

R-77-169

RESOLUTION NO. 216573

AUG 11 1976

RESOLUTION CALLING A PUBLIC HEARING TO DETERMINE WHETHER THE PUBLIC HEALTH, SAFETY OR GENERAL WELFARE REQUIRES THE FORMATION OF AN UNDERGROUND UTILITY DISTRICT TO BE KNOWN AND DENOMINATED AS THE SMYTHE AVENUE (FOOTHILL ROAD TO AVENIDA DE LA MADRID) UNDERGROUND UTILITY DISTRICT.

WHEREAS, Chapter VI, Article 1, Division 5 of the San Diego Municipal Code established a procedure for the creation of underground utility districts and requires as an initial step in such procedure the holding of a public hearing to determine whether the public health, safety or general welfare requires removal of poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication, community antenna television or similar or associated service in any such district; and

WHEREAS, it has been recommended that such an underground utility district, hereinafter called "the District," be formed as more particularly shown on Drawing No. 16547-D, entitled "SMYTHE AVENUE (Foothill Rd - Avenida de la Madrid) UNDERGROUND UTILITY CONVERSION," copies of which are on file in the office of the City Clerk as Document No. 756316; and

WHEREAS, this action is exempt from the provisions of the California Environmental Quality Act of 1970 under City guidelines for implementation of said Act, as amended; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

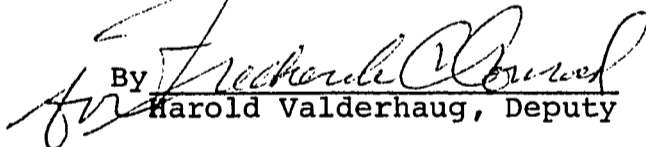
1. Notice is hereby given that a public hearing will be held by the Council of The City of San Diego on SEP 15 1976, at the hour of 2:00 p.m. in the Council Chambers of the City

Administration Building, 202 C Street, San Diego, California, to determine whether the public health, safety or general welfare requires the removal of poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication, community antenna television or similar or associated service in the District described above.

2. At such hearing all persons interested shall be given an opportunity to be heard and said hearing may be continued from time to time as may be determined by the City Council. The decision of the City Council as to the formation of the District as described above shall be final and conclusive.

3. The City Clerk shall notify all affected persons as defined in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code and each utility company concerned of the time and place of the hearing by following the procedure set forth in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code.

APPROVED: JOHN W. WITT, City Attorney

By   
Harold Valderhaug, Deputy

HOV:n 460  
7-22-76  
Or. Dept. E&D

-2-

216573

Passed and adopted by the Council of The City of San Diego on AUG 11 1976,  
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jess D. Haro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON  
 Mayor of The City of San Diego, California.

EDWARD NIELSEN  
 City Clerk of The City of San Diego, California.

By *Richard Martinez* Deputy.

(Seal)

RECEIVED  
 CITY CLERK'S OFFICE  
 1976 AUG 02 PM 3:54  
 SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California

Resolution Number 216573 Adopted AUG 11 1976