(R-2008-948) 32.5

RESOLUTION NUMBER R- 303776

DATE OF FINAL PASSAGE MAY 3 0 2008

RESOLUTION CALLING A PUBLIC HEARING TO DETERMINE WHETHER THE PUBLIC HEALTH, SAFETY OR GENERAL WELFARE REQUIRES THE FORMATION OF RESIDENTIAL PROJECT BLOCK 61 (BAY HO) SURCHARGE FUNDED UNDERGROUND UTILITY DISTRICT.

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:

- Portion Lot 1239 of PUEBLO LANDS, Map No. 36.
- Lots 1995 through 2039, Lots 2041 through 2123 & Lots 2128 through 2166 of Map CLAIREMONT UNIT NO. 10, Subdivision Map No. 2929.
- Lot 2531, Lots 2534 through 2568, Lots 2571 through 2605, Lots 2607 through 2632, Lots 2636 through 2688, Lots 2690 through 2705, Lots 2718 through 2726, Lots 2770 through 2772, Lots 2800 & 2801 & Lots 2835 through 2853 of Map CLAIREMONT UNIT NO. 12, Subdivision Map No. 2954.
- Portion Parcel 1 & Parcel 2 of Parcel Map 16201.

- Lots 3100 through 3108, portion Lot 3109, Lots 3074 through 3082, portion Lot 3083 of Map WEST CLAIREMONT UNIT NO. 1, Subdivision Map No. 3008.
- Lots 40 through 52, Lots 55 through 60 & Lots 68 through 83 of Map WEST CLAIREMONT UNIT NO. 1, Subdivision Map No. 5111.
- Lots 1 & 2 of Map RICE SUBDIVISION UNIT NO. 1, Subdivision Map No. 5720.
- Lot 1 of Map VIEW TERRACE, Subdivision Map No. 7054.
- Lots 1 through 4, portion Lot 5 & Lot 6 of Map STONEHAVEN, Subdivision Map No. 8387.
- Lots 5 & 6 of Map MORENA INDUSTRIAL CENTER, Subdivision Map No. 9707.
- Lots 1 through 3 of Map CANYON RIM, Subdivision Map No. 9223.

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

- <u>JEMEZ DRIVE</u> from its intersection with Hidalgo Ave. to its intersection with Pocahontas Ave.
- <u>IDLEWILD WAY</u> from its intersection with Hidalgo Ave. southeasterly toto a line extending from the southeasterly corner of 3382 Idlewild Way and the northeasterly corner of 3383 Idlewild Way.
- <u>HAIDAS AVENUE</u> from its intersection with Isleta Ave. southeasterly to its intersection with Jutland Dr.
- <u>GUILITOY AVENUE</u> from its intersection with Isleta Ave. southeasterly to its intersection with Jutland Dr.
- GUILITOY COURT
- <u>HIDALGO AVENUE</u> from a line +/- 100 feet south of Luna Ave. to its end at 4502 Hidalgo Ave.
- FAWN AVENUE
- JUTLAND PLACE
- ATWELL STREET
- ARCOLA AVENUE
- CAMINO CORALINO
- ISLETA AVENUE
- <u>JUTLAND DRIVE</u> from its intersection with Camino Coralino to a line extending Southeasterly from the Southwesterly corner of 4370 Jutland Dr.

- <u>ARIANE DRIVE</u> between a line extending southeasterly from the southeasterly corner of 2770 Ariane Dr. to a line extending southerly from the southerly corner of 2706 Ariane Dr.
- <u>CLAIREMONT MESA BOULEVARD</u> from its intersection with Luna Ave. easterly to a line +/- 165 feet westerly of Clairemont Dr.
- <u>ALLEY</u> south of Idlewild Way and north of Karok Ave. from Idlewild Way to its end at 4621 Jutland Dr.
- MORAGA AVENUE from its intersection with the Alley North of Clairemont Mesa Blvd. to a line +/- 100 feet north of Idlewild Way.
- <u>ALLEY</u> north of Jemez Dr. and south of Clairemont Mesa Blvd. from its intersection with Jutland Dr. east to its intersection with Moraga Ave.
- <u>ALLEY</u> north of Jemez Dr. and south of Clairemont Mesa Blvd. from its intersection with Moraga Ave. east to its intersection with Pocahontas Ave.
- <u>KAROK AVENUE</u> from its intersection with Idlewild Way to a line +/- 75 feet south of Idlewild Way.
- <u>LA JUNTA AVENUE</u> from its intersection with Idlewild Way to a line +/- 92 feet south of Idlewild Way.
- <u>LUNA AVENUE</u> from a line +/- 85 feet west of Jutland Dr. to a line +/- 20 feet east of Clairemont Mesa Blvd.
- <u>POCAHONTAS AVENUE</u> from its intersection with the Alley north of Clairemont Mesa Blvd. south to its intersection with the Alley north of Jemez Dr.

WHEREAS, Exhibit Attachment DISTRICT 6 BLOCK 61 UNDERGROUND UTILITY DISTRICT (Sheets 1 through 3), Map, and Exhibit Attachment GENERAL BOUNDRY DESCRIPTION FOR THE DISTRICT 6 BLOCK 61 UNDERGROUND UTILITY DISTRICT (Pages 1 through 3), 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

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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 CEOA

Guidelines Section 15302(d), and Public Utilities Commission General Order 131-D dated

August 11, 1995.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

- 11116

By

Rvan Kohut

Deputy City Attorney

R- 303776

RK:cfq 04/16/08 Or.Dept:E&CP R-2008-948

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

GENERAL BOUNDARY DESCRIPTION FOR THE DISTRICT 6 BLOCK 6I UNDERGROUND UTILITY DISTRICT

The DISTRICT 6 BLOCK 6I UNDERGROUND UTILITY DISTRICT shall be established to include the following described parcels:

Portion Lot 1239 of PUEBLO LANDS, Map No. 36.

Lots 1995 through 2039, Lots 2041 through 2123 & Lots 2128 through 2166 of Map CLAIREMONT UNIT NO. 10, Subdivision Map No. 2929.

Lot 2531, Lots 2534 through 2568, Lots 2571 through 2605, Lots 2607 through 2632, Lots 2636 through 2688, Lots 2690 through 2705, Lots 2718 through 2726, Lots 2770 through 2772, Lots 2800 & 2801 & Lots 2835 through 2853 of Map CLAIREMONT UNIT NO. 12, Subdivision Map No. 2954.

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<u>GUILITOY AVENUE</u> from its intersection with Isleta Ave. southeasterly to its intersection with Juliand Dr.

GUILITOY COURT

HIDALGO AVENUE from a line +/- 100 feet south of Luna Ave. to its end at 4502 Hidalgo Ave.

FAWN AVENUE

JUTLAND PLACE

ATWELL STREET

ARCOLA AVENUE

CAMINO CORALINO

ISLETA AVENUE

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ARIANE DRIVE between a line extending southeasterly from the southeasterly corner of 2770 Ariane Dr. to a line extending southerly from the southerly corner of 2706 Ariane Dr.

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