

RESOLUTION NUMBER R- 306469

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 8A (GOLDEN HILL)
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 33 through 48 in BLOCK 30; Lots 1 through 16 and Lots 33 through 48 in BLOCK 29 of MAP – H M HIGGINS ADD
- Lots 25 through 48 in BLOCK 31; Lots 1 through 48 in BLOCK 32 of MAP 309 H M HIGGINS ADD
- Lot 1 of MAP 14912 – SOUTHPARK TOWNHOMES
- Lots 25 through 48 in BLOCK 60; Lots 1 through 6, Lots 16 through 30, Lots 47 and 48 of MAP 309 – H M HIGGINS ADD

- Lot 1 of MAP 15110 – 2741 “A” STREET CONDOMINIUMS
- Lot 1 of MAP 15323 – 2728 “B” STREET
- Portion of Lot 1 of Parcel Map 19534 – CONDO PARKHILL TOWNHOMES DOC04-0884824 (SEE SHEET 2)
- Lots 1 through 21; Portion of Lots 28 and 29; Lots 30 through 48 in BLOCK 28 of MAP 838 – PROUT’S RESUB
- Lots 1 through 16; Lots 18 through 22; Portion of Lots 23 and 24; Lots 25 to 30; and Lots 33 through 48 in BLOCK 27 of MAP 309 – H M HIGGINS ADD
- Lots 1 through 48 in BLOCK 33; Lots 1 through 14 and Lots 17 through 48 in Block 34 of MAP 309 – H M HIGGINS ADD
- Lot 1 in MAP 15522 - 2633 C STREET
- Lot 1 through 48 in BLOCK 58 and Lots 1 through 48 in BLOCK 57 of MAP 309 – H M HIGGINS ADD

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

- RUSS BOULEVARD from the northeast corner of Lot 27 in BLOCK 30 to the centerline intersection of 28th St BLOCK 60 of MAP 309 – H M HIGGINS ADD
- A STREET from the northeast corner of Lot 19 in BLOCK 29 to centerline of 28th St in BLOCK 60 of MAP 309 – H M HIGGINS ADD
- ALLEY from the northwest corner of Lot 33 in BLOCK 29 to the northeast corner of Lot 48 in BLOCK 59 of MAP 309 – H M HIGGINS ADD.
- B STREET from southeast corner of Lot 30 in BLOCK 29 to ±100 feet westerly offset from southeast corner of Lot 48 in BLOCK 59 the of MAP 309 – H M HIGGINS ADD.
- ALLEY between the intersection with the east side of 28th St in BLOCK 58 of MAP 309 – H M HIGGINS ADD and line extending northerly with an offset of ±25 feet from the northeast corner of Lot 27 in BLOCK 28 of MAP 838 – PROUTS RESUB.
- C STREET from the northeast corner of Lot 19 in BLOCK 27 to the intersection of 28th St in Blocks 57 and 58 of MAP 309 – H M HIGGINS ADD.

- ALLEY between C St and Broadway from the northwest corner of Lot 33 in BLOCK 27 of MAP 309 – H M HIGGINS ADD to northeast corner of Lot 48 in BLOCK 57 of MAP 309 – H M HIGGINS ADD.
- ALLEY between the south side of Russ Boulevard in BLOCK 30 and north side of B St in BLOCK 29 in BLOCK 29 of MAP 309 – H M HIGGINS ADD.
- ALLEY between the south side of C St. and north side of Broadway west of Lot 16 and 33 in BLOCK 27 of MAP 309 – H M HIGGINS ADD.
- 26TH STREET between the south side of Russ Boulevard in BLOCK 30 and north side of Broadway in BLOCK 27 of MAP 309 – H M HIGGINS ADD.
- 27TH STREET between the south side of Russ Boulevard in BLOCK 60 and north side of Broadway in BLOCK 57 of MAP 309 – H M HIGGINS ADD.
- 28TH STREET between the centerline of A St in BLOCK 59 and the north side of Broadway in BLOCK 57 of MAP 309 – H M HIGGINS ADD.
- 28TH STREET between the centerlines of Russ Boulevard and centerline of A St in BLOCK 60 of MAP 309 – H M HIGGINS ADD.

WHEREAS, Exhibit Attachment RESIDENTIAL PROJECT BLOCK 8A (GOLDEN HILL) Map, and Exhibit Attachment GENERAL BOUNDARY DESCRIPTION FOR RESIDENTIAL PROJECT BLOCK 8A (GOLDEN HILL) UNDERGROUND UTILITY DISTRICT Legal Description, depicts 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
10/25/10
Or.Dept:E&CP
ProLaw 2010-02671

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