

RESOLUTION NUMBER R- 305032

DATE OF FINAL PASSAGE JUL 09 2009

A RESOLUTION CALLING A PUBLIC HEARING TO DETERMINE WHETHER THE PUBLIC HEALTH, SAFETY OR GENERAL WELFARE REQUIRES THE FORMATION OF THE SAN VICENTE STREET (SAN VICENTE COURT TO ASHMORE LANE) 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:

- Lots 99, 132, 133, 166, 167 & 200 of Map LOMITA VILLAGE UNIT NO. 1, Subdivision No. 2915.
- Lots 230, 231, 248, 265, 305, 313, 314, 348, 351 through 358 of Map LOMITA VILLAGE UNIT NO. 2, Subdivision No. 2931.

- Lots 359 through 361 & 415 through 418 & 450 through 452 of Map LOMITA VILLAGE UNIT NO. 3, Subdivision No. 2941.
- Lots 529, 546, 547 & 573 through 581 & 648 of Map LOMITA VILLAGE UNIT NO. 4, Subdivision No. 2952.
- Lots 932, 933, 966 & 967 of Map LOMITA VILLAGE UNIT NO. 6, Subdivision No. 2991.
- Lots 1268 through 1277 of Map HIGHLAND PARK ESTATES UNIT NO. 12, Subdivision No. 4858.

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

- SAN VICENTE STREET between a line from the Southwesterly corner of 7844 San Vicente St. & the Northwesterly corner of 7829 San Vicente St. to a line from the Northeasterly corner of 671 Billow Dr. to the Southeasterly corner of 701 Billow Dr.
- RYTKO STREET between a line from the Northeasterly corner of 704 Rytko St. & the Northwesterly corner of 705 Rytko St. to a line from the Southeasterly corner of 666 Rytko St. to the Southeasterly corner of 665 Rytko St.
- BONSALL STREET between a line parallel to and +/- 94 feet North of San Vicente Dr. to a line +/- 60 feet South of San Vicente Dr.
- GLENCOE DRIVE between a line parallel to and +/- 100 feet North of San Vicente Dr. to its intersection with San Vicente Dr.
- JACUMBA STREET between a line parallel to and +/- 70 feet North of San Vicente Dr. to its intersection with San Vicente Dr.
- NORM STREET between a line parallel to and +/- 100 feet South of San Vicente Dr. to its intersection with San Vicente Dr.
- SAWTELLE AVENUE between a line parallel to and +/- 60 feet North of San Vicente Dr. to a line +/- 69 feet South of San Vicente Dr.

- SUNNYSIDE AVENUE between a line parallel to and +/- 60 feet North of San Vicente Dr. to a line +/- 69 feet South of San Vicente Dr.
- ENCINITAS AVENUE between a line parallel to and +/- 60 feet North of San Vicente Dr. to a line +/- 69 feet South of San Vicente Dr.
- CARDIFF STREET between a line parallel to and +/- 60 feet North of San Vicente Dr. to a line +/- 69 feet South of San Vicente Dr.
- BILLOW DRIVE between a line parallel to and +/- 60 feet North of San Vicente Dr. to a line +/- 69 feet South of San Vicente Dr.

WHEREAS, Exhibit Attachment SAN VICENTE STREET UNDERGROUND UTILITY DISTRICT Map, and Exhibit Attachment GENERAL BOUNDARY DESCRIPTION FOR THE SAN VICENTE UNDERGROUND UTILITY DISTRICT 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 JUL 27 2009, at the hour of 2:00pm 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.

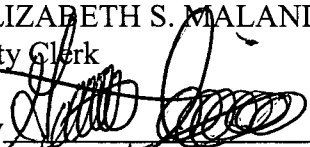
APPROVED: JAN GOLDSMITH, City Attorney

By 
Ryan Kohut
Deputy City Attorney

RK:sc
06/24/09
Or.Dept:E&CP
R-2009-1343

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 06 2009.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 7-9-09
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor