



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
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ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

GAIL FARBER, Director

November 27, 2012

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

Dear Supervisors:

PUBLIC HEARING
NOGALES STREET UNDERGROUND UTILITY DISTRICT
(SUPERVISORIAL DISTRICT 4)
(3 VOTES)

SUBJECT

These actions are to adopt the Resolution establishing the Nogales Street Underground Utility District; and adopt the Ordinance amending Division 2 of Title 16 of the Los Angeles County Code, Undergrounding of Utilities Ordinance, by adding Section 16.34.335.

IT IS RECOMMENDED THAT THE BOARD:

AFTER THE PUBLIC HEARING:

1. Find that this project is exempt from the provisions of the California Environmental Quality Act for the reasons stated in this letter and in the record of the project.
2. If no protests exist, adopt the Resolution establishing the Nogales Street Underground Utility District, and adopt the Ordinance amending Division 2 of Title 16 of the Los Angeles County Code, Undergrounding of Utilities Ordinance, by adding Section 16.34.335.
3. If protests exist and the Board determines the protests to be less than sufficient to require revision of the Resolution and Ordinance, overrule all protests and adopt the Resolution establishing the Nogales Street Underground Utility District and adopt the Ordinance amending Division 2 of Title 16 of the Los Angeles County Code, Undergrounding of Utilities Ordinance, by adding Section 16.34.335.

4. If protests exist and the Board determines the protests to be sufficient to require modifications to the Resolution and Ordinance, adopt the Resolution with modifications establishing the Nogales Street Underground Utility District and adopt the Ordinance with modifications amending Division 2 of Title 16 of the Los Angeles County Code, Undergrounding of Utilities Ordinance, by adding Section 16.34.335.

5. If protests exist and the Board finds in favor of the protestants, adopt an order abandoning the Nogales Street Underground Utility District proceedings.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The proposed Nogales Street Underground Utility District (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, the Department of Public Works (Public Works) has consulted with the affected utility companies and determined that existing conditions at the subject area support the establishment of the proposed District. The establishment of the proposed District is recommended because the undergrounding of existing overhead electrical and communication facilities will eliminate the present concentration and avoid the future concentration of overhead electrical and communication facilities; and because Nogales Street, in the area described below, is extensively used by the general public, conveys a heavy volume of vehicular traffic and passes through a civic area. In addition, the proposed project will eliminate potential risks to safety of the general public caused by downed power poles/lines and interruptions of service caused by vehicular or storm damage to utility poles/lines.

The District extends for a distance of approximately 3,667 feet and is depicted in Exhibit A of the Resolution and is described as follows:

That portion of the unincorporated area of the County of Los Angeles, within a strip of land 100 feet wide lying 50 feet on each side of and parallel to the centerline of Nogales Street, beginning at the intersection of the centerline of Killian Avenue and Nogales Street; thence northerly along the centerline of Nogales Street, a distance of sixty-three (63) feet to the true point of beginning; thence continuing northerly along the centerline of Nogales Street, a distance of 1,822 feet to its intersection with the prolongation of the centerline of Nogales Street from the north; thence northerly along said prolongation a distance of 1,845 feet.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Integrated Services Delivery (Goal 3) and Public Safety (Goal 5) which will improve the appearance and enhance safety in the area.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The cost to underground the electrical lines and convert electrical services to adjacent residences and businesses from an overhead to underground feed, estimated at \$4.1 million, will be funded by

California Public Utility Commission (CPUC) Tariff Rule 20A funds available to Southern California Edison (SCE). The cost of undergrounding other existing overhead utility lines within the street right of way will be borne by the affected utility.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Government Code Section 26230 contemplates that counties have the power and authority to implement underground utility districts such as the one proposed in this ordinance.

In addition, on the basis of the CPUC's decision in Case No. 8209 on September 19, 1967, each electrical utility company under the jurisdiction of the CPUC's 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's 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 a public hearing on the subject, that such undergrounding is in the general public interest. Pursuant to Section 16.32 of the Los Angeles County Code, the Board's finding that the formation of the underground utility district is in the public interest may be based on 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; and

--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 utility district in the area in which both the existing and new facilities are and will be located must require:

--That all existing overhead communication and electrical distribution facilities shall be removed and replaced with underground facilities, and

--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, and

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

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 District. Notice of the public hearing will be publicized in a newspaper of general circulation per California Government Code Section 6062a.

