

(R-99-72)

RESOLUTION NUMBER R- 290566

ADOPTED ON AUG 03 1998

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 VOLTAIRE STREET (EBERS STREET TO BACON STREET) AND THE BACON STREET (VOLTAIRE STREET TO WEST POINT LOMA BOULEVARD) 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 be formed as more particularly shown on Drawing No.29395-D, entitled "VOLTAIRE STREET (EBERS STREET TO BACON STREET) AND BACON STREET (VOLTAIRE STREET TO WEST POINT LOMA BOULEVARD) UNDERGROUND UTILITY DISTRICT," copies of which are on file in the office of the City Clerk as Document No. RR- 290566 ; 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,

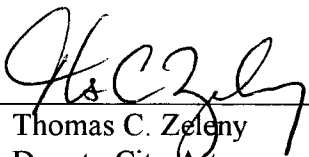
BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. Notice is hereby given that a public hearing will be held by the Council of The City of San Diego on September 15, 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 described above.

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 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: CASEY GWINN, City Attorney

By  _____
Thomas C. Zelensy
Deputy City Attorney

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