

RESOLUTION NO. 2022-

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES, STATE OF CALIFORNIA, DECLARING ITS INTENTION TO ESTABLISH UNDERGROUND UTILITY DISTRICT

WHEREAS, the current Town of Mammoth Lakes requires commercial property owners to underground utilities along their property frontage as a part of new building construction or as a part of building additions, which results in the incremental relocation of utilities from aerial to underground locations over a long period of time; and

WHEREAS, undergrounding utilities is in the interest of public health and safety; and

WHEREAS, undergrounding utilities improves corridor aesthetics and utility system reliability; and

WHEREAS, undergrounding utilities results in fewer utility pole conflicts with driveways, landscaping, pedestrian walkways, and vehicular facilities; and

WHEREAS, the Town of Mammoth Lakes is reconstructing portions of Laurel Mountain Road to include utility and pedestrian improvements; and

WHEREAS, undergrounding in this portion of Laurel Mountain Road corridor will avoid or eliminate an unusually heavy concentration of overhead utility lines; and

WHEREAS, the portion of Laurel Mountain Road along which utilities will be undergrounded, is a major collector road that serves commercial and residential uses and is extensively used by the general public, and carries a heavy volume of pedestrian and vehicular traffic; and

WHEREAS, the Town of Mammoth Lakes Town Council desires to establish underground utility districts in the along Laurel Mountain Road.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES DOES RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

1. That the Town Council intends to establish Underground Utility District Number 2022-01 along the Laurel Mountain Road corridor comprised of the following area:

All of the area in the County of Mono, Town of Mammoth Lakes, encompassing the area contiguous with Laurel Mountain Road between Main Street (SR203) and Tavern Road, inclusive of Tavern Road approximately 100' east and west of the intersection of Laurel Mountain Road. All as more particularly described on that certain map entitled "Proposed Underground Utility District No. 2022-01" on file in the office of the Town Clerk and attached hereto and incorporated herein by reference.

2. From and after the effective date of the establishment of the proposed Underground Utility District 2022-01, no person or utility shall erect or construct within Underground Utility District 2022-01 any pole, overhead lines or associated overhead structure used or useful in supplying electric, communications or similar associated services.
3. Within 180 days from the date of completion of underground facilities within Underground Utility District 2022-01 to be constructed by owners or users of aboveground utility facilities subject to a

utility undergrounding ordinance adopted by the Town all overhead lines and associated structures used or useful in supplying electric, communication or similar and associated services in the proposed Underground Utility District 2022-01 shall be removed, and from and after the date no person or utility shall use or maintain such facilities within the proposed Underground Utility District 2022-01. Additional notice shall be given after the completion date has been precisely determined.

4. NOTICE IS HEREBY GIVEN that a Public Hearing shall be scheduled on April 6, 2022, at the hour of 4:00 PM, in the regular meeting place of the Town Council located at 437 Old Mammoth Road Suite Z, Mammoth Lakes, California, and is hereby fixed as the time and place when and where the Town Council shall hear all protests and receive evidence for and against the action herein proposed, and when and where the Town Council shall consider and finally determine whether the public necessity, health, and safety require the establishment of Underground Utility District 2022-01 and the removal of poles, overhead wires, and associated overhead structures, and the underground installation of wires and facilities for supplying electric, communication, and similar and associated services in Underground Utility District 2022-01 hereinabove described.
5. At the public hearing, all persons interested shall be given the opportunity to be heard. The hearing may be continued to another date and time as determined by the Town Council.
6. The Town of Mammoth Lakes Public Works Director is hereby designated as the person to answer inquiries regarding the protest proceedings, to be had herein and may be contacted during regular office hours at 437 Old Mammoth Road Suite Z, Mammoth Lakes, California or by calling 760-965-3650 or via email hhayes@townofmammothlakes.ca.gov.
7. The Town Clerk shall give notice of the public hearing by publishing notice of the public hearing and the Public Work Director shall mail copies of this resolution to all property owners within the proposed Underground Utility District 2022-01 as shown on the last equalized tax roll of the Town of Mammoth Lakes, and to all utilities supplying electric, communication or similar or associated services within the proposed Underground Utility District 2022-01. The mailing shall be completed at least 14 days prior to the date of the public hearing.

APPROVED AND ADOPTED THIS 16th DAY OF MARCH 2022.

ATTEST:

LYNDA SALCIDO, Mayor

JAMIE GRAY, Town Clerk