If, after the public hearing, the Board finds that based on one or more of the reasons specified in Section 16.32.060, it is in the general public's interest to declare the area along Nogales Street within the above described limits to be an underground utility district, the Board may adopt the enclosed Resolution, approved as to form by County Counsel, declaring and establishing the District and amending Division 2 of Title 16 of the Los Angeles County Code, Undergrounding of Utilities Ordinance, by adding Section 16.34.335 to said Ordinance.

The proposed amendment to Title 16, 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 and property owners within the proposed District advising them of their responsibility in regard to the undergrounding of the overhead facilities. The cost for the first 100 feet of trench and conduit for undergrounding of the electrical distribution facilities will be paid by SCE under the terms of its CPUC Rule 20A Tariff. All work on adjacent property in the proposed District is within this 100-foot conversion area covered by CPUC Rule 20A Tariff Funds.

ENVIRONMENTAL DOCUMENTATION

This project is categorically exempt from the California Environmental Quality Act (CEQA). The project, to provide for the undergrounding of existing overhead electrical and communication facilities within the portions of Nogales Street, is within a class of projects that has been determined not to have a significant effect on the environment in that it meets the criteria set forth in Section 15302(d) of the State CEQA Guidelines and Class 1, Subsection (x)(21), of the revised Environmental Reporting Procedures and Guidelines adopted by the Board on November 17, 1987. In addition, the project is not in a sensitive environment, and there are no cumulative impacts, unusual circumstances, or other limiting factors that would make the exemption inapplicable based on the project records.

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, two copies of the adopted Resolution, and two adopted copies of this letter to the Department of Public Works, Construction Division.

The Honorable Board of Supervisors

11/27/2012

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Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The signature is written in a cursive, flowing style.

GAIL FARBER

Director

SMD:lg

Enclosures

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office
Internal Services Department (Countywide
Contract Compliance)

RESOLUTION ESTABLISHING THE NOGALES STREET
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, Los Angeles County Code, consultations have been held with utilities affected by the proposed establishment of an underground utility district along Nogales Street within the unincorporated territory of the County of Los Angeles, including Southern California Edison Company, Verizon, and Time Warner Cable and,

WHEREAS, a Public Hearing upon the matter of the formation of said underground utility district has been duly noticed and held on November 27, 2012; 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. Nogales Street, within the boundaries of said district, is extensively used by the general public, carries a heavy volume of vehicular traffic, and adjoins or passes through a civic area.
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 "Nogales Street Underground Utility District" be established within the hereinafter described area.
5. The boundaries of the Nogales Street Underground Utility District are depicted in the attached Exhibit A and described as follows:

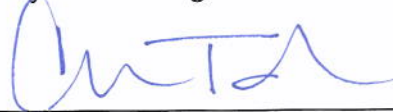
The following area shall constitute and be known as the Nogales Street Underground Utility District:

That portion of the unincorporated area of the County of Los Angeles, within a strip of land one hundred feet (100) wide lying fifty (50) feet on each side of and parallel to the centerline of Nogales Street, beginning at the intersection of the centerline of Killian Avenue and Nogales Street; thence northerly along the centerline of Nogales Street, a distance of (sixty-three) (63) feet to the true point of beginning; thence continuing northerly along the centerline of Nogales Street, a distance of one thousand eight hundred twenty-two (1,822) feet to its intersection with the prolongation of the centerline of Nogales Street from the north; thence northerly along said prolongation a distance of one thousand eight hundred forty-five (1,845) feet.

The foregoing Resolution was on the 27th day of November, 2012, 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:

JOHN F. KRATTLI
County Counsel

By 
CAROLE B. SUZUKI
Deputy County Counsel
Public Works Division

SMD:lg

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Enc.

