

(R-2000-590)

RESOLUTION NUMBER R- 292669

ADOPTED ON JAN 18 2000

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT TO BE KNOWN AND DENOMINATED AS THE RUFFIN ROAD (MISSION VILLAGE DRIVE TO SUCCESS AVENUE) UNDERGROUND UTILITY DISTRICT.

WHEREAS, by Resolution No. R- 292537, a public hearing was called for on January 18, 2000, ~~1999~~ 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, including the described public rights-of-way, more particularly shown in the Legal Description attached hereto as Exhibit A and incorporated herein, and as more particularly shown in Drawing No. 26716-D, entitled "RUFFIN ROAD (MISSION VILLAGE DRIVE TO SUCCESS AVENUE) UNDERGROUND UTILITY DISTRICT," copies of which are on file in the office of the City Clerk as Document No. RR- 292537; and

WHEREAS, notice of such hearing has been given by the City Manager 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 hereby finds and determines that the public health, safety, or 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 area is hereby declared to be an underground utility district in the City of San Diego, and the maps and documents referred to above are hereby incorporated as a part of this resolution.

2. The expenditure of an amount not to exceed \$10,000 from Annual Allocation - Undergrounding of City Utilities, CIP 37-028.0, TransNet Fund No. 30300, is hereby authorized, solely and exclusively to provide funds to administer the District, pay for minor City Force work, replace existing street lights, and other related work.

3. The City Manager is hereby authorized to establish the date by which the property in the District must be ready to receive underground service, and the date when all poles, overhead wires, and associated overhead structures are to be removed and replaced by the underground installation of wires and facilities for supplying electric, communication, community antenna television or similar or associated service.

4. The City Manager 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 days after date of adoption. The City Manager shall further notify 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 the 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 City Manager's notification shall be made in the manner provided in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code.

5. The City Auditor and Comptroller is hereby authorized to establish Fund No. 78114 for the purpose of depositing Public Utilities Commission Case 8209 Utility Underground Allocation Funds.

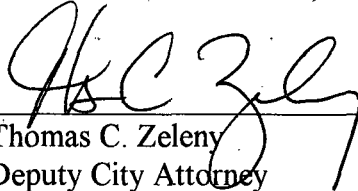
6. The City Treasurer is hereby authorized to receive these funds from San Diego Gas & Electric Company.

7. Reimbursement payments to all qualified property owners in the subject Ruffin Road (Mission Village Drive to Success Avenue) Underground Utility District is hereby authorized as reimbursement for the electrical service underground conversion work done on private property, to be reimbursed from Case 8209 Funds deposited by SDG&E with the City Treasurer for this purpose.

8. The City Treasurer is authorized to return to SDG&E undisbursed funds, if any, on written notice from SDG&E to the City that all electrical service conversions within Ruffin Road (Mission Village Drive to Success Avenue) Underground Utility District have been completed.

APPROVED: CASEY GWINN, City Attorney

By


Thomas C. Zeleny
Deputy City Attorney

TCZ:mb
11/19/99
Aud.Cert:2000499
Or.Dept:Eng&CP
R-2000-590

**GENERAL BOUNDARY DESCRIPTION FOR THE
RUFFIN ROAD BETWEEN
(SUCCESS AVENUE TO MISSION VILLAGE DRIVE)
UNDERGROUND UTILITY DISTRICT**

The RUFFIN ROAD BETWEEN (SUCCESS AVENUE TO MISSION VILLAGE DRIVE) UNDERGROUND UTILITY DISTRICT shall be established to include the following described parcels:

Lot 6 of MAP of VILLAGE GLEN Map 9187;
Lot 1629 of MAP of MISSION VILLAGE UNIT NO. 18 Map 4254;
Lot 1 of MAP of RUF "N" READY CONDOMINIUMS Map 9544;
Lot 1 of MAP of MISSION VILLAGE CENTER Map 8791;

Said district shall also include the following public right-of-way.

RUFFIN ROAD between the northerly line of SUCCESS AVENUE and a northerly line of MISSION VILLAGE DRIVE.

VILLAGE GLEN DRIVE between the easterly line of RUFFIN ROAD to a line parallel to and \pm 212 feet of the westerly line of RUFFIN ROAD.

All as more particularly shown on City Engineer's Drawing No. 26716 -D