

RESOLUTION NUMBER R- 306566

DATE OF FINAL PASSAGE JAN 28 2011

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT FOR LINCOLN AVENUE (30TH STREET TO WABASH) FINANCED THROUGH THE CITY OF SAN DIEGO UNDERGROUNDING SURCHARGE FUND.

WHEREAS, by Resolution No. R- 306458, a public hearing was called for on DEC 07, 2010, at the hour of 10:00 a.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 structures and the underground installation of wires and facilities for supplying electric, communication, community antenna television or similar or associated service within certain areas of the City of San Diego more particularly described as follows [the District]:

- Lots 19 through 26 in Block 164; Lots 13 through 26 in Block 163; Portion of Lot 23 and 24 with a Northerly offset line of ±90 feet from the Southwest corner of Lot 24 in Block 162; Portion of Lot 23 and 24 with a Northerly offset line of ±50 feet from the Southeast corner of Lot 24 in Block 162; Portion of Lot 25 and 26 with a Northerly offset line of ±62 feet from the Southwest corner of Lot 25 in Block 162; Portion of Lot 25 and 26 with a Northerly offset line of ±78 feet from the Southeast corner of Lot 25 in Block 162; Lots 22 through 24 in Block 161; Portion of Lots 25 through 28 with a Northerly offset line ±40 feet from the Southwest corner of Lot 25 in Block 161; Portion of Lot 25 and 26 with a Northerly offset line ±100 feet from the Southeast corner of Lot 25 in Block 161; Lots 24 through 28 in Block 160; Lots 1, 2, 47 and 48 of Blocks 208 through 211; and Lots 1 and 2 of Block 207 of Map UNIVERSITY HEIGHTS D'HEMECOURT MAP AMENDED, Subdivision Map No. LP 8 – PG36.
- Lots 15 through 19 in Block 200; Portion of Lot 20 with an East side having an offset ±46 feet from the Northeast corner of Lot 20 in Block 199; WABASH PARK; Lot 1, Portion of Lots 2 and 3 with a West side having an offset ±60 feet from the Southeast corner of Lot 3, and Lots 28 through 30 in Block 196; and Portion of Lots 3 and 4 with West side having an offset ±60 feet from the Southeast corner of Lot 4 of Block 211 of Map CITY HEIGHTS, Subdivision Map No. 1007.
- Lot 1 of in Block 207 of Map LA BOHEME – PHASE 2 DOC06-483760, Subdivision Map No. 15113.

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

- LINCOLN AVENUE between lines extending southerly from the southwest corner of Lot 24 of Block 164 and southerly from the southeast corner of Lot 25 of Block 160 of Map UNIVERSITY HEIGHTS D'HEMECOURT MAP AMENDED, Subdivision Map No. LP 8 – PG36.
- LINCOLN AVENUE between lines extending southeasterly from the southwest corner of Lot 25 in Block 200 and southerly from the southeast corner of Lot 20 in Block 199 of Map CITY HEIGHTS, Subdivision Map No. 1007.
- WABASH AVENUE between lines extending easterly from the southeast corner of Lot 18 in Block 200 and southeasterly from the northeast corner of Lot 29 in Block 196 of Map CITY HEIGHTS, Subdivision Map No. 1007.
- Alley between lines extending westerly from the northwest corner of Lot 19 in Block 200 & northeasterly from the southeast corner of Lot 3 in Block 196 of Map CITY HEIGHTS, Subdivision Map No. 1007.
- Alley between lines extending westerly from the southwest corner of Lot 26 in Block 160 & westerly from the southwest corner of Lot 47 in Block 211 of Map UNIVERSITY HEIGHTS D'HEMECOURT MAP AMENDED, Subdivision Map LP 8 – PG36.
- 32nd STREET between lines extending easterly from the northeast corner of Lot 26 in Block 161 & easterly from the southeast corner of Lot 47 in Block 210 of Map UNIVERSITY HEIGHTS D'HEMECOURT MAP AMENDED, Subdivision Map LP 8 – PG36.
- Alley between Iowa St. and 32nd St. extending from Lincoln Av. ± 115 feet northerly in Block 161 and ± 90 feet southerly in Block 210 of Map UNIVERSITY HEIGHTS D'HEMECOURT MAP AMENDED, Subdivision Map LP 8 – PG36.
- IOWA STREET between lines ± 90 feet offset from Lincoln Av. in Blocks 161, 162, 209 and 210 of Map UNIVERSITY HEIGHTS D'HEMECOURT MAP AMENDED, Subdivision Map LP 8 – PG36.
- Alley between lines ± 90 feet offset from Lincoln Av. in Blocks 162 and 209 of Map UNIVERSITY HEIGHTS D'HEMECOURT MAP AMENDED, Subdivision Map LP 8 – PG36.
- ILLINOIS STREET between lines ± 90 feet offset from Lincoln Av. in Blocks 162, 163, 208 and 209 of Map UNIVERSITY HEIGHTS D'HEMECOURT MAP AMENDED, Subdivision Map LP 8 – PG36
- Alley between lines ± 90 feet offset from Lincoln Av. in Blocks 163 and 208 of Map UNIVERSITY HEIGHTS D'HEMECOURT MAP AMENDED, Subdivision Map LP 8 – PG36.