EXHIBIT A

SEE SHEET 1



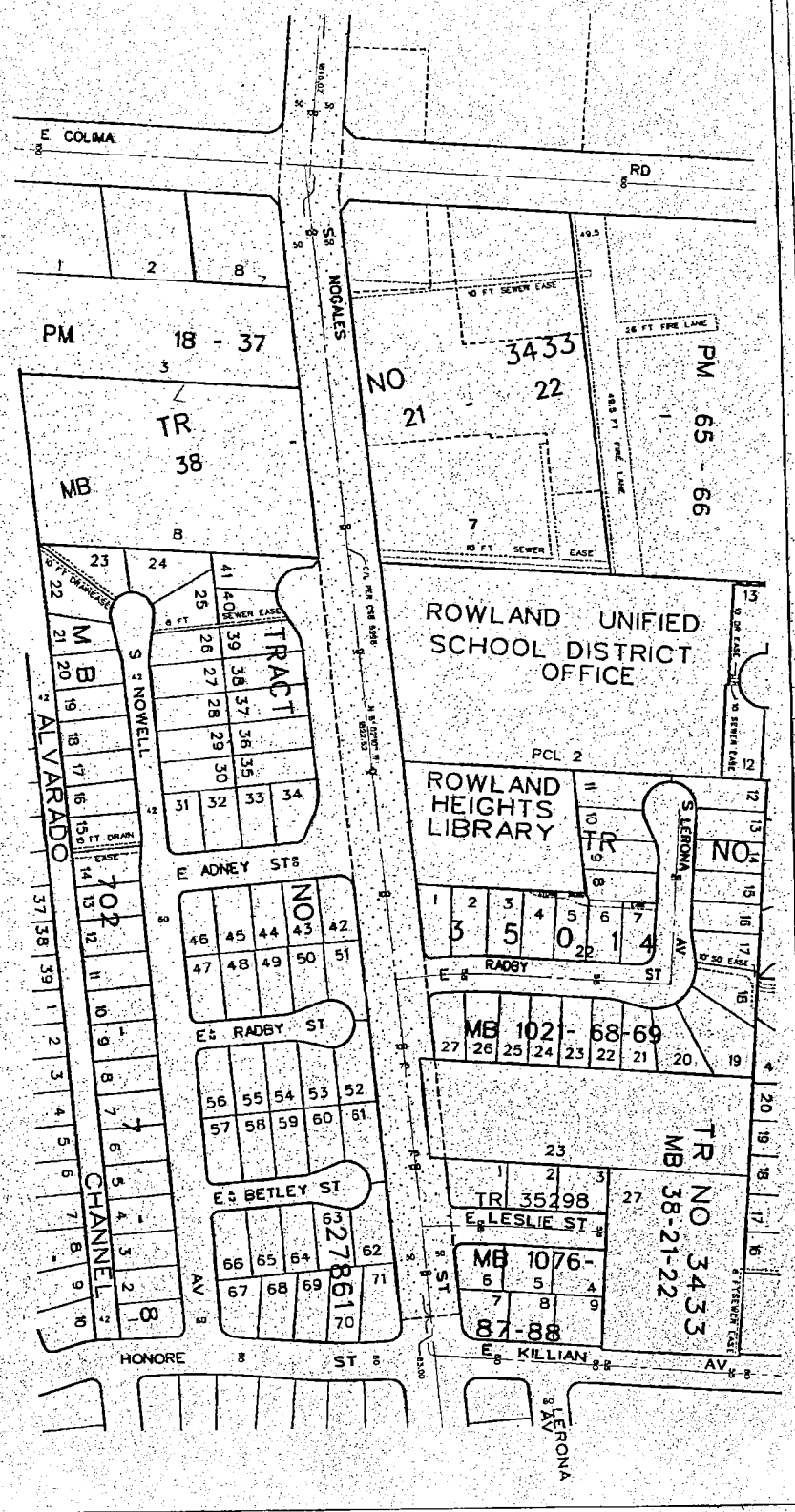
RECORD DISTANCES SHOWN IN FEET UNLESS OTHERWISE INDICATED.
 DISTANCES SHOWN IN SQUARE FEET UNLESS OTHERWISE INDICATED.
 AREAS SHOWN IN SQUARE FEET UNLESS OTHERWISE INDICATED.
 THE BASIS OF BEARING FOR SHEETS 1 AND 2 IS 5298.
 CENTERLINE OF NOVALES ST IS 35'.

ALL IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES

LEGEND:

RANCHO LA PUENTE
 P1 - 43 - 44

REFERENCES:	REVISED	PREPARED BY:	COUNTY OF LOS ANGELES
TO 6178 104 4 893	R. DRUM		DEPARTMENT OF PUBLIC WORKS
IN 099-311		CHECKED BY:	DIRECTOR OF PUBLIC WORKS
		BY CHENG	
		BY DIRECTION BY:	
		DATE:	PROPOSED NOVALES STREET UNDERGROUND TUNNEL DISTRICT
		FEBRUARY 15, 2012	SHEET 2 OF 2 SHEETS



