



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91803-1331
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DONALD L. WOLFE, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: **C-1**

August 3, 2006

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**FORMATION OF ROSEMEAD BOULEVARD UNDERGROUND UTILITY DISTRICT
SUPERVISORIAL DISTRICT 5
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Instruct the Executive Officer of the Board to set a date for a public hearing on the Rosemead Boulevard Underground Utility District.
2. Instruct the Executive Officer of the Board to cause notice of the time, date, and place of the public hearing to be published in accordance with Section 6062a of the Government Code.

AFTER THE PUBLIC HEARING, IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that this project is exempt from the provisions of California Environmental Quality Act (CEQA) pursuant to Section 15302(d) of the Guidelines (conversion of overhead utilities to underground).
2. If no protests exist, adopt the enclosed Resolution establishing the Rosemead Boulevard Underground Utility District, and adopt the enclosed Ordinance amending Division 2 of Title 16 of the Los Angeles County Code, Undergrounding of Utilities Ordinance, by adding Section 16.34.266.

3. If protests exist and your Board determines the protests to be less than sufficient to require revision of the Resolution and Ordinance, overrule all protests, and adopt the enclosed Resolution establishing the Rosemead Boulevard Underground Utility District, and adopt the enclosed Ordinance amending Division 2 of Title 16 of the Los Angeles County Code, Undergrounding of Utilities Ordinance, by adding Section 16.34.266.
4. If protests exist and your Board determines the protests to be sufficient to require modifications to the Resolution and Ordinance, adopt the enclosed Resolution with modifications establishing the Rosemead Boulevard Underground Utility District, and adopt the enclosed Ordinance with modifications amending Division 2 of Title 16 of the Los Angeles County Code, Undergrounding of Utilities Ordinance, by adding Section 16.34.266.
5. If protests exist and your Board finds in favor of the protestants, adopt an order abandoning the Underground Utility District proceedings.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The proposed district would provide for the undergrounding of existing overhead electrical and communication facilities and would require future facilities of this type to be placed underground.

Pursuant to the provisions of the Undergrounding of Utilities Ordinance, Division 2 of Title 16 of the Los Angeles County Code, we have consulted with the affected utility companies and determined that the undergrounding of existing overhead electrical and communication facilities will eliminate the present concentration and avoid the future concentration of overhead electric and communication facilities and that Rosemead Boulevard and Duarte Road, in the areas described below, are extensively used by the general public and carry a heavy volume of traffic.

The proposed underground utility district, to be known as the Rosemead Boulevard Underground Utility District, extends for a distance of 13,720 feet and is described as follows:

Those portions of the unincorporated area of the County of Los Angeles described as follows: within a strip of land 180 feet wide lying 90 feet on each side of and parallel to the centerline of Rosemead Boulevard beginning at the City of Pasadena Boundary at the centerline of Foothill Boulevard, thence southerly approximately

1,120 feet along the centerline of Rosemead Boulevard to the centerline intersection of Rosemead Boulevard and Corta Calle; and within a strip of land 120 feet wide lying 60 feet on each side of and parallel to the centerline of Rosemead Boulevard beginning at the centerline intersection of Rosemead Boulevard and Corta Calle, thence southerly approximately 307 feet along the centerline of Rosemead Boulevard to the centerline intersection of Rosemead Boulevard and Colorado Boulevard; and within a strip of land 130 feet wide lying both 60 feet wide on the east side and 70 feet wide on the west side of and parallel to the centerline of Rosemead Boulevard beginning at the centerline intersection of Rosemead Boulevard and Colorado Boulevard, thence southerly approximately 5,850 feet along the centerline of Rosemead Boulevard to the south centerline intersection of Rosemead Boulevard and Huntington Drive; and within a strip of land 120 feet wide lying 60 feet on each side of and parallel to the centerline of Rosemead Boulevard beginning at the south centerline intersection of Rosemead Boulevard and Huntington Drive, thence southerly approximately 4,281 feet along the centerline of Rosemead Boulevard to the boundary line between the City of Temple City and County of Los Angeles approximately 563 feet south of the centerline of Ardenale Avenue; and that portion of the unincorporated area of the County of Los Angeles within a strip of land 120 feet wide lying 60 feet on each side of and parallel to the centerline of Duarte Road, beginning at a point 365 feet westerly of the centerline intersection of Duarte Road and Rosemead Boulevard as measured along the centerline of Duarte Road, thence easterly approximately 2,162 feet along the centerline of Duarte Road to a point 290 feet easterly of the centerline intersection of Duarte Road and Oak Avenue as measured along the centerline of Duarte Road, except the portion located in the City of Arcadia.

