



ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input checked="" type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Patricia Friend  Agenda Item No. I-6

Reviewed By: City Manager  City Attorney  Finance  Other (Specify) _____

DATE: November 7, 2012

TO: City Council

FROM: Michael Henderson, General Services Superintendent 
City Manager Department

SUBJECT: City Easement to Southern California Edison for Underground Utility District No. 19, Future Campus Park, 937 W. 5th Street

RECOMMENDATION

That City Council approve and authorize the Mayor to execute a Grant of Easement to Southern California Edison ("Edison") for the Underground Utility District No. 19 along Fifth Street and K Street so that Edison may adhere to City Resolution No. 13,961.

DISCUSSION

In order to complete the undergrounding of Edison's existing overhead electrical facilities in accordance with the City of Oxnard Resolution No. 13,961 which formed the Underground Utility District No. 19 along Fifth Street and K Street for the new Campus Park to be located at 937 West 5th Street, this easement must be signed and properly executed by the City. There will be minimal construction work on City property and after completion of the work, the property shall be restored to as near as possible to its previous condition. Construction on this property is currently planned to begin in June of 2013.

FINANCIAL IMPACT

There is no cost to the City for granting this easement.

MH/pcf

- Attachment #1 – Grant of Easement
- #2 – Resolution No. 13,961
- #3 – Edison Drawing of Work Site

RECORDING REQUESTED BY



SOUTHERN CALIFORNIA
EDISON

An EDISON INTERNATIONAL Company

WHEN RECORDED MAIL TO
SOUTHERN CALIFORNIA EDISON COMPANY

Real Properties
2131 Walnut Grove Avenue, 2nd Floor
Rosemead, CA 91770

Attn: Distribution/TRES
Mail Tax Statements: N/A

COPY

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**GRANT OF
EASEMENT**

DOCUMENTARY TRANSFER TAX \$ NONE (VALUE AND CONSIDERATION LESS THAN \$100.00)	DISTRICT	WORK ORDER	IDENTITY	MAP SIZE
	Thousand Oaks	TD518929	n/a	
SCE Company	FIM 30-25D-4	APPROVED:	BY	DATE
SIG. OF DECLARANT OR AGENT DETERMINING TAX FIRM NAME	APN 202-0-010-720	REAL PROPERTIES	SLS/GB	6/21/12

CITY OF OXNARD, a municipal corporation (hereinafter referred to as "Grantor"), hereby grants to SOUTHERN CALIFORNIA EDISON COMPANY, a corporation, its successors and assigns (hereinafter referred to as "Grantee"), an easement and right of way to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time underground electrical supply systems and communication systems (hereinafter referred to as "systems"), consisting of wires, underground conduits, cables, vaults, manholes, handholes, and including above-ground enclosures, markers and concrete pads and other appurtenant fixtures and equipment necessary or useful for distributing electrical energy and for transmitting intelligence by electrical means, in, on, over, under, across and along that certain real property in the County of Ventura, State of California, described as follows:

A 6.00 FOOT WIDE STRIP OF LAND LYING WITHIN A PORTION OF SUBDIVISION 28 AS SHOWN AND DELINEATED ON A MAP ENTITLED "MAP OF RANCHO EL RIO DE SANTA CLARA O'LA COLONIA" PARTITIONED BY AN ORDER OF THE 1ST JUDICIAL DISTRICT COURT OF THE STATE OF CALIFORNIA AND FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID PORTION IS MORE PARTICULARLY DESCRIBED IN PARCEL 3 OF THE DEED TO THE GRANTOR HEREIN RECORDED ON MAY 22, 2002 AS DOCUMENT NO. 2002-0121329 OF OFFICIAL RECORDS IN THE OFFICE OF SAID COUNTY RECORDER, THE CENTERLINE OF SAID STRIP IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF FIFTH STREET WITH THE CENTERLINE OF K STREET, AS SAID INTERSECTION IS SHOWN ON A RECORD OF SURVEY FILED IN BOOK 24, PAGE 91 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE ALONG THE CENTERLINE OF K STREET, NORTH 00°00'45" EAST 554.00 FEET; THENCE SOUTH 89°59'15" EAST 40.00 FEET TO THE EASTERLY LINE OF K STREET AND THE **TRUE POINT OF BEGINNING**; THENCE SOUTH 30°34'39" EAST 16.65 FEET; THENCE SOUTH 89°59'15" EAST 15.00 FEET TO A POINT OF ENDING.

THE SIDELINES OF SAID STRIP ARE TO BE PROLONGED OR SHORTENED TO JOIN AT THE ANGLE POINT AND TO TERMINATE NORTHWESTERLY IN SAID EASTERLY LINE.

