

RESOLUTION NUMBER R- 293614

ADOPTED ON AUG 01 2000

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT TO BE KNOWN AND DENOMINATED AS THE LAMONT STREET (FROM FORTUNA AVENUE TO GRAND AVENUE) UNDERGROUND UTILITY DISTRICT.

WHEREAS, by Resolution No. R- 293324, a public hearing was called for on AUG 01 2000, 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 more particularly shown in Drawing No. 26746-D, entitled "Lamont Street (from Fortuna Avenue to Grand Avenue) Underground Utility District," copies of which are on file in the office of the City Clerk as Document Number RR- 293324; 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 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.

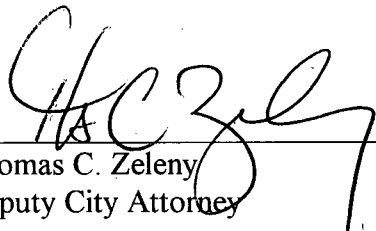
4. The City Auditor and Comptroller is hereby authorized to establish Fund No. 78118 for the purpose of depositing Public Utilities Commission Case 8209 Utility Underground Allocation Funds.

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

6. Reimbursement payments to all qualified property owners in the Lamont Street (from Fortuna Avenue to Grand 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.

7. 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 subject Lamont Street (from Fortuna Avenue to Grand Avenue) Underground Utility District have been completed.

APPROVED: CASEY GWINN, City Attorney

By 
Thomas C. Zeleny
Deputy City Attorney

TCZ:mb
06/05/00
06/08/00 Corrected
Aud.Cert:N/A
Or.Dept:Eng&CP
R-2000-1476
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**GENERAL BOUNDARY DESCRIPTION FOR THE
LAMONT STREET
FROM FORTUNA AVENUE TO GRAND AVENUE
UNDERGROUND UTILITY DISTRICT**

The LAMONT STREET FROM FORTUNA AVENUE TO GRAND AVENUE UNDERGROUND UTILITY DISTRICT shall be established to include the following described parcels:

Partial Lots 28 thru 40 of BLOCK 248, Lots 1 thru 3, Partial Lots 4 thru 6 and 38 thru 40 of BLOCK 273 of MAP OF PACIFIC BEACH SUBDIVIDED FOR THE PACIFIC BEACH CO., Map No. 854;

Partial Lots 1 thru 4 of BLOCK 282, Lots 1 and 2, Lots 39 and 40 of BLOCK 307, MAP OF SUBDIVISION OF ACRE LOTS 57, 58, 59, 60 AT PACIFIC BEACH, Map No. 922;

Lots 3 thru 6, Lots 47 thru 17 of BLOCK 1, Partial Lot 1 of BLOCK 4, MAP OF VENICE PARK, Map No. 911;

Lots 21 thru 24 of BLOCK 249, Partial Lots 16 thru 24 of BLOCK 272, MAP OF PACIFIC BEACH, Map no. 854;

Partial Lots 25 and 26, Lots 20 thru 24 of BLOCK 2, MAP OF STERLING PARK ADDITION TO SAN DIEGO, Map No. 1260;

Lots 9 and 10 of BLOCK 9, MAP OF FORTUNA PARK ADDITION, Map No. 894.

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

LAMONT STREET Between the southeasterly line of GRAND AVENUE and a line parallel to and 25' feet south of the southwesterly line of FORTUNA AVENUE.

THOMAS AVENUE Between a line parallel to and 125' feet west of the westerly line of LAMONT STREET to a line parallel to and 100' feet east of the easterly line of LAMONT STREET.

REED AVENUE Between a line parallel to and 100' feet west of the westerly line of LAMONT STREET to a line parallel to and 75' feet east of the easterly line of LAMONT STREET.

OLIVER AVENUE a line parallel to and 50' feet east of the easterly line of LAMONT STREET.

PACIFIC BEACH Between a line parallel to and 240' feet west of the westerly line of LAMONT STREET to a line parallel to and 25' feet east of the easterly line of LAMONT STREET.

CHICK STREET a line parallel to and $\pm 100'$ feet west of the westerly line of LAMONT STREET.

FORTUNA AVENUE Between a line parallel to and 100' feet west of the westerly line of LAMONT STREET to a line parallel to and $\pm 60'$ feet east of the easterly line of LAMONT STREET.

All as more particularly shown on City Engineer's Drawing No.26746-D.