Implementation of Strategic Plan Goals

Formation of this underground utility district is consistent with the County Strategic Plan Goal of Service Excellence since it will improve the appearance of the area and enhance safety through the undergrounding of pole-mounted electrical and communication facilities.

FISCAL IMPACT/FINANCING

There is no cost to the County. With the exception of electrical lines, the cost of undergrounding the portion of existing overhead lines within the street right of way will be borne by affected utility companies. The cost of undergrounding the electrical lines and conversions of electrical services to adjacent residences and businesses from an overhead to an underground feed will be paid from California Public Utilities Commission Rule 20A funds.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Government Code Section 26230 contemplates that counties have the power and authority to implement underground utility Ordinances such as the proposed Ordinance.

In addition, on the basis of the California Public Utility Commission's (CPUC) decision in Case No. 8209 on September 19, 1967, each electrical utility company under the jurisdiction of the CPUC now sets aside a percentage of its revenues each year to be used for the purpose of placing underground its existing overhead wires and other facilities.

In its ruling, the CPUC prescribes that the governing body of the county in which funds are set aside by the utility for undergrounding overhead wires and other facilities must determine, after holding public hearings on the subject, that such undergrounding is in the general public interest for one or more of the following reasons:

- Such undergrounding will avoid or eliminate an unusually heavy concentration of overhead distribution facilities.
- Said street, road, or right of way is extensively used by the general public and carries a heavy volume of pedestrian and/or vehicular traffic.
- Said street, road, or right of way adjoins or passes through a civic area, public recreation area, or an area of unusual scenic interest to the general public.

In addition, the Ordinance creating an underground district in the area in which both the existing and new facilities are and will be located must require:

- That all existing overhead connection and electrical distribution facilities shall be removed.

--That each property owner served from such overhead distribution facilities shall provide all changes on his/her premises necessary to receive service from the underground facilities as soon as it is available.

--Must authorize the utility to discontinue its overhead service.

Last, the length of the undergrounding has to exceed the CPUC's minimum distance of one block or 600 feet, whichever is the lesser.

Pursuant to Section 16.32.060 of Division 2 of Title 16 of the Los Angeles County Code, a public hearing shall be held for the proposed underground utility district. If your Board so instructs the Executive Officer of the Board, notice of the public hearing will be publicized in a newspaper of general circulation. Written notice will be sent to the affected utility companies, property owners, and businesses within the proposed underground utility district advising them of the public hearing.

If after the public hearing your Board finds that, based on one or more of the reasons specified in Section 16.32.060, it is in the general public interest to declare the area along Rosemead Boulevard and Duarte Road within the above-described limits to be an underground utility district, you may adopt the enclosed Resolution, approved as to form by County Counsel, declaring and establishing the Rosemead Boulevard Underground Utility District and amending Division 2 of Title 16 of the Los Angeles County Code, Undergrounding of Utilities Ordinance, by adding Section 16.34.266 to said Ordinance. The proposed amendment to said Ordinance, approved as to form by County Counsel, with an analysis thereof is enclosed.

Pursuant to Sections 16.32.070 and 16.32.080 of Division 2 of Title 16 of the Los Angeles County Code, a written notice will be sent to the affected utility companies, property owners, and business owners within the proposed underground utility district advising them of their responsibility in regard to the undergrounding of the overhead facilities.

The Honorable Board of Supervisors
August 3, 2006
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ENVIRONMENTAL DOCUMENTATION

This project is categorically exempt pursuant to Class 1, Subsection (x)(21), of the revised Environmental Reporting Procedures and Guidelines adopted by your Board on November 17, 1987.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Improved appearance of the area and more reliable utility services will be provided to adjacent property owners due to the undergrounding.

CONCLUSION

Please return two copies of the adopted Ordinance and two adopted copies of this letter to Public Works.

Respectfully submitted,

DONALD L. WOLFE
Director of Public Works

EU:mt

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Enc.

cc: Chief Administrative Office
County Counsel

A RESOLUTION ESTABLISHING ROSEMEAD BOULEVARD UNDERGROUND
UTILITY DISTRICT PURSUANT TO DIVISION 2, TITLE 16, LOS ANGELES COUNTY
CODE

WHEREAS, pursuant to the provision of Section 16.32.060, Division 2 of Title 16 of the Los Angeles County Code, consultations have been held with Southern California Edison Company, Charter Communications, Southwestern Bell Communications and Verizon regarding utilities affected by the proposed establishment of an underground utility district along Rosemead Boulevard and Duarte Road within the unincorporated territory of the County of Los Angeles and,

WHEREAS, a Public Hearing upon the matter of the formation of said underground utility district has been duly noticed and held on _____;
and,

