

135A  
12/07

(R-2011-392  
Corrected)

RESOLUTION NUMBER R-306467

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 2SI (SOUTH MISSION) 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 A through F in BLOCK 1; Lots A & B in BLOCK 2; Lots A through L in BLOCK 3; Lots A through D in BLOCK 4; Lots A through D in BLOCK 5; AND Lots A through L in BLOCK 6 of MAP 1809 (1651) – MISSION BEACH ALTERED MAP
- Lots 1 through 3 in BLOCK 6 of PARTIAL MAP PM 8154
- Lot 1 of MAP 10684 – CARIBBEAN VILLAS (CONDM)

- Lots A through D in BLOCK 7; Lots A through P in BLOCK 8; AND Lots A & B, Lots E through I in BLOCK 9 of MAP 1809 (1651) – MISSION BEACH ALTERED MAP
- Lot 1 of PM19741 – CONDO ASBURY COURT DOC05-532215 & DOC05-575978 (SEE SHEET 3)
- Lots A through S in BLOCK 10; Lots A & B in BLOCK 11; Lots C through J in BLOCK 16; Lots A & B in BLOCK 17; Lots A through D in BLOCK 18; AND Lots A through D, G through R in BLOCK 19 of MAP 1809 (1651) – MISSION BEACH ALTERED MAP
- Lots 1 & 2 of PM 10796 – CONDO BAHIA REAL DOC82-081364 (SEE SHEET 3)
- Lots 1 & 2 of PM 17863 – CONDO 835 & 837 AVALON CT DOC98-712808 (SEE SHEET 3)
- Lot 1 of PM 19059 – CONDO PEND 821 BALBOA CT DOC02-928151
- Lots A through K AND Lot M in BLOCK 12; Lots A through F in BLOCK 13; Lots A through F in BLOCK 14; and Lots A through Q in BLOCK 15 of MAP 1809 (1651) – MISSION BEACH ALTERED MAP
- Lot 1 of PM 20168 – CONDO 714 ASBURY COURT DOC2006-0889829
- Lots A through S in BLOCK 24; Lots A through D in BLOCK 25; Lots A through C in BLOCK 26; Lots A through R in BLOCK 27; Lots A through O in BLOCK 32; AND Lots A through D in BLOCK 33 of MAP 1809 (1651) – MISSION BEACH ALTERED MAP
- Lot 1 of PM 20390 – CONDO 2774 BAYSIDE WALK DOC2007-0752052
- Lots A through Q in BLOCK 20; Lots A through D in BLOCK 21; Lots A through D in BLOCK 22; AND Lots A through O in BLOCK 23 of MAP 1809 (1651) – MISSION BEACH ALTERED MAP
- Lots A through L in BLOCK 28; Lots A through D in BLOCK 29; Lots A through D in BLOCK 30; AND Lots A through J in BLOCK 31 of MAP 1809 (1651) – MISSION BEACH ALTERED MAP – BLKS 28-31
- Lots A through D in BLOCK 34; Lots A through L in BLOCK 35; Lots A through F, Lots H through L in BLOCK 40; Lots B & C in BLOCK 41; Lots A through D in BLOCK 42; AND Lots D through K in BLOCK 43 of MAP 1809 (1651) – MISSION BEACH ALTERED MAP

- Lot 1 & 2 of PM 16175
- Lot 1 of MAP 5504 – YOUNGSON SUB
- Lot 1 & 2 of PM 19528
- Lots A through J in BLOCK 36; Lots B through D in BLOCK 37; Lots A through D in BLOCK 38; Lots A through J in BLOCK 39; Lots A through K in BLOCK 44; AND Lots A through D in BLOCK 45 of MAP 1809 (1651) – MISSION BEACH ALTERED MAP
- Lot 1 of PM 10552 – CONDM MISSION BEACH DOC82-368886 (SEE SHEET 4)
- Lots A through K in BLOCK 48; Lots B through D in BLOCK 49; Lots A through D in BLOCK 50; AND Lots A through Ln BLOCK 51 of MAP 1809 (1651) – MISSION BEACH ALTERED MAP – BLKS 48, 50, 51, & POR 49
- Lot 1 of MAP 5568 – YOUNGSON SUB UNIT NO. 2 – LOT 1 CONDM DOC 67-102945 (SEE SHEET 4).
- Lots A through O in BLOCK 56, AND Lots A through P & Lot S in BLOCK 59 of MAP 1809 (1651) – MISSION BEACH ALTERED MAP
- Lot 1 of PM 20441 – CONDO ENSENADA COURT VILLA'S DOC08-0235889 (SEE SHEET 3)
- All Lots of PM 15905 – CONDO TIERRA PALMS DOC1990-0447931 (SEE SHEET 5)
- Lots A through D in BLOCK 46; Lots A through N in BLOCK 47; Lots A through K & M through Q in BLOCK 52; AND Lots A through D in BLOCK 53 of MAP 1809 (1651) – MISSION BEACH ALTERED MAP
- Lot 1 of PM20514 – CONDO VILLA ONDA DOC08-0323028
- Lots A through D in BLOCK 54; Lots A through S in BLOCK 55; Lots A through T in BLOCK 60; AND Lots A through D in BLOCK 61 of MAP 1809 (1651) – MISSION BEACH ALTERED MAP