This legal description was prepared pursuant to Sec. 8730(c) of the Business & Professions Code.

ATTACHMENT NO. 1
PAGE 1 OF 4

Grantor agrees for himself, his heirs and assigns, not to erect, place or maintain, nor to permit the erection, placement or maintenance of any building, planter boxes, earth fill or other structures except walls and fences on the above described real property. The Grantee, and its contractors, agents and employees, shall have the right to trim or cut tree roots as may endanger or interfere with said systems and shall have free access to said systems and every part thereof, at all times, for the purpose of exercising the rights herein granted; provided, however, that in making any excavation on said property of the Grantor, the Grantee shall make the same in such a manner as will cause the least injury to the surface of the ground around such excavation, and shall replace the earth so removed by it and restore the surface of the ground to as near the same condition as it was prior to such excavation as is practicable.

EXECUTED this _____ day of _____, 20__.

GRANTOR

CITY OF OXNARD, a municipal corporation

Signature

Dr. Thomas E. Holden
Print Name

Mayor
Title

Signature

Print Name

Title

GRANTEE

SOUTHERN CALIFORNIA EDISON COMPANY,
a corporation

Dino J. LaBanca,
Real Properties Department

Date _____

State of California)

County of _____)

On _____ before me, _____, personally
(here insert name and title of the officer)

appeared _____
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal.

Signature _____

(This area for notary stamp)

State of California)

County of _____)

On _____ before me, _____, personally
(here insert name and title of the officer)

appeared _____
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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Signature _____

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State of California)

County of _____)

On _____ before me, _____, personally
(here insert name and title of the officer)

appeared _____
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WITNESS my hand and official seal.

Signature _____

(This area for notary stamp)

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 13,961

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD
DECLARING THE FORMATION OF UNDERGROUND UTILITY
DISTRICT NO. 19 AND ORDERING REMOVAL AND
UNDERGROUNDING OF POLES, OVERHEAD WIRES AND
ASSOCIATED OVERHEAD STRUCTURES ADJOINING THE FUTURE
SITE OF CAMPUS PARK**

WHEREAS, on April 19, 2011, the City Council conducted a public hearing to ascertain whether the public necessity, health, safety or welfare requires formation of an underground utility district for the removal of poles, overhead wires and associated overhead structures and equipment for supplying electric, communications, community antenna television, and similar associated services within the territory described in Exhibit A, and depicted in Exhibit B, which Exhibits are attached hereto and made a part hereof; and

WHEREAS, the City Clerk notified all affected property owners as shown on the last equalized assessment roll and utilities concerned by mail of the time and place of such hearing at least ten days prior to the date thereof; and

WHEREAS, prior to holding such public hearing, the city engineer consulted with all affected utilities and submitted a report at such hearing identifying the extent of such utilities' participation and estimates of the total costs to the city and affected property owners, and estimating the time required to complete the underground installation and removal of overhead facilities; and

WHEREAS, this project is categorically exempt from the provisions of the California Environmental Quality Act pursuant to Section 15302 of the State CEQA Guidelines (Class 2: replacement or reconstruction of existing facilities); and

NOW, THEREFORE, the City Council of the City of Oxnard resolves, finds and determines as follows:

1. The public necessity, health, safety or welfare require formation of an underground utility district for the removal of poles, overhead wires and associated overhead structures within the territory described in Exhibit A, and depicted in Exhibit B.

2. The undergrounding of utilities within the territory described in Exhibit A, and depicted in Exhibit B, is in the general public interest for the following reason:

The right-of-way adjoins or passes through a public recreation area.

3. The territory described in Exhibit A, and depicted in Exhibit B, is hereby declared to be Underground Utility District No. 19.

4. The city council hereby orders the removal of all existing overhead poles, wires, and associated overhead facilities within Underground Utility District No. 19 for supplying electric, communications or associated service within said District. Such underground installation and said removal of overhead facilities shall be accomplished, and affected property owners shall

have underground service available, no later than December 31, 2014.

5. Within ten days from the date hereof, the City Clerk shall notify all affected utilities and all persons owning real property within Underground Utility District No. 19 of the adoption of this resolution and that, except as provided in Section 6 of this resolution, if the affected property owners 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 the applicable rules, regulations, and tariffs of the respective utility or utilities on file with the Public Utilities Commission. Such notice shall be made by mailing a copy of this resolution and of Article II of Chapter 21 of the City Code to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities.

