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RESOLUTION NUMBER R- 303770

DATE OF FINAL PASSAGE MAY 30 2008

RESOLUTION CALLING A PUBLIC HEARING TO DETERMINE WHETHER THE PUBLIC HEALTH, SAFETY OR GENERAL WELFARE REQUIRES THE FORMATION OF THE JUTLAND DRIVE UNDERGROUND UTILITY DISTRICT IN THE CLAIREMONT COMMUNITY PLANNING AREA.

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, Council Policy 600-8, "Underground Conversion of Utility Lines by Utility Company" defines the Council Policy for undergrounding utilities; and

WHEREAS, in accordance with Chapter VI, Article 1, Division 5 of the San Diego Municipal Code and Council Policy 600-8, it has been recommended that the following underground utility district [District] be formed:

- Lots Portion Lot 1239 Pueblo Lands, Miscellaneous Map No. 36.
- Lots 2124 through 2127 & 2040 of Map CLAIREMONT UNIT NO. 10, Subdivision Map No. 2929.
- Lots 2532, 2533, 2569, 2570 & 2606, Lots 2633 through 2635, Lots 2706 through 2717 & Lot 2854 of Map CLAIREMONT UNIT NO. 12, Subdivision Map No. 2954.
- Lots 1 through 39, Lot 53, Lot 54, Lots 61 through 67 & Lots 84 through 101 of Map WEST CLAIREMONT UNIT NO. 1, Subdivision Map No. 5111.

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

- JUTLAND DRIVE from a point +/- 60 feet southwesterly of its intersection with Camino Coralino to the southerly line of Luna Dr.
- JEMEZ DRIVE between a line from the Northwesterly corner of 3815 Jemez Dr. and the Southwesterly corner of 4714 Jutland Dr. to the Northwesterly line of Jutland Dr.
- ABER STREET between a line from the Northwesterly corner of 3061 Aber St. and the Southwesterly corner of 3060 Aber St. to the Northwesterly line of Jutland Dr.
- ARCOLA AVENUE from its intersection with Jutland Ave south to its end at 2986 Arcola Ave.
- JUTLAND COURT

WHEREAS, Exhibit Attachment JUTLAND DRIVE (CAMINO CORELINA TO LUNA DRIVE) UNDERGROUND UTILITY DISTRICT (Sheet 1 of 1), Map, and Exhibit Attachment GENERAL BOUNDRY DESCRIPTION FOR THE JUTLAND UNDERGROUND UTILITY DISTRICT (Page 1 of 1), Legal Description, depicts the above District with greater specificity; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. Notice is hereby given that a public hearing will be held by the Council of the City of San Diego on JUN 17 2008, 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 said 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 City Clerk 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.

BE IT FURTHER RESOLVED, that this activity is categorically exempt from CEQA Guidelines Section 15302(d), and Public Utilities Commission General Order 131-D dated August 11, 1995.


APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Ryan Kohut
Deputy City Attorney

RK:cfq
04/16/08
Or.Dept:E&CP
R-2008-934

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 27 2008.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 5-30-08
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

**GENERAL BOUNDARY DESCRIPTION FOR THE JUTLAND DRIVE
UNDERGROUND UTILITY DISTRICT**

The JUTLAND DRIVE UNDERGROUND UTILITY DISTRICT shall be established to include the following described parcels:

Portion Lot 1239 Pueblo Lands, Miscellaneous Map No. 36.

Lots 2124 through 2127 & 2040 of Map CLAIREMONT UNIT NO. 10, Subdivision Map No. 2929.

Lots 2532, 2533, 2569, 2570 & 2606, Lots 2633 through 2635, Lots 2706 through 2717 & Lot 2854 of Map CLAIREMONT UNIT NO. 12, Subdivision Map No. 2954.

Lots 1 through 39, Lot 53, Lot 54, Lots 61 through 67 & Lots 84 through 101 of Map WEST CLAIREMONT UNIT NO. 1, Subdivision Map No. 5111.

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ARCOLA AVENUE from its intersection with Jutland Ave south to its end at 2986 Arcola Ave.

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