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

- ENSENADA COURT from the intersection of Ocean Front Walk to the intersection with Bayside Walk of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- DOVER COURT from the intersection of Ocean Front Walk to the intersection of Bayside Walk of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- DEVON COURT from the intersection of Ocean Front Walk to the intersection of Bayside Walk in Block 48 of MAP 1809(1651) – MISSION BEACH ALTERED MAP – BLOCKS 47, 50, 41 & POR 48
- SAN GABRIEL PLACE from the intersection of Ocean Front Walk to the intersection of Bayside Walk in Blocks 48 and 49 of MAP 1809(1651) – MISSION BEACH ALTERED MAP – BLOCKS 47, 50, 41 & POR 48
- DEAL COURT from the intersection of Ocean Front Walk in Blocks 39 through 44 to the intersection of Bayside Walk in Blocks 40 through 43 of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- CORONADO COURT from the intersection of Ocean Front Walk in Blocks 36 through 39 to the intersection of Bayside Walk in Blocks 34, 35, 50 and 41 of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- COHASSET COURT from the intersection of Ocean Front Walk in Blocks 30 and 31 of MAP 1809(1651) – MISSION BEACH ALTERED MAP – BLOCKS 28-31 to the intersection of Bayside Walk in Blocks 32 and 33 of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- CAPISTRANO PLACE from the intersection of Ocean Front Walk in Blocks 28 through 31 of MAP 1809(1651) – MISSION BEACH ALTERED MAP – BLOCKS 28-31 to the intersection of Bayside Walk in Blocks 26, 27, 32 and 33 MAP 1809 (1651) – MISSION BEACH ALTERED MAP
- BRIGHTON COURT from the intersection of Ocean Front Walk in Blocks 28 and 29 of MAP 1809(1651) – MISSION BEACH ALTERED MAP – BLOCKS 28-31 to the intersection of Bay Side Walk in Blocks 24 through 27 of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- BALBOA COURT from the intersection of Ocean Front Walk in Blocks 20 through 23 to the intersection of Bayside Walk in Blocks 24 and 25 of MAP 1809 (1651) – MISSION BEACH ALTERED MAP

- AVALON COURT from the intersection of Ocean Front Walk in Blocks 20 and 21 to the intersection of Bayside Walk in Blocks 16 through 19 of MAP 1809 (1651) – MISSION BEACH ALTERED MAP
- SAN LUIS REY PLACE from the intersection of Ocean Front Walk to the intersection of Bayside Walk in Block 11 and 17 of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- ASBURY COURT from the intersection of Ocean Front Walk in Block 8 and 9 to the intersection of Bayside Lane in Block 10 and 11 of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- ALLERTON COURT from the intersection of Mission Boulevard in Block 9 to the intersection of Bayside Walk in Block 10 and 11 of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- ANACAPA COURT from the intersection of Ocean Front Walk in Block 7 and 8 to the intersection of Bayside Walk in Blocks 3 through 6 of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- ASPIN COURT from the intersection of Ocean Front Walk in Block 7 to the intersection of Bayside Walk in Blocks 1 through 4 of MAP 18(1651) – MISSION BEACH ALTERED MAP
- MISSION BOULEVARD from the intersection of San Fernando Place in Block 59 to the intersection with Aspen Ct in Block 7 of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- OCEAN FRONT WALK from the intersection of San Fernando Place in Block 60 and 61 to the intersection with R/W LINE NORTH JETTY with a direction of N 80°50'22" E of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- STRAND WAY from the intersection of San Fernando Place in Blocks 54, 55, 60 and 61 to the intersection of Mission Boulevard in Blocks 7 and 8 of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- BAYSIDE LANE from adjacent to Lot A in BLOCK 59 to Lot F in BLOCK 1 of MAP 1809 (1651) – MISSION BEACH ALTERED MAP
- BAYSIDE WALK from south of San Fernando Place to adjacent to Lot B in BLOCK 17 of MAP 1809 (1651) – MISSION BEACH ALTERED MAP

