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RESOLUTION NUMBER R- 303856

DATE OF FINAL PASSAGE JUN 24 2008

A RESOLUTION ESTABLISHING THE JUTLAND DRIVE UNDERGROUND UTILITY DISTRICT FOR THE CLAIREMONT PLANNING AREA.

WHEREAS, by Resolution No. R- 303770, a public hearing was called for 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 structures and the underground installation of wires and facilities for supplying electric, communication, community antenna television or similar or associated service within certain areas of the City of San Diego more particularly described as follows [the District]:

- 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 included 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 BOUNDARY DESCRIPTION FOR THE JUTLAND UNDERGROUND UTILITY DISTRICT (Page 1 of 1), Legal Description, depicts the above District with greater specificity; **and**

WHEREAS, notice of such hearing has been given by the Mayor to all affected property owners as defined in Chapter VI, Article One, Division Five 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 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 within the areas set forth above and that pursuant to Chapter VI, Article One, Division Five of the San Diego Municipal Code, the above areas are hereby declared to be underground utility districts 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 Mayor is hereby authorized to establish schedules for the underground conversion of all poles, overhead wires, and associates structures in said District.

3. The Mayor is hereby instructed to notify all affected persons as defined in Chapter VI, Article One, Division Five 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 Mayor shall further notify affected persons as defined in Chapter VI, Article One, Division Five 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 permit the installation of all necessary facility changes on their premises, or provide such changes at their own expense, 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. The Mayor's notification shall be in the manner provided in Chapter VI, Article One, Division Five 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-2008-933

(R-2008-933)

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 17 2008.

ELIZABETH S. MALAND  
City Clerk

By *Mary Zumbado*  
Deputy City Clerk

Approved: 6.24.08  
(date)

*JSL*  
JERRY SANDERS, Mayor

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

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JERRY SANDERS, Mayor

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