

RESOLUTION NO. 5333(06)

**A Resolution Of The Council Of The City Of Lompoc,
County Of Santa Barbara, State of California,
Establishment of Underground Utility District Number (LUD-5)**

WHEREAS, in accordance with Lompoc City Code Section 3396.10, on March 21, 2006, the City Council called for a public hearing to ascertain whether the public necessity, health, safety and welfare required the removal of poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication or similar associated services in the utility District described in Exhibit "A"; and

WHEREAS, notice of such public hearing has been given to all affected property owners, and utilities concerned in the matter and for the time required by law; and

WHEREAS, such was held on April 4, 2006, and all persons interested have been given an opportunity to be heard;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMPOC, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council hereby finds and determines that the public necessity, health, safety and welfare requires the removal of poles, overhead wires and associated structures, and the underground installation of wires and facilities for supplying electric, communications, or similar or associated service on all of that certain area lying within the District boundary as shown on the map entitled "Underground Utility District No. LUD-5", which is hereby referred to and incorporated herein as though set forth in full, for the reason that such removal and installation will avoid or eliminate an unusually heavy concentration of overhead facilities, and such described area is hereby established as Underground Utility District No. LUD-5.

SECTION 2. All poles, overhead wires and associated structures shall be removed and underground installations made in said Underground Utility District within the following times:

- A. Underground installation by the City's Electrical Division no later than the 31st day of December 2007.
- B. Underground installation by the Telephone Company and Comcast Cable by the 31st day of December 2007.
- C. Underground installation by property owners no later than 31st day of December 2007.
- D. Removal of poles, overhead wires and other associated overhead structures within the District by utility companies not later than the 31st day of December 2007.

SECTION 3. The City Clerk shall within thirty (30) days after the adoption of this Resolution, give the notices required by Section 3396.15 of the Lompoc City Code to all affected utilities and City Departments and all affected property owners, within the District created by this Resolution. Such notice shall include notifying affected property owners of the necessity that, if they or any person occupying such property desire to continue to received electric, communication or similar or associated service, they or such occupants shall provide all necessary facility changes on their premises so as to receive such service from the lines of the supplying utilities at a new location.

SECTION 4. In accordance with Lompoc City Code Section 3396.20, the City Clerk shall file by map, or otherwise, the description of the area comprising the District, for recordation by the Recorder of Santa Barbara County.

SECTION 5. This Resolution shall be in full force and effect upon its adoption.

The above and foregoing Resolution was proposed by _____, seconded by Councilmember _____, and was duly passed and adopted by the Council of the City of Lompoc at its regular meeting on May 15, 2006, by the following vote:

AYES: Councilmember:

NOES: Councilmember:

ABSENT: Councilmember:

Dick DeWees, Mayor
City of Lompoc

ATTEST:

Donna Terrones
City Clerk, City of Lompoc