- SAN DIEGO PLACE from the intersection of Mission Boulevard to the intersection of Bayside Walk in Block 1 of MAP 1809 (1651) – MISSION BEACH ALTERED MAP
- ALLEY between San Fernando Place and Ensenada Ct from the intersection of Strand Way in Block 61 and 61 to the intersection of Bay Side Lane in Block 59 of Map 1809(1651) – Mission Beach Altered Map
- ALLEY between Ensenada Ct and Dover Ct from the intersection of Strand Way in Blocks 54, 55, 60 to the intersection Bayside Lane of Map 1809(1651) – Mission Beach Altered Map
- ALLEY between Dover Ct and Devon Ct from the intersection of Ocean Front Walk in Blocks 54 and 55 to intersection of Bayside Lane in Block 51 of Map 1809(1651) – Mission Beach Altered Map
- ALLEY between Devon Ct and San Gabriel Place from the intersection of Strand Way in Blocks 46 and 47 to the intersection of Bayside Lane in Blocks 48 and 49 of MAP 1809(1651) – Mission Beach Altered Map
- ALLEY from the northeast corner on Lot K to the intersection of San Gabriel Place in Block 47 of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- ALLEY from the northwest corner of Lot I to the intersection of San Gabriel Place in Block 48 of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- ALLEY between San Gabriel Place and Deal Ct from the intersection of Strand Way in Blocks 44 and 45 to the intersection of Bayside Lane in Blocks 42 and 43 of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- ALLEY between Deal Ct and Coronado Ct from the intersection of Strand Way in Blocks 36 and 37 to the intersection of Bayside Lane in Blocks 40 and 41 of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- ALLEY between Coronado Ct and Cohasset Ct from the intersection of Strand Way in Blocks 36 and 37 to the intersection of Bayside Lane in Blocks 34 and 35 of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- ALLEY between Cohasset Ct and Capistrano Place from the intersection of Strand Way in Block 28 to the intersection of Bayside Lane in Blocks 32 and 33 of MAP 1809(1651) – MISSION BEACH ALTERED MAP

- ALLEY between Capistrano Place and Brighton Ct from the intersection of Strand Way in Block 28 to the intersection of Bayside Lane in Blocks 26 and 27 of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- ALLEY between Brighton Ct and Balboa Ct from the intersection of Strand Way in Block 23 to the intersection of Bayside Lane in Block 24 of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- ALLEY between Balboa Ct and Avalon Ct from the intersection of Strand Way in Block 20 to the intersection of Bayside Lane in Block 19 of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- ALLEY between Avalon Ct and San Luis Rey from the intersection of Strand Way in Block 15 to the intersection of Bayside Lane in Blocks 16 of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- ALLEY between San Luis Rey Place and Asbury Ct from the intersection of Strand Way in Block 12 to the intersection of Asbury Ct in Block 10 of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- ALLEY between Allerton Ct, Anacapa Ct from the intersection of Mission Boulevard in Block 6 to the intersection of Bayside Lane in Block 5 of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- ALLEY between Anacapa Ct and Aspin Ct from the northwest corner of Lot J to the intersection of Bayside Lane in Block 3 of MAP 1809(1651) – MISSION BEACH ALTERED MAP
- ALLEY between Mission Boulevard and Bayside Lane from the northwest corner of Lot L in Block 6 to the southwest corner of Lot B in Block 2 of MAP 1809(1651) – MISSION BEACH ALTERED MAP

WHEREAS, Exhibit Attachment RESIDENTIAL PROJECT BLOCK 2SI (SOUTH MISSION) Map, and Exhibit Attachment GENERAL BOUNDARY DESCRIPTION RESIDENTIAL PROJECT BLOCK 2SI (SOUTH MISSION) UNDERGROUND UTILITY DISTRICT Legal Description, depict the above District with greater specificity; and

WHEREAS, a Mitigated Negative Declaration (attached hereto) 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:mb  
09/30/10  
12/17/10 Corr.Copy  
Or.Dept:E&CP/ROWE  
ProLaw 2010-02671

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

ELIZABETH S. MALAND, City Clerk

By   
Deputy City Clerk

Approved: 1-10-11  
(date)

  
JERRY SANDERS, Mayor

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

\_\_\_\_\_  
JERRY SANDERS, Mayor