6. Pursuant to Southern California Edison's Rule 20 Tariff, Rule 20A funds will be used for the installation of no more than 100 feet of each customer's underground electric service lateral on private property, as well as the conversion of affected property owners meter panels from overhead to underground service. The cost of such meter conversions using Rule 20A funds shall be limited to existing meters, and shall not include permit fees or any upgrades requested by affected property owners.

7. Property owners shall grant each utility the necessary easements or land rights when it is necessary by the utilities to place their facilities on private property to complete the occasioned undergrounding.

8. Southern California Edison and all other affected utilities are hereby authorized to discontinue overhead service within Underground Utility District No. 19, subject to the provision of underground service as specified in this resolution.

APPROVED AND ADOPTED this 19th day of April, 2011, by the following vote:

AYES: Councilmembers Pinkard, Flynn and Ramirez.

NOES: None.

ABSENT: None.

ABSTAIN: Councilmembers Holden and MacDonald.



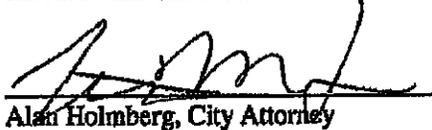
Dr. Irene G. Pinkard, Mayor Pro Tem

ATTEST:



Daniel Martinez, City Clerk

APPROVED AS TO FORM:



