

RESOLUTION NUMBER R- 294253

ADOPTED ON NOV 21 2000

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT TO BE KNOWN AND DENOMINATED 25TH STREET (FROM MARKET STREET TO COMMERCIAL STREET) UNDERGROUND UTILITY DISTRICT.

WHEREAS, by Resolution No. R- 293977, a public hearing was called for on November 21, 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 Boundary Description attached hereto as Exhibit A and incorporated herein, and as more particularly shown in Drawing No. 30655-D, entitled "25th Street (from Market Street to Commercial Street) Underground Utility District," copies of which are on file in the office of the City Clerk as Document Number RR- 293977-1; 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. 78164 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.

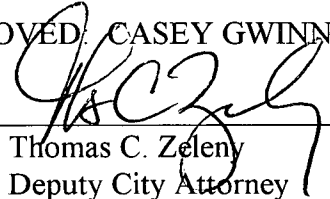
6. Reimbursement payments to all qualified property owners in the 25th Street (from Market Street to Commercial Street) Underground Utility District is hereby authorized as reimbursement for the electrical service underground conversion work done on private property, to be reimbursed from Case 8209 Funds deposited by SDG&E with the City Treasurer for this purpose.

7. 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 in the 25th Street (from Market Street to Commercial Street) 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  
09/22/00  
Aud.Cert:2100336  
Or.Dept:Eng&CP  
R-2001-394

**BOUNDARY DESCRIPTION FOR THE  
25<sup>th</sup> STREET  
FROM MARKET STREET TO COMMERCIAL STREET  
UNDERGROUND UTILITY DISTRICT**

The 25<sup>TH</sup> STREET FROM MARKET STREET TO COMMERCIAL STREET UNDERGROUND UTILITY DISTRICT shall be established to include the following described parcels:

Portion Lots 1 thru 3 and Portion Lots 46 thru 48 of BLOCK 9, Portion Lots 1 thru 3 and Portion Lots 45 thru 48 of BLOCK 10, Lots 1 thru 4 and Portion Lots 45 thru 48 of BLOCK 11, Lots 23 thru 24 and Portion Lots 29 thru 30 of BLOCK 21, Lots 27 and 28 of BLOCK 20 of MAP OF L.W. KIMBALL'S SUBDIVISION, Map No. 56;

Portion Lots 1 thru 4, Lots 47 thru 48, Portion Lots 45 and 46 of BLOCK 12, Portion Lots 20 thru 26, Portion Lots 29 thru 30 of BLOCK 19, Lots 1 thru 4 of BLOCK 13, Portion Lots 19 thru 20, Lots 21 thru 22 of BLOCK 18 of MAP OF LINCOLN PARK FORMERLY KNOWN AS FRARY'S ADDITION, Map No. 478.

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

25<sup>TH</sup> STREET between the southerly line of MARKET STREET and the northerly line of IMPERIAL AVENUE.






K STREET a line parallel to and  $\pm$  100 feet west of the westerly line of 25<sup>TH</sup> STREET.

ISLAND AVENUE a line parallel to and  $\pm$ 140 feet east of the easterly line of 25<sup>TH</sup> STREET.

All as more particularly shown on City Engineer's Drawing No. 30655-D.

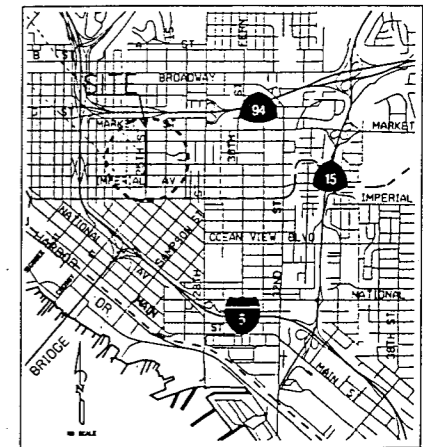
# 25TH STREET FROM MARKET STREET TO COMMERCIAL STREET UNDERGROUND UTILITY DISTRICT