WHEREAS, this was the time and place for said Hearing, and the Board having heard and received all evidence presented, and being fully advised in the premises;

NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED AS FOLLOWS:

1. Rosemead Boulevard and Duarte Road, within the boundaries of said district, have an unusually heavy concentration of electrical facilities, are extensively used by the general public, and carry a heavy volume of vehicular traffic.
2. Within said district, existing overhead electrical and communication facilities shall be removed and replaced with underground electrical and communication facilities and any future or new electrical and communication facilities located within said district shall be underground facilities.
3. Undergrounding of existing overhead electrical and communication facilities within the said district will eliminate present and future concentrations of overhead electrical and communication facilities.
4. That it is in the general public interest that an underground utility district to be known as the "Rosemead Boulevard Underground Utility District" be established within the hereinafter described area.
5. The boundaries of the Rosemead Boulevard Underground Utility District are described as follows:

Those portions of the unincorporated area of the county of Los Angeles described as follows: within a strip of land 180 feet wide lying 90 feet on each side of and parallel to the centerline of Rosemead Boulevard beginning at the city of Pasadena Boundary at the centerline of Foothill Boulevard, thence southerly approximately 1,120 feet along the centerline of Rosemead Boulevard to the

centerline intersection of Rosemead Boulevard and Corta Calle; and within a strip of land 120 feet wide lying 60 feet on each side of and parallel to the centerline of Rosemead Boulevard beginning at the centerline intersection of Rosemead Boulevard and Corta Calle, thence southerly approximately 307 feet along the centerline of Rosemead Boulevard to the centerline intersection of Rosemead Boulevard and Colorado Boulevard; and within a strip of land 130 feet wide lying both 60 feet wide on the east side and 70 feet wide on the west side of and parallel to the centerline of Rosemead Boulevard beginning at the centerline intersection of Rosemead Boulevard and Colorado Boulevard, thence southerly approximately 5,850 feet along the centerline of Rosemead Boulevard to the south centerline intersection of Rosemead Boulevard and Huntington Drive; and within a strip of land 120 feet wide lying 60 feet on each side of and parallel to the centerline of Rosemead Boulevard beginning at the south centerline intersection of Rosemead Boulevard and Huntington Drive, thence southerly approximately 4,281 feet along the centerline of Rosemead Boulevard to the boundary line between the city of Temple City and county of Los Angeles approximately 563 feet south of the centerline of Ardenale Avenue; and that portion of the unincorporated area of the county of Los Angeles within a strip of land 120 feet wide lying 60 feet on each side of and parallel to the centerline of Duarte Road, beginning at a point 365 feet westerly of the centerline intersection of Duarte Road and Rosemead Boulevard as measured along the centerline of Duarte Road, thence easterly approximately 2,162 feet along the centerline of Duarte Road a point 290 feet easterly of the centerline intersection of Duarte Road and Oak Avenue as measured along the centerline of Duarte Road, except the portion located in the city of Arcadia.

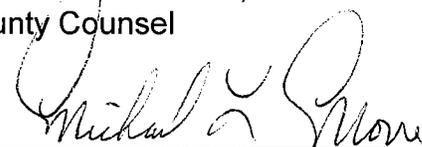
The foregoing resolution was on the _____ day of _____, 2006, adopted by the Board of Supervisors of the County of Los Angeles and ex-officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts.

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

Raymond G. Fortner, Jr.
County Counsel

By 
Deputy

ANALYSIS

This ordinance amends Title 16 - Highways of the Los Angeles County Code, "Undergrounding of Utilities," to create the Rosemead Boulevard Underground Utility District, which adds an additional area to those previously designated as underground utility districts.

The creation of the Rosemead Boulevard Underground Utility District provides that overhead electrical and communication facilities within the district will be removed and replaced with underground electrical and communication facilities and future electrical and communication facilities within the district will be underground facilities.

RAYMOND G. FORTNER, JR.
County Counsel

By 
MICHAEL L. MOORE
Deputy County Counsel
Public Works Division

MLM:gm

06/08/06 (requested)

06/29/06 (revised)

ORDINANCE NO. _____

An ordinance amending Title 16 - Highways of the Los Angeles County Code, relating to the Rosemead Boulevard Underground Utility District.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 16.34.266 is hereby added to Chapter 16.34 to read as follows:

16.34.266 Rosemead Boulevard Underground Utility District.

The following area shall constitute and be known as the Rosemead Boulevard Underground Utility District:

