

RESOLUTION NUMBER R- 290112

ADOPTED ON MAY 18 1998

A RESOLUTION CALLING FOR 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 CCDC AREA 1 - PHASE 1, MARKET STREET TO K STREET (6TH AVENUE TO 12TH AVENUE) UNDERGROUND UTILITY DISTRICT.

WHEREAS, the Council on January 12, 1998, adopted Resolution No. R-289615, which called for a public hearing regarding the formation of the Market Street to K Street (6th Avenue to 12th Avenue) Underground Utility District, under the procedures of Chapter VI, Article 1, Division 5 of the San Diego Municipal Code; and

WHEREAS, Chapter VI, Article 1, Division 5 of the Municipal Code establishes a procedure for the creation of an underground utility district and requires as an initial step in the procedure the holding of a public hearing 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 in any such district; and

WHEREAS, since the adoption of that resolution, the proposed boundaries of the Market Street to K Street (6th Avenue to 12th Avenue) District have been changed, and a new hearing on the matter is required; and

WHEREAS, it is recommended that the District be formed as more particularly shown on Drawing No. 28766-D, entitled "CCDC AREA 1 - PHASE 1, MARKET STREET TO K STREET

(6TH AVENUE TO 12TH AVENUE) UNDERGROUND UTILITY DISTRICT," copies of which are on file in the office of the City Clerk as Document Number RR- 290112; 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:

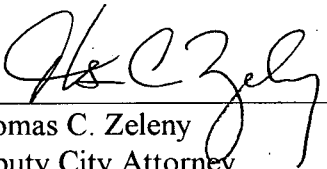
1. Notice is hereby given that a public hearing will be held by the Council of The City of San Diego on June 9, 1998, 1998, at the hour of 10:00 a.m. in the Council Chambers of the City Administration Building, 202 C Street, San Diego, California, to determine whether the public health, safety, or general 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.

2. At such hearing all persons interested shall be given an opportunity to be heard and the hearing may be continued from time to time as may be determined by the Council. The decision of the Council as to the formation of the District 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: CASEY GWINN, City Attorney

By

  
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Thomas C. Zeleny  
Deputy City Attorney

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