon the property against which the assessment is made by the Public Works Director, and the Public Works Director is directed to turn over to the Assessor and Tax Collector a notice of lien on each of said properties on which the assessment has not been paid, and said Assessor and Tax Collector shall add the amount of said assessment to the next regular bill for taxes levied against the premises upon which said assessment was not paid. Said assessment shall be due and payable at the same time as said property taxes are due and payable, and if not paid when due and payable, shall bear interest at the rate of six percent (6%) per annum.

('65 Code, § 35a-10) (Ord. No. CS-612 § 10)

§ 5.04.055 RESPONSIBILITY OF CITY.

City shall remove at its own expense all City-owned equipment from all poles required to be removed hereunder in ample time to enable the owner or user of such poles to remove the same within the time specified in the resolution enacted pursuant to § 5.04.020.

('65 Code, § 35A-11) (Ord. No. CS-612 § 11)

§ 5.04.060 EXTENSION OF TIME.

In the event that any act required by this chapter or by a resolution adopted pursuant to § 5.04.020 cannot be performed within the time provided on account of shortage of materials, war, restraint by public authorities, strikes, labor disturbances, civil disobedience, or any other circumstances beyond the control of the actor, then the time within which such act will be accomplished shall be extended for a period equivalent to the time of such limitation.

('65 Code, § 35A-12) (Ord. No. CS-612 § 12)

§ 5.04.065 UNDER GROUNDING PUBLIC UTILITIES; NEW CONSTRUCTION.

A. A new, or replacement, public utility service entrance installed for permanent use in connection with, or required for, a new building or structure, and the service connections on the property between the utility source and the termination facility on the building or structure shall be placed underground. The owner shall be responsible for making arrangements for such installations and shall perform necessary construction, subject to applicable rules, regulations and tariffs of the utility company.

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B. Transformers and other equipment appurtenant to the underground service may be installed aboveground if the Planning Department approves and determines that the equipment will be placed at a location where a minimum impact on the environment will result.

C. Upon application of the owner, the Chief Administrative Officer, or the City Council upon an appeal from an adverse determination of the Chief Administrative Officer, may grant an exception to the requirements of this Section if findings are made, to be placed with the electrical permit, that these requirements, together with the particular circumstances, will require an additional utility pole or otherwise increase or perpetuate visual pollution of the environment.

D. The application shall be in writing and contain a complete statement of all pertinent data, including an accurate sketch showing pertinent property lines, buildings, structures, utility poles and lines.

('65 Code, § 35A-20) (Ord. No. CS-908 § 1; Ord. No. CS-674 § 1)

§ 5.04.070 LOCATION OF ELECTRICAL TRANSMISSION LINES.

Henceforth any person, corporation, utility or grantee of any franchise that desires to construct, install or maintain any poles, wires, conduits or appurtenances other than underground for the purpose of transmitting electricity within the City of Culver City, whether distribution of said electricity is to be made within Culver City or elsewhere, shall locate said above ground poles, wires, conduits and appurtenances at least 125 feet from the boundary line of any residential zone within the City; as such zone is designated in the City Zoning Ordinance; such distance shall be measured from the nearest structure, wire or appurtenance to the nearest residential zone boundary by a straight line.

('65 Code, § 35A-31) (Ord. No. CS-795 § 1; Ord. No. CS-818 § 1)

Cross-reference:

Zoning Code, see Title 17

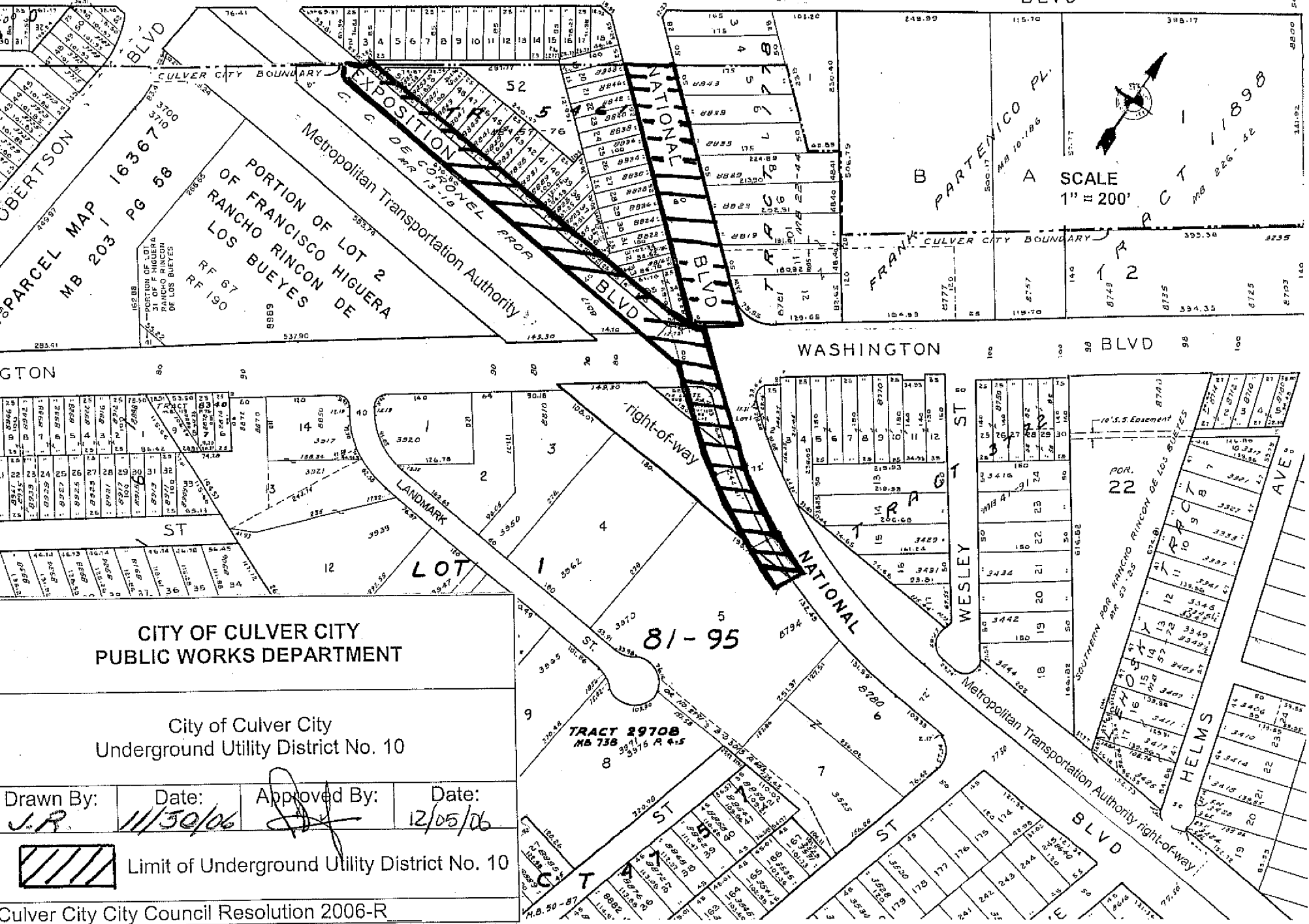
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Drawn By:	Date:	Approved By:	Date:
J.R.	11/30/06	[Signature]	12/05/06

 Limit of Underground Utility District No. 10

Culver City City Council Resolution 2006-R



Southern California Edison
Rosemead, California

Revised Cal. PUC Sheet No. 31867-E
Cancelling Revised Cal. PUC Sheet No. 23018-E

Rule 20

Sheet 1

REPLACEMENT OF OVERHEAD WITH UNDERGROUND ELECTRIC FACILITIES

A. SCE will, at its expense, replace its existing overhead electric facilities with underground electric facilities along public streets and roads, and on public lands and private property across which rights-of-way satisfactory to SCE have been obtained by SCE, provided that:

1. The governing body of the city or county in which such electric facilities are and will be located has:

a. Determined, after consultation with SCE and after holding public hearings on the subject, that such undergrounding is in the general public interest for one or more of the following reasons:

(1) Such undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities;

(2) The street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic; (T)

(3) The street or road or right-of-way adjoins or passes through a civic area or public recreation area or an area of unusual scenic interest to the general public; or (T)

(4) The street or road or right-of-way is considered an arterial street or major collector road, as defined in the Governor's Office of Planning and Research General Plan Guidelines. (N)
|
(N)

b. Adopted an ordinance creating an underground district in the area in which both the existing and new facilities are and will be located requiring, among other things, (1) that all existing overhead communication and electric distribution facilities in such district shall be removed, (2) that each property served from such electric overhead facilities shall have installed in accordance with SCE's rules for underground service, all electrical facility changes on the premises necessary to receive service from the underground facilities of SCE as soon as it is available, and (3) authorizing SCE to discontinue its overhead service.