### LEGEND:

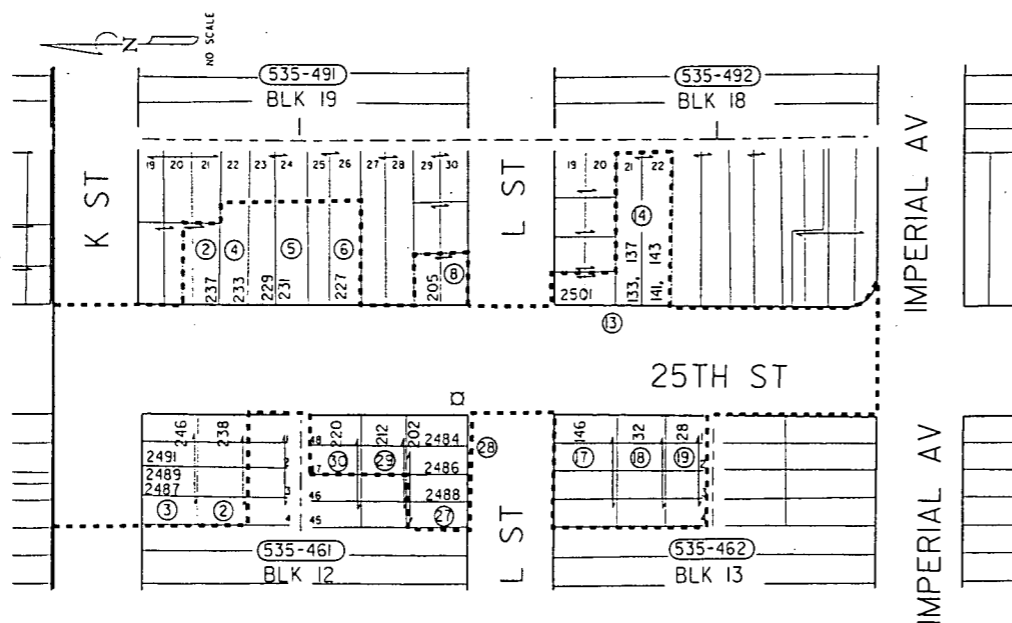
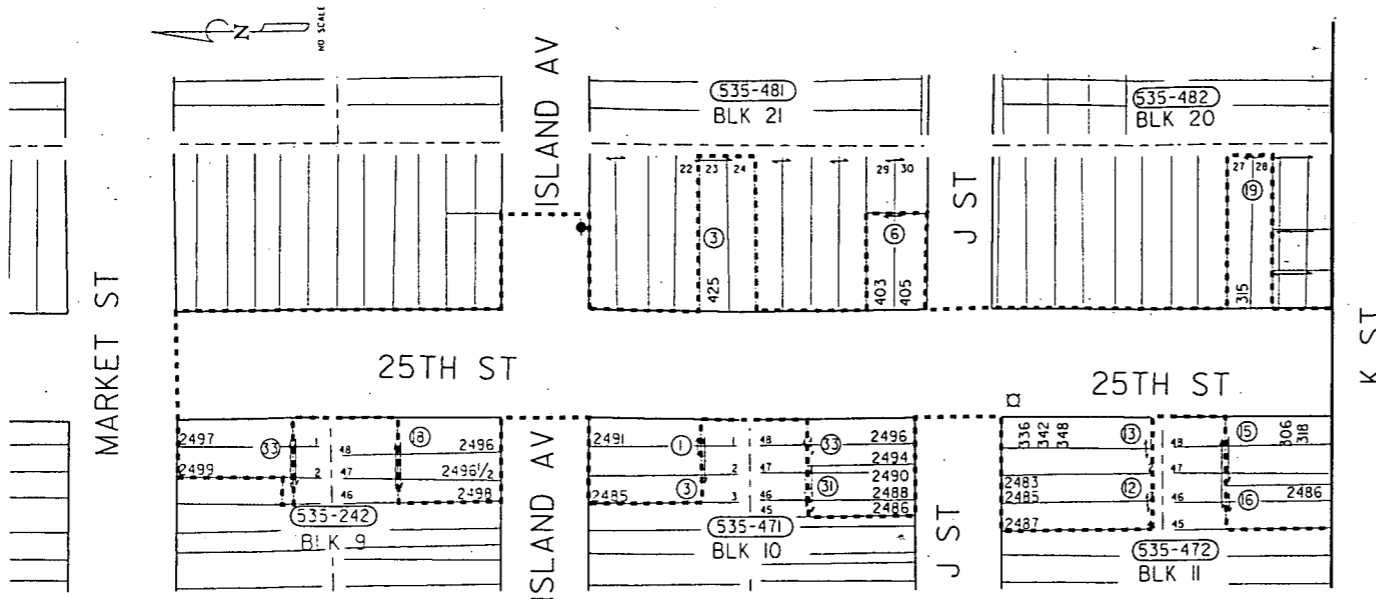
-  DISTRICT BOUNDARY
-  448-433 ASSESSOR'S BOOK & PAGE NO.
-  ASSESSOR'S PARCEL NO.
- 4752 ADDRESS
-  EXISTING POLE
-  EXISTING STREET LIGHT

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_



VICINITY MAP



DOCUMENT NO. **293977-1**  
**OCT 16 2000**  
 OFFICE OF THE CITY CLERK  
 SAN DIEGO, CALIFORNIA



Every reasonable effort has been made to assure the accuracy of this map. However, neither the RUI participants nor San Diego Data Processing Corporation assume any liability arising from its use. THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. PROPRIETARY INFORMATION: The use of this information is pursuant to sublicense agreement only. Any resale or relicensing of this information is prohibited, except in accordance with such sublicense agreements.

25TH STREET FROM MARKET STREET TO COMMERCIAL ST UNDERGROUND UTILITY DISTRICT			
CITY OF SAN DIEGO, CALIFORNIA ENGINEERING AND CAPITAL PROJECTS DEPARTMENT SHEET 1 OF 1 SHEETS			# 373022
FOR CITY ENGINEER	DATE	DIVISION HEAD	
DESCRIPTION	BY	APPROVED	DATE
FILE NAME	EXT	DESIGN ENGINEER	
CONTROL CERTIFICATION			AMBERT COORDINATES
CONTRACTOR	DATE STARTED	INSPECTOR	DATE COMPLETED
			30655-D

294253

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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING AC 2100336  
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 25th Street from Market Street to Commercial Street

Underground Utility District.

Date September 18, 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-294253

NOV 21 2000

AC 2100336