- OHIO STREET between lines ± 90 feet offset from Lincoln Av. in Blocks 163, 164, 207 and 208 of Map UNIVERSITY HEIGHTS D'HEMECOURT MAP AMENDED, Subdivision Map LP 8 – PG36
- Alley between lines ± 90 feet offset from Lincoln Av. in Blocks 163 and 207 of Map UNIVERSITY HEIGHTS D'HEMECOURT MAP AMENDED, Subdivision Map Portion

WHEREAS, Exhibit Attachment LINCOLN AVENUE (30TH STREET TO WABASH) Map, and Exhibit Attachment GENERAL BOUNDARY DESCRIPTION FOR LINCOLN AVENUE (30TH STREET TO WABASH) UNDERGROUND UTILITY DISTRICT Legal Description, depict 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 One, Division Five 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; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. The City Council hereby finds and determines that 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 within the areas set forth above and that pursuant to Chapter VI, Article One, Division Five of the San Diego Municipal Code, the above areas are hereby declared to be underground utility districts in the City of San Diego, and the maps and document referred to above are hereby incorporated as a part of this resolution.

2. The Mayor is hereby authorized to establish schedules for the underground conversion of all poles, overhead wires, and associated structures in said District.

3. The Mayor is hereby instructed to notify all affected persons as defined in Chapter VI, Article One, Division Five of the San Diego Municipal Code, and all affected utility companies of the adoption of this resolution within fifteen days after date of adoption. The Mayor shall further notify affected persons as defined in Chapter VI, Article One, Division Five of the San Diego Municipal Code of the necessity that if they desire to continue to receive electric, communication, community antenna television or similar or associated service, they shall permit the installation of all necessary facility changes on their premises, or provide such changes at their own expense, so as to receive underground service from the lines relocated underground of the supplying utility company subject to applicable rules, regulations, and tariffs of the respective utility company on file with the Public Utilities Commission of the State of California (as of the date of the adoption of this resolution) and subject to all other applicable requirements of State law and City ordinances. The Mayor's notification shall be in the manner provided in Chapter VI, Article One, Division Five of the San Diego Municipal Code.


4. That the Mitigated Negative Declaration [MND], Project No. 206474, on file with the Office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), and that the final MND, together with any comments received during the public review process has been reviewed and considered by this Council prior to approving this Project, and that this declaration reflects the independent judgment of the City of San Diego as Lead Agency.

5. That pursuant to California Public Resources Code section 21081.6, the Council adopts the Mitigation Monitoring and Reporting Program, or alternations to implement the

changes to the Project as required by this body in order to mitigate or avoid significant effects on the environment.

6. That the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

APPROVED: JAN GOLDSMITH, City Attorney

By 
Ryan Kohut
Deputy City Attorney

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

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 25 2011.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 1-28-11
(date)


JERRY SANDERS, Mayor








Vetoed: _____
(date)

JERRY SANDERS, Mayor

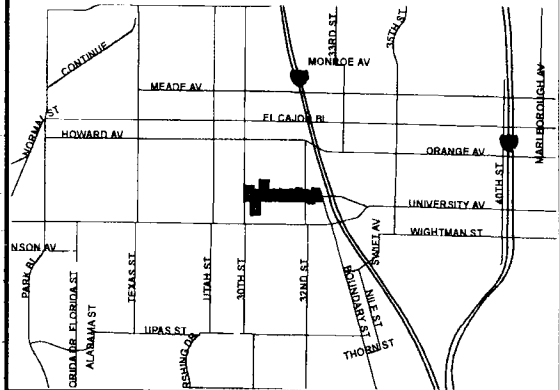
WABASH AVE) DISTRICT



LEGEND

-  DISTRICT BOUNDARY
-  PARCELS
-  PROPOSED STREET LIGHTS
-  EXEMPT POLE
-  ASSESSOR'S BOOK & PAGE NO.
-  ASSESSOR'S PARCEL NO.
-  ADDRESS