ROWLAND UNIFIED SCHOOL DISTRICT OFFICE

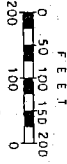
ROWLAND HEIGHTS LIBRARY

PCL 2

MB 1021-68-69

TR NO 3433
 MB 38-21-22

MB 1076-87-88

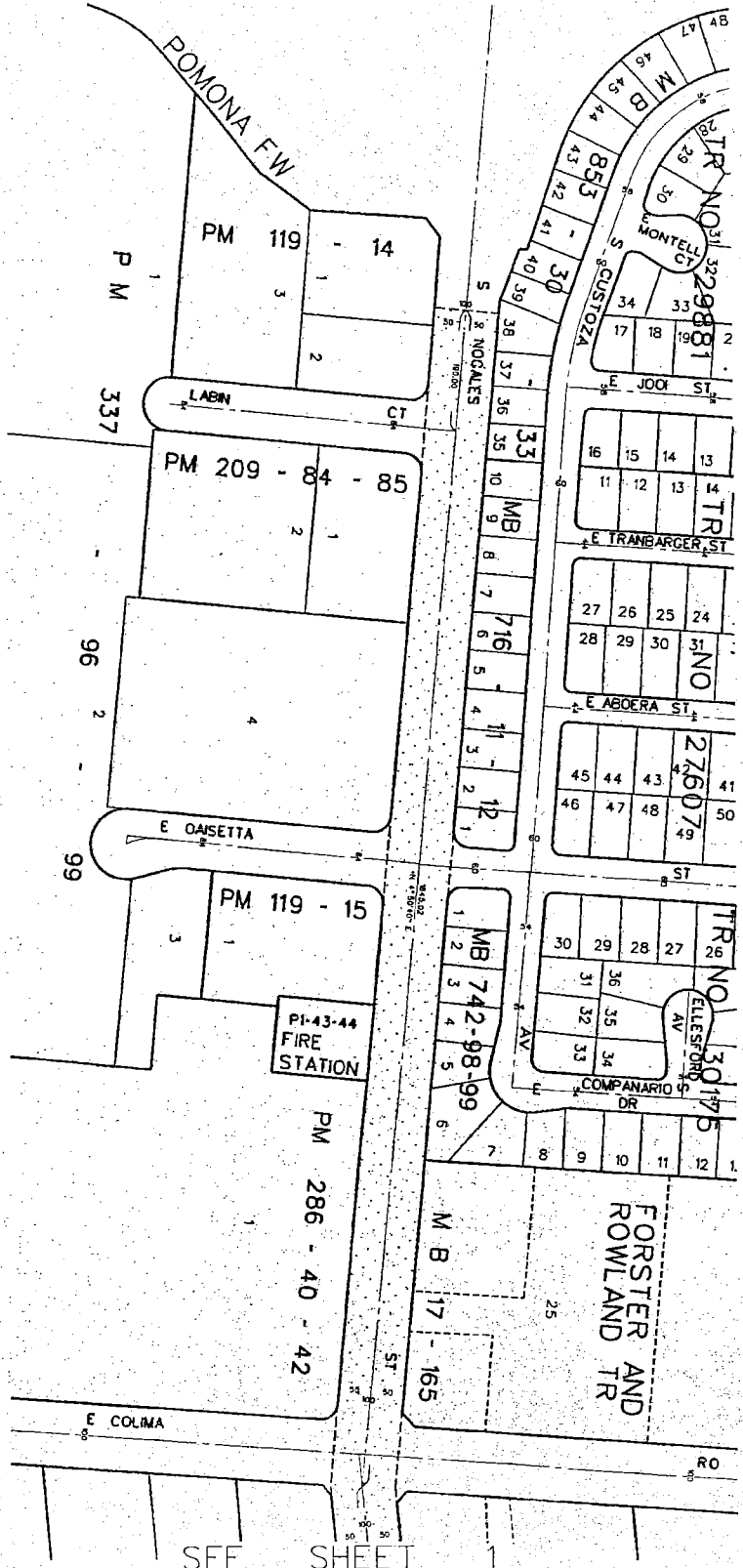


LEGEND

RECORD DISTANCES SHOWN IN ()
 DISTANCES SHOWN IN FEET UNLESS OTHERWISE INDICATED.
 AREAS SHOWN IN SQUARE FEET UNLESS OTHERWISE INDICATED.
 THE BEARING OF BEARING IS SHOWN ON CSB 5288
 THIS BEARING IS CALCULATED BY ROTATING THE BEARINGS SHOWN
 ON CSB 5200 TO THE BASIS OF BEARING OF THIS MAP.