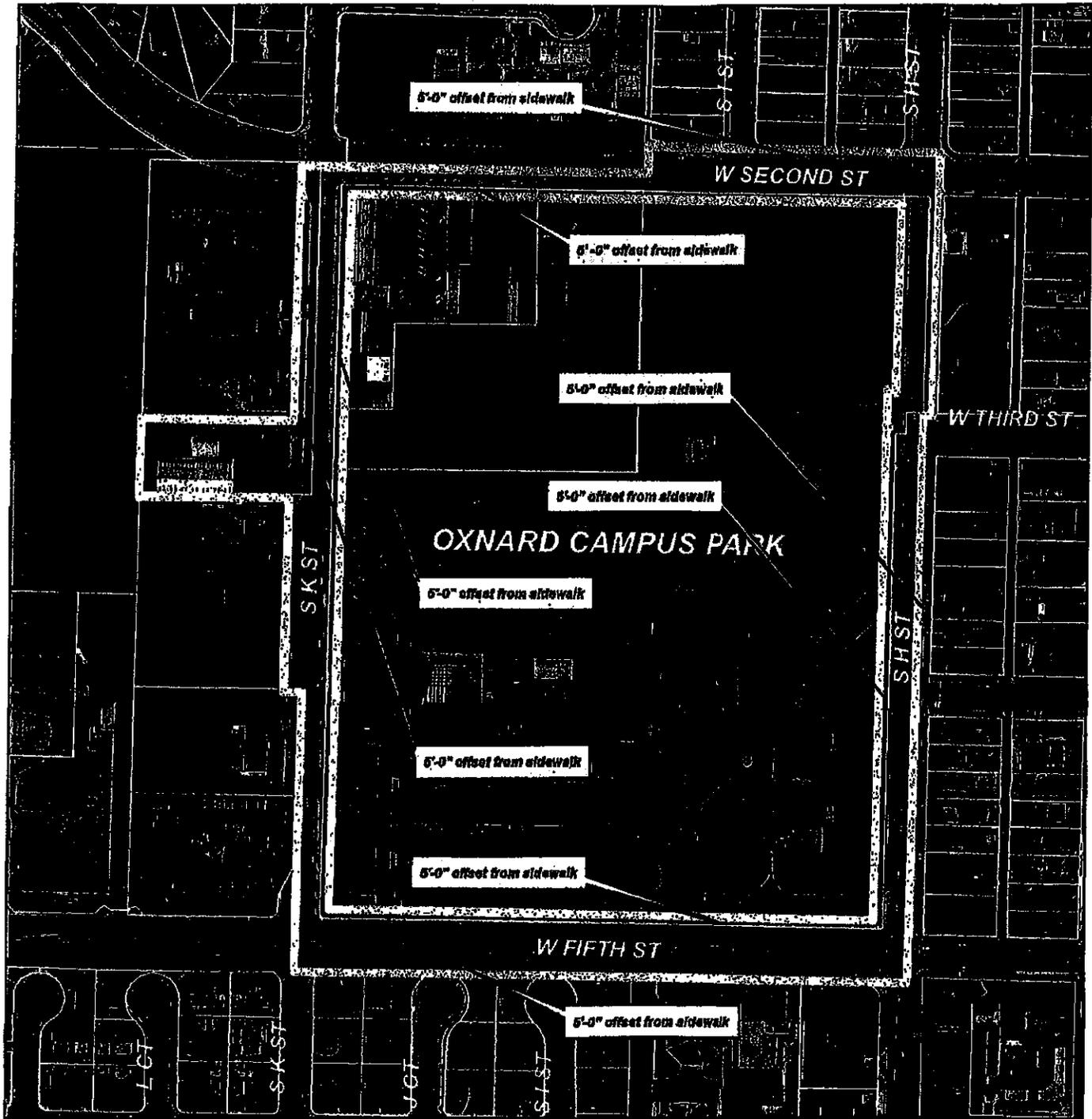
Alan Holmberg, City Attorney

Exhibit A

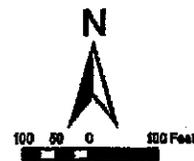
Underground Utility District No. 19
Legal Description - Campus Park
937 West 5th Street

"That property bounded by Fifth Street, H Street, Second Street, and K Street, including the rights-of-way of said streets, all that portion of West Third Street lying westerly of "K" Street, and the southerly 20 feet of the property located AP# 202-0-010-630 also known as 309 South K. Street"

CAMPUS PARK UNDERGROUND DISTRICT



D:\PROJECTS\ReqMap\RalphAlamillo\CampusPark.pdf



EX: X5554072 PULL BOX
2'x3'x3' CUST

EX: P5554073 PAD
48"x54" CUST

EX: X5554074 PULL BOX 16
2'x3'x3' CUST
IN: 2-1/0 AL DB ELBOWS

EX: P5554075 PAD
72"x94" CUST

HH H9570C
10.5'x17'x24" SL (HH-2)
IN: 3-4W SEC. BAR

EX. 1-4" CUST (161')
3-2-18KV (161')
P4075 TO X4074

H9570C TO SL
IN: 15' 2/C #8 AL CLP

H9570C TO H9570D
IN: 303' 2-#2 & 1-#4 AL CLP

ABANDON EX. 1-4" (11')
1-4" CUST (19')
RM: 3-2-18KV (63')
X4074 TO POLE

V9570 TO X4074
IN: 343' 3-1/0 AL JCN 16KV
ESMT REQ'D

3-350 1-4/0 (91')
SERV. ACCT.

S. K ST.

"K" ST.

17 EX: 1666449E POLE
RM: 1-4"-3" RISER
3-#2 AL PH 16KV

CI: 4443362E 35
29' CONCRETE MARB
9500 L HPSV
CUTOFF W/6" M/A

375 S. K ST.

APN 202-0-001-019
RECORD OF SURVEY
RS 24/91

APN 202-0-001-017
RECORD OF SURVEY

North
1"=30'

MATCH LINE STA. 21+00
SEE SHEET 6

ATTACHMENT NO. 3
PAGE 1 OF 3

EX: X5554072 PULL BOX
2'x3'x3' CUST

EX: P5554073 PAD
48'x54" CUST

EX: X5554074 PULL BOX 16
2'x3'x3' CUST
IN: 2-1/0 AL DB ELBOWS

EX: P5554075 PAD
72'x94" CUST

HH H9570C
10.5'x17'x24" SL (HH-2)
IN: 3-4W SEC. BAR

EX. 1-4" CUST (161')
3-2-16KV (161')
P4075 TO X4074

113
303'
H9570C TO H9570D
IN: 303' 2-#2 & 1-#4 AL CLP

ABANDON EX. 1-4" (11')
1-4" CUST (18')
RM: 3-2-16KV (63')
X4074 TO POLE

V9570 TO X4074
IN: 343' 3-1/0 AL JCN 16KV
ESM'T REQ'D

H9570C TO SL
IN: 18' 2/C #8 AL CLP

3-350 1-4/0 (91')
SERV. ACCT.

North

PL

71

35

71

S. K ST.

"K" ST.

375 S. K ST.

17 EX: 1666449E POLE
RM: 1-4"-3" RISER
3-#2 AL PH 16KV

CI: 4443362E
29' CONCRETE MARB
9500 L HPSV
CUTOFF W/6' M/A

APN 202-0-001-019
RECORD OF SURVEY
RS 24/91

APN 202-0-001-017
RECORD OF SURVEY

MATCH LINE STA. 21+00
SEE SHEET 6

570.18'

EAST

36' 40'

20' (923/551)

20' (3137/022)

358'

2145/187

Proposed 6.00' wide easement area (approx.)

72

36' 40'

880'

197'

554.00'

"K" STREET

c.

Ac.

13'

60.37'

L=23.56'

R=15'

40'



7' (4088/268)

4088/270

FIFTH STREET 94'

ATTACHMENT NO. 3

PAGE 3 OF 3