

(R-90-2228)

RESOLUTION NUMBER R- 276040

ADOPTED ON JUL 2 1990

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 BALBOA AVENUE (I-5 TO CLAIREMONT DRIVE) 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 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. 23928-D entitled "BALBOA AVENUE (I-5 TO CLAIREMONT DRIVE) UNDERGROUND UTILITY DISTRICT," copies of which are on file in the office of the City Clerk as Document No. RR- 276040; 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:

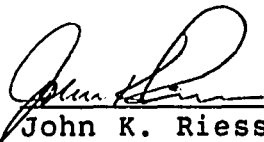
1. Notice is hereby given that a public hearing will be held by the Council of The City of San Diego on July 31, 1990, at the hour of 10:00 a.m. in the Council Chambers of the City Administration Building, 202 C Street, San Diego, California, to determine whether the public health, safety or general 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 

John K. Riess
Deputy City Attorney

JKR:pev
06/18/90
Or.Dept:E&D
R-90-2228
Form=r.ucal

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Passed and adopted by the Council of The City of San Diego on JUL 2 1990,
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda Bernhardt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR,
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR,
City Clerk of The City of San Diego, California.

By Ellen Boward, Deputy.



Office of the City Clerk, San Diego, California

Resolution Number R- 276040 Adopted JUL 2 1990

RECEIVED

93 JUN 29 PM 3:37

CITY CLERK'S OFFICE
SAN DIEGO, CA

CERTIFICATE OF PUBLICATION

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90 JUL 25 AM 10:54
SAN DIEGO, CALIF.

CITY CLERK'S OFFICE
CITY ADM. BLDG., 2ND FLOOR
SAN DIEGO, CA. 92101

IN THE MATTER OF

NO.

RESOLUTION CALLING A PUBLIC HEARING TO DETERMINE WHETHER THE
PUBLIC HEALTH, SAFETY OF GENERAL WELFARE REQUIRES THE FORMATION
OF AN UNDERGROUND UTILITY DISTRICT TO BE KNOWN AND DENOMINATED AS
~~THE BALBOA AVENUE (I-5 TO CLAIREMONT DRIVE) UNDERGROUND UTILITY DISTRICT~~

RESOLUTION NUMBER R-276040

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 BALBOA AVENUE (I-5 TO CLAIRE-
MONT DRIVE) 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 structures and the underground in-
stallation of wires and facilities for supplying electric, communica-
tion, 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. 23928-D entitled "BALBOA
AVENUE (I-5 TO CLAIREMONT DRIVE) UNDERGROUND UTILITY
DISTRICT," copies of which are on file in the office of the City Clerk
as Document No. RR-276040; 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:

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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.

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tunity 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.

Passed and adopted by the Council of the City of San Diego on Ju-
ly 2, 1990 by the following vote:

YEAS: Wolfshelmer, Roberts, Hartley, Pratt, Henderson, McCarty,
Filner, O'Connor.

NAYS: None.

NOT PRESENT: Bernhardt.

AUTHENTICATED BY:
MAUREN O'CONNOR
Mayor of The City of San Diego, California
CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California
By: ELLEN BOVARD, Deputy

Pub. July 18

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THOMAS D. KELLEHER

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. 14894; and the

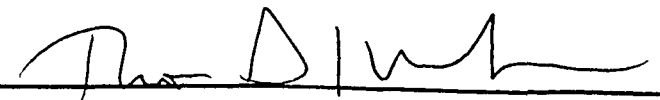
RESOLUTION NUMBER R-276040

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:

JULY 16

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

Dated at San Diego, California this 16TH day of JULY, 19 90


(Signature)

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