ALL IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES

RANCHO LA PUENTE
P1 - 43 - 44



REVISED	PREPARED BY:	COUNTY OF LOS ANGELES
TC 679 068 A G31	R DRUMANO	DEPARTMENT OF PUBLIC WORKS
TM 099-311	CHECKED BY:	DIRECTOR OF PUBLIC WORKS
	H CHENG	
	BY DIRECTION OF:	PROJECT NAME
	DATE:	PROPOSED NOGALES STREET UNDERGROUND (UUG)
	FEBRUARY 15, 2012	
		SHEET 1 OF 2 SHEETS

SEE SHEET 1



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

JOHN F. KRATTLI
County Counsel

August 22, 2012

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E-MAIL
csuzuki@counsel.lacounty.gov

Gail Farber, Director
Department of Public Works
900 South Fremont Avenue
Alhambra, California 91803

Attention: Stephen M. Dunn, Utility Chief
Construction Division

**Re: Ordinance Amending Title 16 – Highways
of the Los Angeles County Code**

Dear Ms. Farber:

Enclosed please find the proposed analysis and ordinance to add Section 16.34.335 to Title 16 of the Los Angeles County Code to establish the Nogales Street Underground Utility District.

This analysis and ordinance may be presented to the Board of Supervisors for its consideration at a noticed public hearing.

Very truly yours,

JOHN F. KRATTLI
County Counsel

By *Carole B. Suzuki*
CAROLE B. SUZUKI
Deputy County Counsel
Public Works Division

APPROVED AND RELEASED:
John F. Krattli (for)
JOHN F. KRATTLI
County Counsel

CBS:gjv

Enclosure

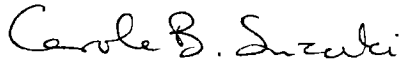
HOA.907091.1

ANALYSIS

This Ordinance amends Title 16 – Highways, of the Los Angeles County Code, "Undergrounding of Utilities," to create the Nogales Street Underground Utility District, as an additional area to those previously designated as underground utility districts.

The creation of the Nogales Street Underground Utility District will require that overhead electrical and communication facilities within the district be removed and replaced with underground electrical and communication facilities, and future electrical and communication facilities within the district will be underground facilities.

JOHN F. KRATTLI
County Counsel

By 
CAROLE B. SUZUKI
Deputy County Counsel
Public Works Division

CBS:gjv

Requested: 08/03/12
Revised: 08/20/12

ORDINANCE NO. _____

An Ordinance amending Title 16 – Highways of the Los Angeles County Code, relating to the Nogales Street Underground Utility District.

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

SECTION 1. Section 16.34.335 is hereby added to Chapter 16.34 to read as follows:

16.34.335 Nogales Street Underground Utility District.

The following area shall constitute and be known as the Nogales Street Underground Utility District:

That portion of the unincorporated area of the County of Los Angeles, within a strip of land one hundred (100) feet wide lying fifty (50) feet on each side of and parallel to the centerline of Nogales Street, beginning at the intersection of the centerline of Killian Avenue and Nogales Street; thence northerly along the centerline of Nogales Street, a distance of sixty-three (63) feet to the true point of beginning; thence continuing northerly along the centerline of Nogales Street, a distance of one thousand eight hundred twenty-two (1,822) feet to its intersection with the prolongation of the centerline of Nogales Street from the north; thence northerly along said prolongation a distance of one thousand eight hundred forty-five (1,845) feet.

[1634335CSCC]

LEGAL DESCRIPTION

That portion of the RANCHO LA PUENTE, as shown on map recorded in Book 1, pages 43 and 44, of Patents, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, within a strip of land 100 feet wide, lying 50 feet on each side of the following described centerline:

Commencing at the intersection of the centerline of KILLIAN AVENUE and the centerline of NOGALES STREET, as said intersection and both said centerlines are shown on County Surveyor's Map No. B-5298, on file in the office of the Director of the Department of Public Works of said county; thence northerly along said centerline of NOGALES STREET, a distance of 63.00 feet to the **TRUE POINT OF BEGINNING**; thence continuing northerly along said last-mentioned centerline, a distance of 1822.52 feet to its intersection with the prolongation of the centerline of NOGALES STREET, as said last-mentioned centerline is shown on Parcel Map No. 10896, filed in Book 119, page 14, of Parcel Maps, in the office of said Registrar-Recorder/County Clerk; thence northerly along said prolongation and said last-mentioned centerline of NOGALES STREET, a distance of 1845.02 feet to a point, said point being distant 190.00 feet northerly along said last-mentioned centerline from the intersection of said last-mentioned centerline and the centerline of LABIN COURT, as both said last-mentioned intersection and centerline are shown on said Parcel Map.

The sidelines of the above-described 100-foot wide strip of land shall be shortened or prolonged at their angle points so as to terminate at their point of intersections.