

RESOLUTION NO. R-253152

R. 81-891
NOV 24 1980

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 (BEYER BOULEVARD TO FOOTHILL ROAD) UNDERGROUND UTILITY DISTRICT.

WHEREAS, Chapter VI, Article 1, Division 5 of the San Diego Municipal Code establishes 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. 18353-D entitled "SMYTHE AVENUE (Beyer Boulevard to Foothill Road) UNDERGROUND UTILITY DISTRICT," copies of which are on file in the office of the City Clerk as Document No. RR-253152; 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:

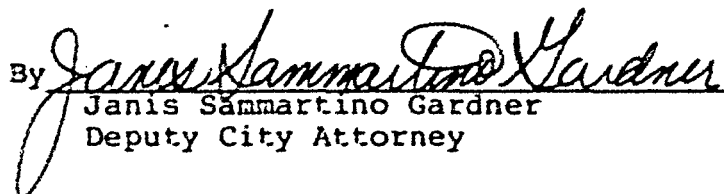
02120

1. Notice is hereby given that a public hearing will be held by the Council of The City of San Diego on January 13, 1981, 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 
Janis Sammartino Gardner
Deputy City Attorney

JSG:vl:460
10/29/80
Or. Dept.: E&D

Passed and adopted by the Council of The City of San Diego on NOV 24 1980
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<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"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<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.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Ellen Bovard Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-253152 Adopted NOV 24 1980

CERTIFICATE OF PUBLICATION

SAN DIEGO CITY OF
210 S. ST., 10th Fl.
San Diego, CA 92101
ATTN: ELLEN BOYARD

RECEIVED
CITY CLERK
SAN DIEGO
NOV 24 1980

IN THE MATTER OF

NO.

RESOLUTION CALLING A PUBLIC HEARING TO DETER-
MINE WHETHER THE PUBLIC HEALTH, SAFETY OR
GENERAL WELFARE REQUIRES THE FORMATION OF AN
UNDERGROUND UTILITY DISTRICT TO BE KNOWN AND ETC.

R 253152

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RESOLUTION CALLING A PUBLIC HEARING TO DETER-
MINE 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 (BEYER
BOULEVARD TO FOOTHILL ROAD) UNDERGROUND UTILITY
DISTRICT

WHEREAS, Chapter VI, Article 1, Division 5 of the San Diego
Municipal Code establishes 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. 18353-D en-
titled "SMYTHE AVENUE (Beyer Boulevard to Foothill Road)
UNDERGROUND UTILITY DISTRICT," copies of which are on file
in the office of the City Clerk as Document NO. RR-253152; 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 JANUARY 13, 1981, at the
hour of 2:00 p.m. in the Council Chambers of the City Adminis-
tration 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 deci-
sion 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.

Passed and adopted by the Council of The City of San Diego
on November 24, 1980, by the following vote:

YEAS: Mitchell, Cleator, Lowery, Williams, Schnaubelt, Got-
ch, Stirling, Kites, Wilson.

NAYS: None.

NOT PRESENT: None.

AUTHENTICATED BY: PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(SEAL)

By ELLEN BOYARD, Deputy.

Published December 8, 1980

80-3144

Camille Simpson

I, _____, am a citizen
of the United States and a resident of the County aforesaid; I am over the
age of eighteen years, and not a party to or interested in the above-entitled
matter. I am the principal clerk of the San Diego Daily Transcript, a
newspaper of general circulation, printed and published daily, except
Saturdays and Sundays, in the City of San Diego, County of San Diego, and
which newspaper has been adjudged a newspaper of general circulation by
the Superior Court of the County of San Diego, State of California, under
the date of January 23, 1909, Decree No. 14594; and the

RESOLUTION NO. R-253152

is a true and correct copy of which the annexed is a printed copy and was
published in said newspaper on the following date(s), to wit:

December 8, 1980

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 8th day of Dec, 1980

Camille Simpson

Signature

5 1/2" x 7.33 x 2 = 80.63 02123