

RESOLUTION NUMBER R- 306459

DATE OF FINAL PASSAGE DEC 14 2010

RESOLUTION CALLING A PUBLIC HEARING TO DETERMINE WHETHER THE PUBLIC HEALTH, SAFETY OR GENERAL WELFARE REQUIRES THE FORMATION OF THE EUCLID AVENUE (EUCLID AVE. TO UNIVERSITY AVE.) 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" further governs the undergrounding of 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:

- LOT 0.95 AC POR 41 of Map RANCHO MISSION SAN DIEGO, Subdivision Map No. PB I – PG 345(CC348).
- Lots 42 through 44 and Portion of Lots 45 through 48 with a west side offset of ±25 feet from the northwest corner of Lot 48 in Block 4 of Map FAIRMONT ADD, Subdivision Map No. 1035.
- Lots 29 through 48 in Block 5; Portion of Lots 25 through 28 with a west side offset line of ±40 feet from the southwest corner of Lot 29 in Block 5; Lots 27 through 41 in Block 4; and Portion of Lots 25 through 26 with a west side offset of ±42 feet from the

southwest corner of Lot 25 in Block 4 of Map MOUNTAIN VIEW, Subdivision Map No. 1147.

- Portion of Lots 24 through 25 with an offset west side ± 75 feet from the northeast corner of Lot 25 in Block 4 of Map BUNGALOW PARK ADDITION, Subdivision Map No. 1175.
- Lots 25 through 27; Lots 32 through 46; and Portion of Lots 28 through 31 with an offset west side of ± 105 feet from the northeast corner of Lot 31 in Block 5 of Map BUNGALOW PARK ADDITION, Subdivision Map No. 1175.
- Lot 2 in Block D; Lots 26 through 46 in Block 4; Lots 25 through 48 in Block 12; and Lots 21 through 38 in Block 13; of Map BUNGALOW PARK ADDITION, Subdivision Map No. 1175.
- Lots 97 through 100 in Block 2; Portion of Lots 101 through 104 with an east side offset line of ± 60 feet from the southwest corner of Lot 100 in Block 2; Lots 1 through 4 and Lots 85 through 88 in Block 3; Lots 1 through 2 and Lots 97 through 99 in Block 4; and Lots 1 through 4 and Lots 69 through 70 in Block 5 of Map FAIRMOUNT ADD RESUB BLKS 1-12, Subdivision Map No. 1347.
- Lots 1 through 2; Portion of Lots 3 through 4 with an east side offset of ± 62.27 feet from the north east corner of Lot 3; Portion of Lots 5 through 8 with an east side offset of ± 100 feet from the north east corner of Lot 5; and Lots 22 through 33 in Block 6 of Map FAIRMOUNT ADD RESUB BLKS 1-12, Subdivision Map No. 1347.
- Lot 1 in Block 6 and Lot 9 of Map FAIRHAVEN ACRES, Subdivision Map No. 1490.
- Lot 13 in Block D and Lots 10 through 18 in Block E of Map BELLE CREST, Subdivision Map No. 1561.
- Lots 1 through 15 in Block 1; Lot 1 in Block 3; and Lot 9 in Block 3 of Map ISLENAIR UNIT NO. 1, Subdivision Map No. 1898.
- Lots 1 through 8 in Block 7 and Lot 1 in Block 4 of Map ISLENAIR UNIT NO. 2, Subdivision Map No. 1925.
- Lots 1 through 5 of Map CLIFFORD PT, Subdivision Map No. 3171.

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

- EUCLID AVENUE between lines extending southeasterly from northeast corner of Lot 21 in Block 13 of Map BUNGALOW PARK ADDITION, Subdivision Map No. 1175 &

eastwardly from the northeast corner of Lot 48 in Block 4 of Map FAIRMONT ADD, Subdivision Map No. 1035.

- REDWOOD STREET between line extending northerly with an offset of ± 160 feet from northwest corner of Lot 38 in Block BUNGALOW PARK ADDITION, Subdivision Map No. 1175 & centerline of Euclid Av.
- THORN STREET between offset lines extending northerly from the northwest corner of Lot 48 in Block 12 of BUNGALOW PARK ADDITION, Subdivision Map No. 1175 and northerly from the northeast corner of Lot 1 in Block 7 of ISLENAIR UNIT NO. 2, Subdivision Map No. 1925.
- MYRTLE AVENUE between offset line ± 20 feet west of the centerline of Euclid Av. in Block 5 of Map BUNGALOW PARK ADDITION, Subdivision Map No. 1175
- ISLAVISTA DRIVE between offset lines extending northeasterly from the northeast corner of Lot 1 in Block 1 of Map ISLENAIR UNIT NO. 1 and centerline of Euclid Av.
- DWIGHT STREET between lines extending northerly from northwest corner of Lot 46 in Block 4 of Map BUNGALOW PARK ADDITION, Subdivision Map No. 1175 & northerly from the northeast corner of Lot 9 of Map FAIRHAVEN ACRES, Subdivision Map No. 1490.
- ROSELAWN AVENUE between line extending northerly from northwest corner of Lot 13 in Block D of Map BELLE CREST, Subdivision Map No. 1561 and centerline of Euclid Av.
- CASTLE AVENUE between line extending northerly from west side of Lot 1 in Block 6 of Map FAIRMONT ADD RESUB BLKS 1-12, Subdivision Map No. 1347 and centerline of Euclid Av.
- LANDIS STREET between line extending northerly from northeast corner of Lot 18 in Block E of Map BELLE CREST, Subdivision Map No. 1561 and centerline of Euclid Av.
- LANTANA DRIVE between line extending southerly from south corner of Lot 97 in Block 4 of Map FAIRMONT ADD RESUB BLKS 1-12, Subdivision Map No. 1347 and centerline of Euclid Av.
- WIGHTMAN STREET between line extending southerly with an offset of ± 43 feet from southwest corner of Lot 25 in Block 4 of Map MOUNTAIN VIEW, Subdivision Map No. 1147 and line extending northeasterly from the northeast corner of Lot 2 in Block 4 of Map FAIRMONT ADD RESUB BLKS 1-12, Subdivision Map No. 1347.

- AUBURN DRIVE between line extending northeasterly from northeast corner of Lot 4 in Block 3 of Map FAIRMONT ADD RESUB BLKS 1-12, Subdivision Map No. 1347 and centerline of Euclid Av.

WHEREAS, Exhibit Attachment EUCLID AVENUE (EUCLID AVE. TO UNIVERSITY AVE.) UNDERGROUND UTILITY DISTRICT Map, and Exhibit Attachment GENERAL BOUNDARY DESCRIPTION FOR EUCLID AVENUE (EUCLID AVE. TO UNIVERSITY AVE.) UNDERGROUND UTILITY DISTRICT 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 1, Division 5 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; and

WHEREAS, a Mitigated Negative Declaration (attached hereto), Project No. 206474, has been prepared according to the California Environmental Quality Act of 1970 as amended ("CEQA"), and state and local guidelines and regulations adopted pursuant thereto; 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 JAN 25 2011, 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 Districts 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.

4. The City Council shall consider the information contained in the Mitigated Negative Declaration, Project 206474 to determine if it has been completed in compliance with CEQA, and state and local guidelines and regulations adopted pursuant thereto, and that said Mitigated Negative Declaration reflects the independent judgment of the City of San Diego as Lead Agency.

APPROVED: JAN GOLDSMITH, City Attorney

By



Ryan Kohut
Deputy City Attorney

RK:cfq
11/09/10
Or.Dept:E&CP
2010-02669

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 7 2010.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 12-14-10
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor