

RESOLUTION NUMBER R- 306465

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 RESIDENTIAL PROJECT BLOCK 6DD (BAY HO 3) 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:

- Lots 1 through 30 of MAP 7649 – VISTA BAY HO
- Lots 349 through 373, Portion of Lots 373 & 374, Lots 375 through 403 of MAP 5937 – HARBORVIEW HTS UNIT NO. 6
- Lot 1 of MAP 8046 – MORENA INDUSTRIAL PARK
- Lot 1 of MAP 9314 – SHADOW HILL CONDOMINIUMS
- Lot 1 of MAP 8995 – BAY HO CONDOMINIUMS
- Lot 1 of MAP 8994 – BAY VIEW TERRACE CONDOMINIUMS

- Lot 217 of MAP 5723 – HARBORVIEW HTS UNIT NO. 7
- Lots 70 through 152 of MAP 5936 - HARBORVIEW HTS UNIT NO. 3 – LOTS 70-152
- Lots 289 through 296 AND Lots 312 through 330 of MAP 5815 - HARBORVIEW HTS UNIT NO. 5 – LOTS 289-296, 312-330
- Lots 282 through 288, Lots 297 through 311, AND Lots 331 through 348 of MAP 5815 – HARBORVIEW HTS UNIT NO. 5 – LOTS 282-288, 297-311, 331-348
- Lots 14 through 27, AND Lots 42 through 65 of MAP 5423 – HARBORVIEW HTS UNIT NO. 2 – LOTS 14-27, 42-65
- Lots 1 through 13, Lots 28 through 41, AND Lots 66 through 69 of MAP 5423 – HARBORVIEW HTS UNIT NO. 5 – LOTS 1-13, 28-41, 66-69
- Lots 225 through 245 of MAP 5776 – HARBORVIEW HTS UNIT NO. 4 – LOTS 225-245
- Lots 246 through 281 of MAP 5776 – HARBORVIEW HTS UNIT NO. 4 – LOTS 246-281
- Lots 165 through 185 of MAP 5637 – HARBORVIEW HTS UNIT NO. 1 – LOTS 165-185
- Lots 153 through 164, Lots 186 through 189, AND Lots 206 through 208 of MAP 5637 – HARBORVIEW HTS UNIT NO. 1 – LOTS 153-164, 186-189, 206-208
- Lots 190 through 205, AND Lot A of MAP 5637 – HARBORVIEW HTS UNIT NO. 1 – LOTS 190-205 & A
- Lots 161 through 170 of MAP 5113 – WEST CLAIREMONT UNIT NO. 4 – LOTS 161-170
- Lots 157 through 160 of MAP 5112 – WEST CLAIREMONT UNIT NO. 3 – LOTS 157-160
- Lots 115 through 145 of MAP 4843 – WEST CLAIREMONT UNIT NO. 2 – LOTS 115-145
- Lots 102 through 114, AND Lots 146 through 156 of MAP 4843 – WEST CLAIREMONT UNIT NO. 2 – LOTS 102-114, 146-156
- Lots 3222 through 3233, Lots 3200 through 3210, Lots 3190 through 3199, AND Lots 3173 through 3182 of MAP 3145 – CLAIREMONT UNIT NO. 16

- Lots 3447 through 3453 AND Lots 3392 through 3396 of MAP 3145 – CLAIREMONT UNIT NO. 16 – LOTS 3387-3404, 3433, 3434, 3447-3453
- Lots 3435 & 3436 of MAP 3184 – CLAIREMONT UNIT NO. 16 ANNEX – LOTS 3465 & 3436
- Portion of Lots 3385 of MAP 3145 – CLAIREMONT UNIT NO. 16
- Portion of Lots 3385, Lots 3337 through 3351, AND Lots 3352 through 3380 of MAP 3145 – CLAIREMONT UNIT NO. 16
- Lots 2761 through 2769, Lots 2773 through 2785, 2786 through 2796, 2810 through 2818, AND 2819 through 2821 of MAP 2954 – CLAIREMONT UNIT NO. 12
- Lots 2829 through 2833, Lots 2826 through 2828, Lots 2803 through 2809, AND Lots 2797 through 2799 of MAP 2954 – CLAIREMONT UNIT NO. 12
- Lots 3183 through 3189, Lots 3211 through 3221, Lots 3245 through 3252, Lots 3381 through 3384, AND Lots 3454 through 3460 of MAP 3145 – CLAIREMONT UNIT NO. 16 – Lots 3183-3189, 3211-3221, 3245-3252, 3381-3384, 3454-3460
- Lots 3314 through 3326, Lots 3260 through 3295, AND Lots 3234 through 3244 of MAP 3145 – CLAIREMONT UNIT NO. 16
- Lots 3437 & 3438 of MAP 3184 – CLAIREMONT UNIT NO. 16 ANNEX – LOTS 3437 & 3438
- Lot 3386 AND Lots 3439 through 3446 of MAP 3145 – CLAIREMONT UNIT NO. 16 – Lots 3386, 3429-3432, 3439-3446
- Lots 3253 through 3259, Lots 3296 through 3313, Lots 3327 through 3336, AND Lots 3362 through 3375 of MAP 3145 – CLAIREMONT UNIT NO. 16 – Lots 3253-3259, 3296-3313, 3327-3336, 3362-3375
- Lots 2727 through 2741 of MAP 2954 CLAIREMONT UNIT NO. 12
- Lots 2742 through 2760 of MAP 2954 CLAIREMONT UNIT NO. 12

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

- KARNES WAY, PETERS WAY, CONNER WAY, CONNER COURT, HARTMAN WAY, NUTE WAY, HUNRICHS WAY, STOCHETT WAY, SLAYEN WAY, PLONE

WAY, BRILLDEN COURT, FRYDEN COURT, DRISCOLL DRIVE, WAYNE LANE, NORTH STAR DRIVE, WHEAT STREET, EICHENLAUB STREET, RAFFEE STREET, PETUNIA COURT, HUERFANO AVENUE, MORAGA COURT, BARROWS STREET, TENSHAW PLACE, HUERFANO COURT, COURSER AVENUE, COURSER COURT, HOPI PLACE, LA CROOSE AVENUE, JICARILLO AVENUE, KEOKUK COURT, MILISA WAY, JAPPA AVENUE, INNUIT AVENUE, ATARI COURT

- CADDEN WAY from adjacent to Lot 97 of MAP 5936 – HARBORVIEW HTS UNIT NO. 3 to the intersection with Eichenlaub St
- LA JUNTA AVENUE from adjacent to Lot 2799 of MAP 2954 – CLAIREMONT UNIT NO. 12 to the intersection with Jicarillo Ave
- KAMLOOP AVENUE from adjacent to Lot 3435 of MAP 3184 – CLAIREMONT UNIT NO. 16 ANNEX to the intersection with Hopi Pl
- GEGGES DRIVE from adjacent to Lot 3337 of MAP 3145 – CLAIREMONT UNIT NO. 16 to the intersection with Moraga Ave
- MORAGA AVENUE from adjacent to Lot 3392 of MAP 3145 – CLAIREMONT UNIT NO. 16 to adjacent to Lot 2833 of MAP 2954 – CLAIREMONT UNIT NO. 12
- YUCCA AVENUE adjacent to Lot 40 of MAP 5423 – HARBORVIEW HTS UNIT NO. 2
- KAROK AVENUE from adjacent to Lot 2769 of MAP 2954 – CLAIREMONT UNIT NO. 12 to the dead end at Lots 157 through 160 of MAP 5112 WEST CLAIREMONT UNIT NO. 3
- AVATI DRIVE from intersection with Morena Bl of MAP 5723 – HARBORVIEW HTS UNIT NO. 7 to the intersection with Moraga Ct of MAP 5637 – HARBORVIEW HTS UNIT NO. 1 – LOTS 153-164, 186-189, 206-208.
- MORENA BOULEVARD from the westerly end of line with a direction of N 67° E in Lot 8 of MAP 8046 – MORENA INDUSTRIAL PARK to side with a direction of N 89° 32' 55" E in Lot 217 of MAP 5723 – HARBORVIEW HTS UNIT NO. 7.

WHEREAS, Exhibit Attachment RESIDENTIAL PROJECT BLOCK 6DD (BAY HO 3)

Map, and Exhibit Attachment GENERAL BOUNDARY DESCRIPTION FOR RESIDENTIAL

PROJECT BLOCK 6DD (BAY HO 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 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 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:cfq  
11/04/10  
Or.Dept:E&CP  
Pro Law 2010-02667

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