(Continued)

(To be inserted by utility)

Advice 1643-E

Decision 01-12-009

1C12

Issued by

John R. Fielder

Senior Vice President

(To be inserted by Cal. PUC)

Date Filed Jul 26, 2002

Effective Sep 4, 2002

Resolution E-3767

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Southern California Edison
Rosemead, California

Revised Cal. PUC Sheet No. 23019-E
Cancelling Revised Cal. PUC Sheet No. 12201-E

Rule 20 Sheet 2
REPLACEMENT OF OVERHEAD WITH UNDERGROUND ELECTRIC FACILITIES

(Continued)

A. (Continued)

2. SCE's total annual budgeted amount for undergrounding within any city or the unincorporated area of any county shall be allocated as follows:
 - a. The amount allocated to each city and county in 1990 shall be the highest of:
 1. The amount allocated to the city or county in 1989, which amount shall be allocated in the same ratio that the number of overhead meters in such city or unincorporated area of any county bears to the total system overhead meters; or
 2. The amount the city or county would receive if SCE's total annual budgeted amount for undergrounding provided in 1989 were allocated in the same ratio that the number of overhead meters in each city or the unincorporated area of each county bears to the total system overhead meters based on the latest count of overhead meters available prior to establishing the 1990 allocations; or
 3. The amount the city or county would receive if SCE's total annual budgeted amount for undergrounding provided in 1989 were allocated as follows:
 - a. Fifty percent of the budgeted amount allocated in the same ratio that the number of overhead meters in any city or the unincorporated area of any county bears to the total system overhead meters; and
 - b. Fifty percent of the budgeted amount allocated in the same ratio that the total number of meters in any city or the unincorporated area of any county bears to the total system meters.

(Continued)

(To be inserted by utility)

Advice 1268-E-B

Decision 97-10-087

Issued by

John R. Fielder

Senior Vice President

(To be inserted by Cal. PUC)

Date Filed May 11, 1998

Effective Jan 4, 1998

Resolution _____

Rule 20 Sheet 3
REPLACEMENT OF OVERHEAD WITH UNDERGROUND ELECTRIC FACILITIES

(Continued)

A. (Continued)

2. (Continued)

- b. Except as provided in Section 2.c., the amount allocated for undergrounding within any city or the unincorporated area of any county in 1991 and later years shall use the amount actually allocated to the city or county in 1990 as the base, and any changes from the 1990 level in SCE's total annual budgeted amount for undergrounding shall be allocated to individual cities and counties as follows:
1. Fifty percent of the change from the 1990 total budgeted amount shall be allocated in the same ratio that the number of overhead meters in any city or unincorporated area of any county bears to the total system overhead meters.
 2. Fifty percent of the change from the 1990 total budgeted amount shall be allocated in the same ratio that the total number of meters in any city of the unincorporated area of any county bears to the total system meters.
- c. When a city incorporates, resulting in a transfer of utility meters from the unincorporated area of a county to the city, there shall be a permanent transfer of a prorata portion of the county's 1990 allocation base referred to in Section 2.b. to the city. The amount transferred shall be determined:
1. Fifty percent based on the ratio that the number of overhead meters in the city bears to the total system overhead meters; and
 2. Fifty percent based on the ratio that the total number of meters in the city bears to the total system meters.

When territory is annexed to an existing city, it shall be the responsibility of the city and county affected, in consultation with SCE serving the territory, to agree upon an amount of the 1990 allocation base that will be transferred from the county to the city, and thereafter to jointly notify SCE in writing.

(Continued)

(To be inserted by utility)

Advice 1268-E-B

Decision 97-10-087

3C1

Issued by

John R. Fielder

Senior Vice President

(To be inserted by Cal. PUC)

Date Filed May 11, 1998

Effective Jan 4, 1998

Resolution _____

Rule 20

Sheet 4

REPLACEMENT OF OVERHEAD WITH UNDERGROUND ELECTRIC FACILITIES

(Continued)

A. (Continued)

2. (Continued)

- d. However, Section 2.a, b, and c, shall not apply to any utility where the total amount available for allocation under Rule 20-A is equal to or greater than 1.5 times the previous year's statewide average on a per customer basis. In such cases, SCE's total annual budgeted amount for undergrounding within any city or the unincorporated area of any county shall be allocated in the same ratio that the number of overhead meters in the city or unincorporated area of any county bears to the total system overhead meters.
- e. Upon request by a city or county, the amounts allocated may be exceeded for each city or county by an amount up to a maximum of five years' allocation at then-current levels where SCE establishes that participation on a project is warranted and resources are available. Such allocated amount may be carried over for a reasonable period of time in communities with active undergrounding programs. In order to qualify as a community with an active undergrounding program, the governing body must have adopted an ordinance or ordinances creating an underground district and/or districts as set forth in Section A.1.b. of this Rule. Where there is a carry-over or additional requested participation as discussed above, SCE has the right to set, as determined by its capability, reasonable limits on the rate of performance of the work to be financed by the funds carried over. When amounts are not expended or carried over for the community to which they are initially allocated, they shall be assigned when additional participation on a project is warranted or be reallocated to communities with active undergrounding programs. (C)

