

RESOLUTION NUMBER R- 286663

ADOPTED ON NOV 28 1995

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT TO BE KNOWN AND DENOMINATED AS THE WEST MORENA BOULEVARD (SOUTHERLY INTERSECTION OF MORENA BOULEVARD TO NORTHERLY INTERSECTION WITH MORENA BOULEVARD) UNDERGROUND UTILITY DISTRICT.

WHEREAS, by Resolution No. R- 286467, a public hearing was called for on November 28, 1995 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 structures and the underground installation of wires and facilities for supplying electric, communication, community antenna television or similar or associated service within that certain area of the City of San Diego more particularly described as follows:

Lots 17-26, BLOCK 1, Lots 17-32, BLOCK 2 of WEEKS ADDITIONS MAP 123; Portion of Lot 13 MORENA PLAZA UNIT 1 MAP 7418; Lots 11-23 of BOULEVARD GARDENS MAP 1505; Lot 1 of ROTO AIRE PROPERTIES SUBDIVISION MAP 6680; Portion of Lot 1 of DEAN INDUSTRIAL TRACT MAP 4580.

Said district shall also include the following described public rights-of-way:

W. MORENA BOULEVARD from the southerly intersection of Morena Boulevard to the northerly intersection of Morena Boulevard; BUENOS AVENUE from the easterly line of W. Morena Boulevard to a line parallel to and 125 feet east of the easterly line of W. Morena Boulevard; VEGA STREET from the easterly line of W. Morena Boulevard to a

line parallel to and 120 feet east of the easterly line of W. Morena Boulevard.

all as more particularly shown on Drawing No. 26972-D entitled "WEST MORENA BOULEVARD (SOUTHERLY INTERSECTION OF MORENA BOULEVARD TO NORTHERLY INTERSECTION WITH MORENA BOULEVARD) UNDERGROUND UTILITY DISTRICT," copies of which are on file in the office of the City Clerk as Document No. RR- 286467 and attached hereto and incorporated herein as Exhibit A; and

WHEREAS, notice of such hearing has been given by the City Clerk to all affected property owners as defined in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code, and the utilities concerned in the manner and for the time required by law; and

WHEREAS, such hearing has been duly and regularly held and all persons interested have been given an opportunity to be heard; NOW, THEREFORE,

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

1. The City Council does hereby find and determine that the public health, safety and general welfare require 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 within the area set forth above and that pursuant to Chapter VI, Article 1, Division 5 of the San Diego Municipal Code, the above-described area is hereby declared to be an underground utility district in the City of San Diego, and the

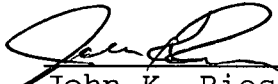
maps and document referred to above are hereby incorporated as a part of this resolution.

2. The City Council shall by subsequent resolution fix the date upon which the property in the district must be ready to receive underground service, and shall by subsequent resolution order the removal of all 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.

3. The City Clerk be and he is hereby instructed to notify all affected persons as defined in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code, and all affected utility companies of the adoption of this resolution within fifteen (15) days after the date of such adoption. The City Clerk shall further notify said affected persons as defined in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code of the necessity that if they desire to continue to receive electric, communication, community antenna television or similar or associated service they shall provide at their own expense all necessary facility changes on their premises so as to receive underground service from the lines relocated underground of the supplying utility company subject to applicable rules, regulations and tariffs of the respective utility company on file with the Public Utilities Commission of the State of California (as of the date of adoption of this resolution) and subject to all other applicable requirements of State law and City ordinances. The Clerk's notification shall be made in the manner

provided in Chapter VI, Article 1, Division 5 of the San Diego
Municipal Code.

APPROVED: JOHN W. WITT, City Attorney

By 

John K. Riess
Senior Deputy City Attorney

JKR:pev
10/17/95
Or.Dept:Eng.
R-96-427
Form=r.uest

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

AC 9600431

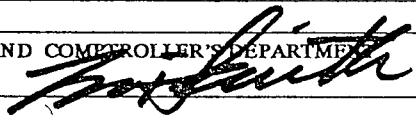
ORIGINATING

DEPT. NO.: 544

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount \$ 21,400 Fund 30244/30303
 Purpose Authorizing the expenditure of funds for the W. Morena Boulevard (Southerly Intersection of Morena Blvd. to Northerly Intersection) Underground Utility District
 Date October 16, 1995 By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT



ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
	0	30244	30244	106	4279	370280		30303		\$21,400.00
TOTAL AMOUNT										\$21,400.00

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the moneys are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed \$ _____
 Vendor _____
 Purpose _____
 Date _____ By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

NOV 23 1995

AC 9600431

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