

RESOLUTION NUMBER R- 293932

ADOPTED ON OCT 03 2000

A RESOLUTION ESTABLISHING AN UNDERGROUND
UTILITY DISTRICT TO BE KNOWN AND DENOMINATED
AS THE MARKET STREET (FROM 47TH STREET TO
IONA DRIVE) UNDERGROUND UTILITY DISTRICT.

WHEREAS, by Resolution No. R- 293576, a public hearing was called for
on September 12, 2000, at the hour of 10:30 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. D-30656, entitled "Market Street (from 47th Street to Iona
Drive) Underground Utility District," copies of which are on file in the office of the City Clerk
as Document Number RR- 293576; 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. 78157 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.

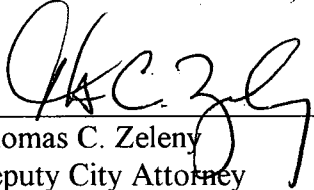
6. Reimbursement payments to all qualified property owners in the Market Street (from 47th Street to Iona Drive) Underground Utility District is hereby authorized as reimbursement for the electrical service underground conversion work done on private property, to be reimbursed from Case 8209 Funds deposited 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 Market Street (from 47th Street to Iona Drive) Underground Utility District have been completed.

8. The expenditure of an amount not to exceed \$1,000 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
07/17/00
Aud.Cert:2001319
Or.Dept:Eng&CP
R-2001-06

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING AC 2001319
DEPT. NO.: 547

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount \$1,000.00 Fund 30244

Purpose Authorizing the expenditure of funds for the Market Street from 47th Street to Iona Drive
Underground Utility District.

Date July 11, 2000

By: *W. Kennedy III*
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	30244	30244	106	4279	370280		30300		\$1,000.00
TOTAL AMOUNT										\$1,000.00

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed \$ _____

Vendor _____

Purpose _____

Date _____

By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

R- 293932

OCT 03 2000

AC 2001319

GENERAL BOUNDARY DESCRIPTION FOR THE
MARKET STREET
FROM 47TH STREET TO IONA DRIVE
UNDERGROUND UTILITY DISTRICT

The **MARKET STREET** FROM 47TH STREET TO IONA DRIVE Underground Utility District shall be established to include the following described parcels:

Portion of Lot 409; Lots 432 thru 442 of the map of SUNSHINE GARDENS MAP NUMBER 1804;

Lot 1 of the map of PROGRESS SUBDIVISION MAP NUMBER 5233;

Lot 1 of the map of P.W.H. SUBDIVISION MAP NUMBER 6335;

Lot 1 of the map of FORDSVILLE MAP NUMBER 5472;

Lot 1 of the map of BERLAU SUBDIVISION MAP NUMBER 3125;

Lot 1 of the map of BROOKS SUBDIVISION MAP NUMBER 6506;

Portion of Lot K; BLOCK 19 of the map of LAS ALTURAS NO. 5 MAP NUMBER 2053;

Portion of Lot 16 of the map of PARTITION OF RANCHO MISSION OF SAN DIEGO MAP NUMBER 330;

Portion of Lots 1 thru 24; portion of Lots 31 thru 33 and portion of Lot 37 of the map of VICTORY MANOR MAP NUMBER 2276;

Portion of Lot 8; BLOCK A; portion of Lots 16 and 28; BLOCK B; Lot 9; BLOCK C; Lot 7 and 8; BLOCK D; portion of Lots 1 thru 9, Lots 10 and 11; BLOCK F; portion of Lots 1 thru 5; BLOCK G of the map of WEST HOLLYWOOD MAP NUMBER 1551;

Said district shall include the following public Rights of Way:

MARKET STREET from a line parallel to and 240' southeasterly of the southeasterly line of 47th Street to the westerly line of Iona Drive;

UVAS STREET between a line parallel to and 220' west of the westerly line of Market Street;

PITA STREET from a line parallel to and 80' south of the southernly line of Market Street;

MERLIN DRIVE from a line parallel to and 80' south of the southernly line of Market Street;

59th STREET from a line parallel to and 50' north of the northernly line of Market Street.

51st STREET from a line parallel to and 280" north of the northernly line of Market Street.

All as more particularly shown on City Engineer's Drawing No D - 30656.

