

RESOLUTION NUMBER R- 306567

DATE OF FINAL PASSAGE JAN 28 2011

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT FOR EUCLID AVENUE (EUCLID AVENUE TO UNIVERSITY AVENUE) FINANCED THROUGH THE CITY OF SAN DIEGO UNDERGROUNDING SURCHARGE FUND.

WHEREAS, by Resolution No. R- 306459, 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]:

- 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  $\pm 25$  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  $\pm 40$  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  $\pm 42$  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  $\pm 75$  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  $\pm 105$  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  $\pm 60$  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  $\pm 62.27$  feet from the north east corner of Lot 3; Portion of Lots 5 through 8 with an east side offset of  $\pm 100$  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 FAIRMOUNT ADD, Subdivision Map No. 1035.
- REDWOOD STREET between line extending northerly with an offset of  $\pm 160$  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  $\pm 20$  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 FAIRMOUNT 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 FAIRMOUNT ADD RESUB BLKS 1-12, Subdivision Map No. 1347 and centerline of Euclid Av.
- WIGHTMAN STREET between line extending southerly with an offset of  $\pm 43$  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 FAIRMOUNT 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 FAIRMOUNT ADD RESUB BLKS 1-12, Subdivision Map No. 1347 and centerline of Euclid Av.

WHEREAS, Exhibit Attachment EUCLID AVENUE (EUCLID AVENUE TO UNIVERSITY AVENUE)Map, and Exhibit Attachment GENERAL BOUNDARY DESCRIPTION FOR EUCLID AVENUE (EUCLID AVENUE TO UNIVERSITY AVENUE)UNDERGROUND UTILITY DISTRICT Legal Descriptions, 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 associates 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

11/09/09

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 JAN 25 2011.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

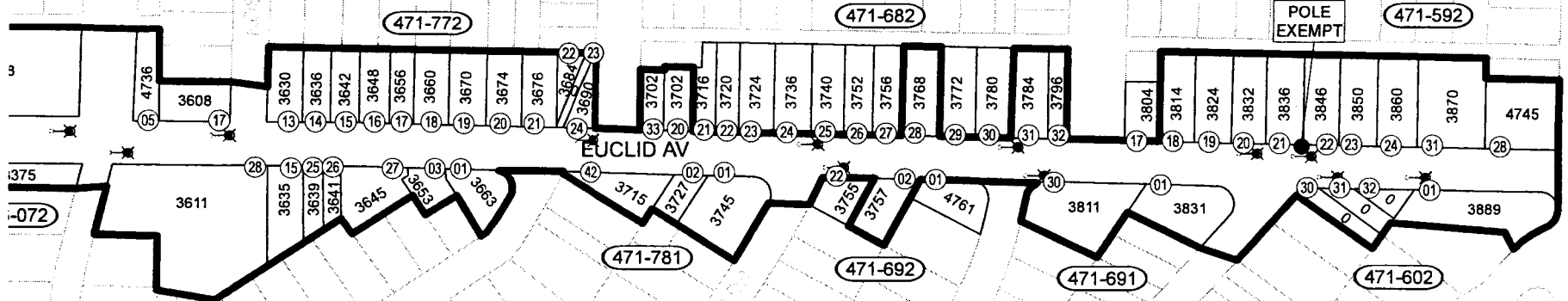
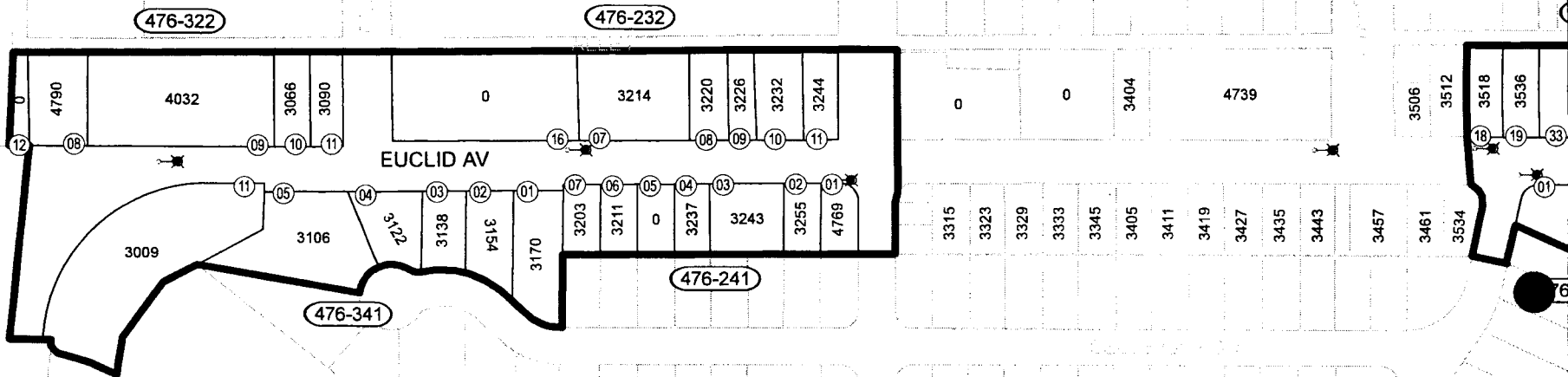
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(date)