VICINITY MAP

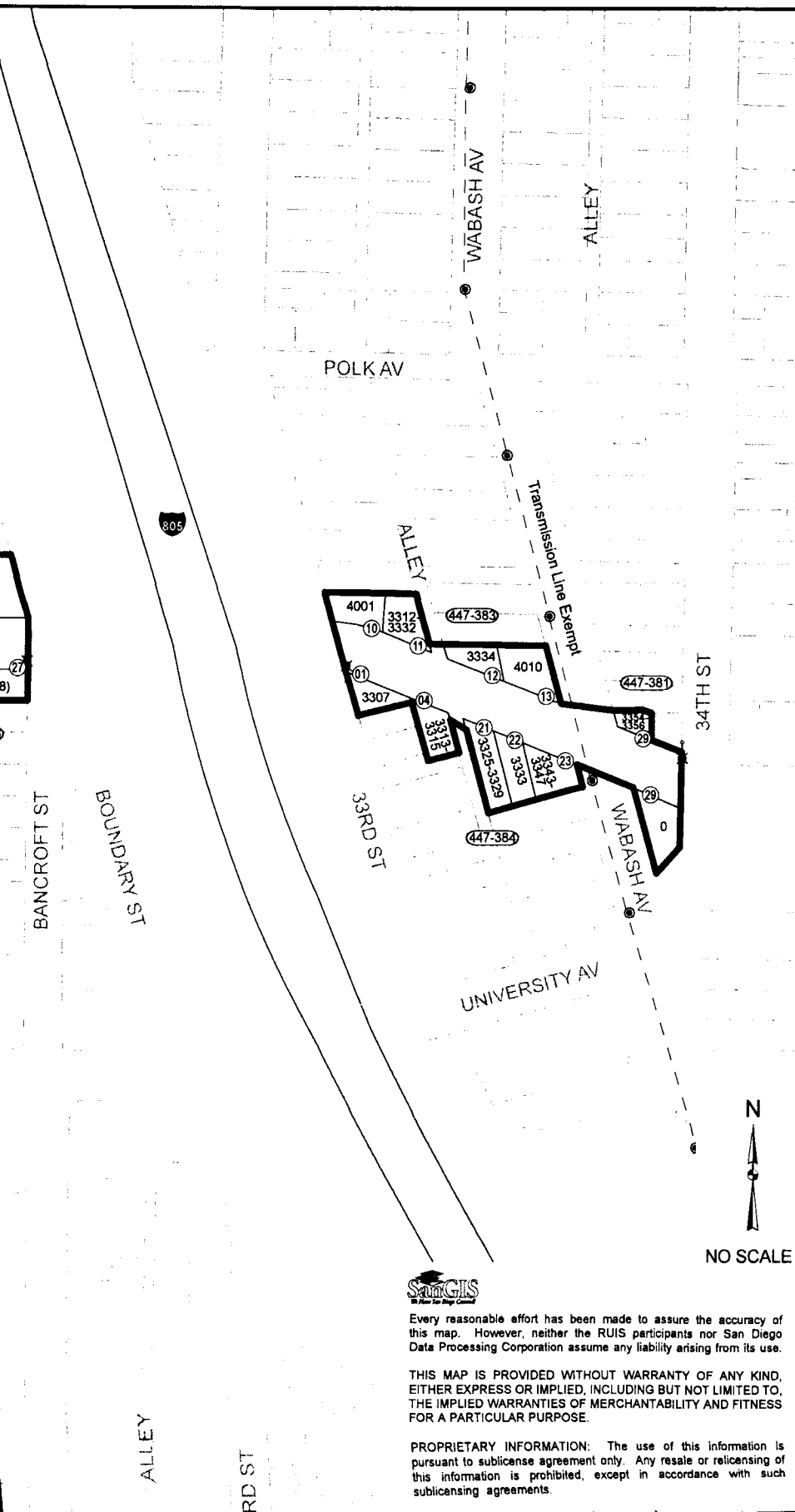


LINCOLN AVENUE (30th ST TO WABASH AVE) UNDERGROUND UTILITY DISTRICT

CITY OF SAN DIEGO, CALIFORNIA
ENGINEERING AND CAPITAL PROJECTS DEPARTMENT
SHEET 1 OF 1 SHEET(S)

I.O. NO. 21002271

FOR CITY ENGINEER				DATE		DIVISION HEAD	
DESCRIPTION	BY	APPROVED	DATE	FLMED	DESIGN ENGINEER		
FILE NAME	DATE	AMS			CONTROL CERTIFICATION		
AS-BUILT					212-1728 LAMBERT COORDINATES		
CONTRACTOR	DATE STARTED				35576-D		
INSPECTOR	DATE COMPLETED						



NO SCALE



Every reasonable effort has been made to assure the accuracy of this map. However, neither the RUIS participants nor San Diego Data Processing Corporation assume any liability arising from its use.

THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

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R-306566