(R-2000-1048)

# RESOLUTION NUMBER R- 293141 ADOPTED ON MAY 16 2000

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT TO BE KNOWN AND DENOMINATED AS THE 30TH STREET (UNIVERSITY AVENUE TO OLIVE STREET) UNDERGROUND UTILITY DISTRICT.

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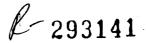
WHEREAS, by Resolution No. R, a public hearing was called for
on Tuesday, May 16, 2000, at the hour of 10:00 a.m. in the Council Chambers
of the City Administration Building, 202 C Street, San Diego, California, to determine whether
the public health, safety, or general welfare requires the removal of 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, as more particularly
shown in the Legal Description attached hereto as Exhibit A and incorporated herein, and as more
particularly shown in Drawing No. 30421-D, entitled "30th Street (University Avenue to Olive
Street) Underground Utility District," copies of which are on file in the office of the City Clerk
as Document No. RR-292903; 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 document referred to above are hereby incorporated as a part of this resolution.
- 2. 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.
- 3. 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 the 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 the adoption of this resolution) and subject to all other applicable requirements of State law and City ordinances.



That the City Auditor and Comptroller is hereby authorized to establish Fund No.
 78136 for the purpose of depositing Public Utilities Commission Case 8209 Utility Underground

Allocation Funds.

5. That the City Treasurer is hereby authorized to receive these funds from San Diego

Gas & Electric Company:

6. That reimbursement payments to all qualified property owners in the subject 30th

Street (University Avenue to Olive Street) 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.

7. That 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 the 30th

Street (University Avenue to Olive Street) Underground Utility District have been completed.

8. That the appropriation and expenditure of an amount not to exceed \$70,000 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.

APPROVED; CASEY GWINN, City Attorney

By

Thomas C. Zeleny

Deputy City Attorney

TCZ:mb 03/22/00

Aud.Cert:2000894

Or.Dept:Eng&CP

R-2000-1048

R - 293141

## GENERAL BOUNDARY DESCRIPTION FOR THE 30<sup>TH</sup> STREET FROM UNIVERSITY AVENUE TO OLIVE STREET UNDERGROUND UTILITY DISTRICT

The 30<sup>TH</sup> STREET FROM UNIVERSITY AVENUE TO OLIVE STREET Underground Utility District shall be established to include the following described parcels:

Portion of Lots 7 thru 12 of BLOCK 1, Lots 2 thru 6 of BLOCK 9; Portion of Lot 7 of BLOCK 10; Portion of Lots 1 thru 6 of BLOCK 12, Lots 2 thru 6 of BLOCK 19, Portion of Lots 7 thru 11 of BLOCK 20, Lots 11 and 12 of BLOCK 21, Lots 1 thru 6 of BLOCK 22, Lots 1 thru 6 of BLOCK 29; Portion of Lots 7 thru 12 of BLOCK 30; Portion of Lots 7 thru 12 of BLOCK 31; Portion of Lot 1 and Lots 2 thru 6 of BLOCK 32 of MAP of WEST END; Map 590

Portion of Lots 3 and 4 of BLOCK 1, Portion of Lots 21 thru 24 of BLOCK 8 of MAP of FRARY HEIGHTS; Map 940 and Parcel Map 491

Lot 1, Portion of Lots 23 and 24 of BLOCK 1 of MAP of LYNHURST; Map 1262

Portion of Lot 8 of MAP of A. O. WALLACE ADD; Map 46

Portion of Lots N thru P, Portion of Lot R of MAP of M. GURWELL'S SUB; Map 1715

Portion of Lots 23 and 24 of BLOCK 8; Portion of Lots 29 and 30 of BLOCK 3; Portion of Lot 20, Lots 21 and 22, Portion of Lots 27 thru 30 of BLOCK 4 of MAP of S. GURWELL HEIGHTS; Map 992 and Parcel Map 491

Lots 2 thru 5, Portion of Lots 6 and 7 of MAP of AURORA HEIGHTS; Map 1489

### Said district shall include the following public Rights of Way:

<u>30<sup>TH</sup> STREET</u> between the southerly line of University Avenue and a line parallel to and 30 feet south of the southerly line of Olive Street

NORTH PARK WAY between a line parallel to and 50 feet West of the Westerly line of 30<sup>TH</sup> Street and the Easterly line of 30<sup>TH</sup> Street

<u>DWIGHT STREET</u> between the westerly line of 30<sup>TH</sup> Street and a line parallel to and 100 feet east of the easterly line of 30<sup>TH</sup> Street

<u>UPAS STREET</u> between the easterly line of Dale Street and the easterly line of 30<sup>TH</sup> Street.

All as more particularly shown on City Engineer's Drawing No 30421-D.

EXHIBIT A 293141

### The City of San Diego CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

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MAY 16 2000

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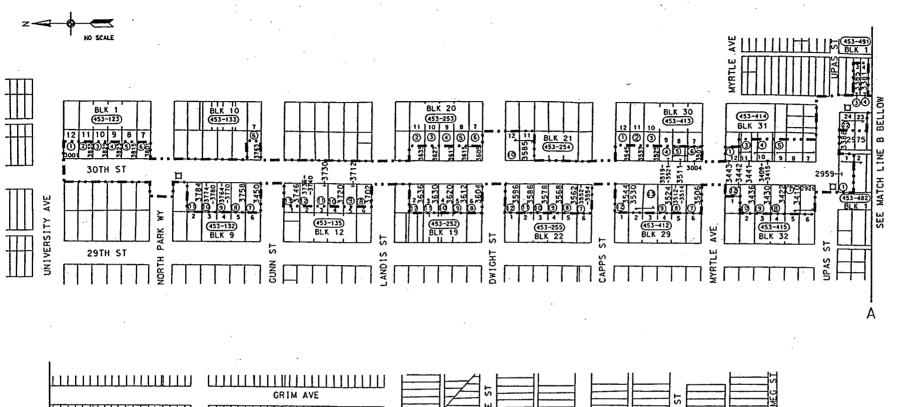
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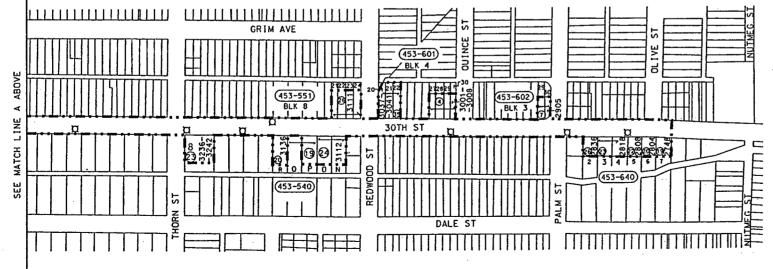
VICINITY MAP

#### 30TH STREET (FROM UNIVERSITY AVE TO OLIVE ST) UNDERGROUND UTILITY DISTRICT

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### 30TH STREET (FROM UNIVERSITY AVE TO OLIVE ST) UNDERGROUND UTILITY DISTRICT







THIS WAP IS PROVIDED WITHOUT WARRANT OF ANY INC.
ETHER EXPRESS ON WPULD, MCDURG, BUT NOT LUMED TO,
THE MENUED WARRANTES OF WERCHAT ABUTY AND FITNESS
FOR A PARTICULAR PURPOSE.

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VICINITY MAP



### 30TH STREET (FROM UNIVERSITY AVE TO OLIVE ST) UNDERGROUND UTILITY DISTRICT

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