(Continued)

(To be inserted by utility)

Advice 1643-E

Decision 01-12-009

Issued by

John R. Fielder

Senior Vice President

(To be inserted by Cal. PUC)

Date Filed Jul 26, 2002

Effective Sep 4, 2002

Resolution E-3767

Rule 20

Sheet 5

REPLACEMENT OF OVERHEAD WITH UNDERGROUND ELECTRIC FACILITIES

(Continued)

A. (Continued)

3. The undergrounding extends for a minimum distance of one block or 600 feet, whichever is the lesser.

Upon request of the governing body, SCE will pay from the existing allocation of that entity for:

- a. The installation of no more than 100 feet of each customer's underground electric service lateral occasioned by the undergrounding, and/or
- b. The conversion of a customer's meter panel to accept underground service occasioned by the undergrounding, excluding permit fees.

SCE or the governing body may establish a lesser allowance, or may otherwise limit the amount of money to be expended on a single customer's electric service, or the total amount to be expended on all electric service installations in a particular project.

~~B. In circumstances other than those covered by A above, SCE will replace its existing overhead electric facilities with underground electric facilities along public streets and roads or other locations mutually agreed upon when requested by an applicant or applicants when all of the following conditions are met:~~

- ~~1. a. All property owners served from the overhead facilities to be removed first agree in writing to have the wiring changes made on their premises so that service may be furnished from the underground distribution system in accordance with SCE's rules and that SCE may discontinue its overhead service upon completion of the underground facilities, or~~
- ~~b. Suitable legislation is in effect requiring such necessary wiring changes to be made and authorizing SCE to discontinue its overhead service.~~

(Continued)

(To be inserted by utility)

Advice 1399-E
Decision _____

5C2

Issued by

John R. Fielder
Senior Vice President

(To be inserted by Cal. PUC)

Date Filed Aug 23, 1999
Effective Oct 2, 1999
Resolution _____

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RESOLUTION NO. 2006-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
CULVER CITY, CALIFORNIA, CALLING A PUBLIC HEARING
TO DETERMINE WHETHER PUBLIC NECESSITY, HEALTH,
SAFETY OR WELFARE REQUIRES THE FORMATION OF AN
UNDERGROUND UTILITY DISTRICT.

WHEREAS, Culver City Municipal Code, Section 5.04, et seq., 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, be formed to include an area fifty feet (50') wide, along National Boulevard,
between the southerly side of the Metropolitan Transportation Authority right-of-way and
the northern side of Washington Boulevard; one hundred feet (100') wide, along National
Boulevard, between the northern side of Washington Boulevard and the northerly City limits
of Culver City south of Venice Boulevard, and Exposition Boulevard, between Washington
Boulevard and the northerly City limits of Culver City south of Venice Boulevard, which is
more particularly illustrated on Exhibit "A," attached

NOW, THEREFORE, the City Council of the City of Culver City (City),
California, DOES HEREBY RESOLVE as follows:

1. NOTICE IS HEREBY GIVEN that a public hearing will be held by the
City Council of the City of Culver City on January 8, 2007, at the hour of 7:00 PM in the
Mike Balkman Council Chambers of the City Hall, Culver City, California, to ascertain

1 whether public necessity, health, safety, or welfare requires the removal of poles, overhead
2 wires and associated overhead structures and the underground installation of wires and
3 facilities for supplying electric, communication, or similar or associated service within said
4 District.

5 2. At such hearing, all persons interested shall be given an opportunity to
6 be heard. Said hearing may be continued from time to time as may be determined by the
7 City Council.
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9 3. The City Clerk shall notify all property owners within said District, as
10 shown on the last equalized assessment roll, and utilities concerned of the time and place
11 of such hearing by mailing a copy of this resolution to such property owners and utilities
12 concerned at least ten (10) days prior to the date of the hearing.
13

14 APPROVED and ADOPTED this ____ day of December 2006.
15

16 _____
17 GARY SILBIGER, Mayor
City of Culver City, California

18 ATTEST:
19

APPROVED AS TO FORM:
20

21 _____
CHRISTOPHER ARMENTA
City Clerk

22 _____
CAROL A. SCHWAB
City Attorney

23 CAS:JP/JR
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