Those portions of the unincorporated area of the county of Los Angeles described as follows: within a strip of land 180 feet wide lying 90 feet on each side of and parallel to the centerline of Rosemead Boulevard beginning at the city of Pasadena Boundary at the centerline of Foothill Boulevard, thence southerly approximately 1,120 feet along the centerline of Rosemead Boulevard to the centerline intersection of Rosemead Boulevard and Corta Calle; and within a strip of land 120 feet wide lying 60 feet on each side of and parallel to the centerline of Rosemead Boulevard beginning at the centerline intersection of Rosemead Boulevard and Corta Calle, thence southerly approximately 307 feet along the centerline of Rosemead Boulevard to the centerline intersection of Rosemead Boulevard and Colorado Boulevard; and within a strip of land 130 feet wide lying both 60 feet wide on the east side and 70 feet wide on the west side of and parallel to the centerline of Rosemead Boulevard beginning at the centerline intersection of Rosemead Boulevard and Colorado Boulevard, thence southerly

approximately 5,850 feet along the centerline of Rosemead Boulevard to the south centerline intersection of Rosemead Boulevard and Huntington Drive; and within a strip of land 120 feet wide lying 60 feet on each side of and parallel to the centerline of Rosemead Boulevard beginning at the south centerline intersection of Rosemead Boulevard and Huntington Drive, thence southerly approximately 4,281 feet along the centerline of Rosemead Boulevard to the boundary line between the city of Temple City and county of Los Angeles approximately 563 feet south of the centerline of Ardenale Avenue; and that portion of the unincorporated area of the county of Los Angeles within a strip of land 120 feet wide lying 60 feet on each side of and parallel to the centerline of Duarte Road, beginning at a point 365 feet westerly of the centerline intersection of Duarte Road and Rosemead Boulevard as measured along the centerline of Duarte Road, thence easterly approximately 2,162 feet along the centerline of Duarte Road to a point 290 feet easterly of the centerline intersection of Duarte Road and Oak Avenue as measured along the centerline of Duarte Road, except the portion located in the city of Arcadia.

[1634266-MMCC]

INSTRUCTION SHEET FOR PUBLISHING
LEGAL ADVERTISEMENTS

TO: Executive Officer of the Board
Board of Supervisors
County of Los Angeles

FROM: Department of Public Works
Construction Division

**NOTICE OF HEARING
ROSEMEAD BOULEVARD UNDERGROUND UTILITY DISTRICT**

Publishing

Pursuant to Section 16.32.060 of Division 2 of Title 16 of the Los Angeles County Code, a public hearing shall be held prior to the formation of an underground utility district. As a courtesy to the residents and the surrounding community and as may be required by the Board, we request the Executive Officer of the Board publish a notice of hearing in the manner prescribed by Section 6062a of the Government Code.

Forward three reprints of the attached advertisement to the County of Los Angeles Department of Public Works, Construction Division, P.O. Box 1460, Alhambra, California 91802-1460.

Should there be any questions regarding this matter, please contact Mr. Daryll Chenoweth at (626) 458-3109, Monday through Thursday, 7 a.m. to 5:30 p.m.

DWC:mt

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Attach.

**NOTICE OF HEARING
ROSEMEAD BOULEVARD UNDERGROUND UTILITY DISTRICT**

Notice is hereby given that a project analysis by the Director of Public Works has been filed with the Board of Supervisors of the County of Los Angeles (Board) recommending the adoption of a resolution establishing the Rosemead Boulevard Underground Utility District. The proposed district would provide for the undergrounding of existing overhead electrical and communication facilities along Rosemead Boulevard from Foothill Boulevard to the Temple City boundary and along Durate Road from 365 feet westerly of the centerline of Rosemead Boulevard to the City of Arcadia boundary. It would also require future facilities of this type to be placed underground.

Tuesday, August 22, 2006, at 9:30 a.m., in the Board's Hearing Room of the Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012, is the time and place that has been fixed by the Board to consider this matter. Any person wishing to be heard on this matter may appear before the Board and show cause why the establishment of this undergrounding district should not be adopted.

For further information regarding this matter, please telephone Daryll W. Chenoweth of the County of Los Angeles Department of Public Works, Construction Division, Utility Coordination Unit, at (626) 458-3109, Monday through Thursday, 7 a.m. to 5:30 p.m.

Upon 72 hours' notice, the County can provide program information and publications in alternate formats or make other accommodations for people with disabilities. In addition, documents are available at the Kenneth Hahn Hall of Administration in Los Angeles (500 West Temple Street), which is accessible to individuals with disabilities. To request accommodations ONLY or for more Americans with Disabilities Act (ADA) information, please contact our ADA Coordinator at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, 7 a.m. to 5:30 p.m.

Si, no entiende este anuncio o necesita mas informacion, por favor llame a Daryll W. Chenoweth del Departamento de Obras Publicas al (626) 458-3109, de lunes a jueves, 7 a.m. a 5:30 p.m.

DWC:mt

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