

#332  
5-2-06

(R-2006-873)

RESOLUTION NUMBER R- 301415  
DATE OF FINAL PASSAGE MAY 08 2006

A RESOLUTION CALLING FOR A PUBLIC HEARING TO DETERMINE WHETHER THE PUBLIC HEALTH, SAFETY, OR GENERAL WELFARE REQUIRES THE FORMATION OF UNDERGROUND UTILITY DISTRICT FINANCED THROUGH THE CITY OF SAN DIEGO UNDERGROUNDING SURCHARGE FUND.

WHEREAS, Chapter VI, Article 1, Division 5 of the San Diego Municipal Code establishes a procedure for the creation of underground utility districts and requires as an initial step in such procedure the holding of a public hearing to determine whether the public health, safety, or general welfare requires 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 in any such district; and

WHEREAS, it has been recommended that the following underground utility district be formed:

- District 7, Greenbrier Avenue from Waring Road to Allied Gardens Community Park, as described in Exhibit A to this resolution and more particularly shown on Drawing No. 33809-1-D

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of San Diego [City Council], as follows:

1. Notice is hereby given that a public hearing will be held by the City Council on May 23, \_\_\_\_\_, 2006 at the hour of 2:00 p.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

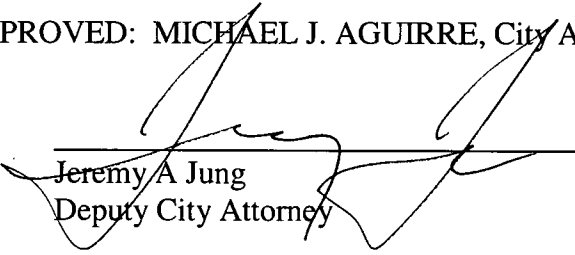
associated overhead structures and the underground installation of wires and facilities for supplying electric, communication, community antenna television or similar or associated service in the District described above.

2. At such hearing, all persons interested shall be given an opportunity to be heard and the hearing may be continued from time to time as may be determined by the City Council. The decision of the City Council as to the formation of the District as described above shall be final and conclusive.

3. The Mayor shall notify all affected persons as defined in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code and each utility company concerned of the time and place of the hearing by following the procedure set forth in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code.

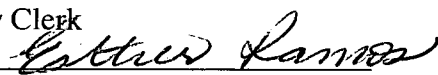
APPROVED: MICHAEL J. AGUIRRE, City Attorney

By


  
Jeremy A Jung  
Deputy City Attorney

JAJ:js  
Aud.Cert: N/A  
R-2006-873  
Attachment: A (Legal Description)

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at its meeting of MAY 02, 2006.

ELIZABETH S. MALAND  
City Clerk  
By   
Deputy City Clerk

Approved: 5-8-06  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

GENERAL BOUNDARY DESCRIPTION FOR THE GREENBRIER AVENUE  
(BOUNDED BY ALLIED GARDENS COMMUNITY PARK TO WARING ROAD)  
UNDERGROUND UTILITY DISTRICT

The GREENBRIER AVENUE (BOUNDED BY ALLIED GARDENS COMMUNITY PARK TO WARING ROAD) shall be established to include the following described parcels:

Lots 864 and 865 of Allied Gardens Unit No. 4 of Subdivision Map No. 3136

Lots 1335, 1336, Lots 1344 through 1346, of Allied Gardens Unit No. 5 of Subdivision Map No. 3218

Portion of lot 67 of Rancho Mission Referees Partition of S.C.C. 348

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

GREENBRIER AVENUE between a line parallel to the easterly entrance to ALLIED GARDENS COMMUNITY PARK and a line parallel to the southeasterly line of WARING ROAD

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Passed by the Council of The City of San Diego on MAY 02 2006, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 08 2006

AUTHENTICATED BY:

(Seal)

JERRY SANDERS

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By

*Mary Cepeda*

, Deputy

Office of the City Clerk, San Diego, California

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