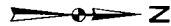
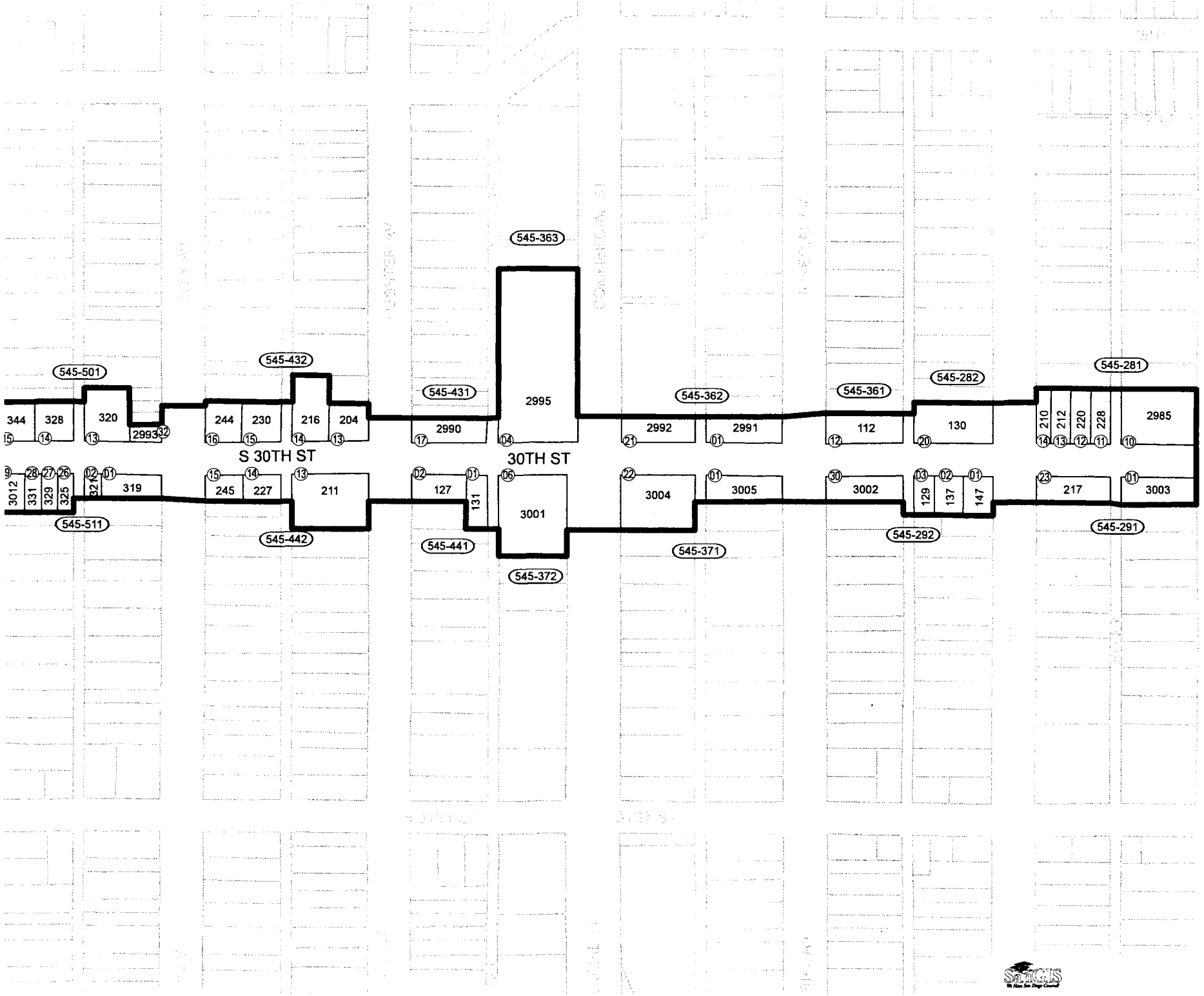
  
JERRY SANDERS, Mayor

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

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

R-308567





NO SCALE

