

RESOLUTION NUMBER R- 306570

DATE OF FINAL PASSAGE JAN 28 2011

A RESOLUTION ESTABLISHING AN UNDERGROUND UTILITY DISTRICT FOR RESIDENTIAL PROJECT BLOCK 4N (NORTH ENCANTO) FINANCED THROUGH THE CITY OF SAN DIEGO UNDERGROUNDING SURCHARGE FUND.

WHEREAS, by Resolution No. R- 306468, 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 5 of MAP 4152 – ZUNIC SUB
- Lots 141 through 150, AND Lots 165 through 216 of MAP 1193 – DEL NORTE ADD
- Lots 125 through 140, AND Lots 151 through 164 of MAP 1193 – DEL NORTE ADD
- Lots 1 through 43 of MAP 8520 – RANCHO VALLE
- Lots 62 through 77, 100 through 115, AND 118 through 140 of MAP 4254 – BROADWAY HEIGHTS UNIT NO. 2
- Lots 38 through 61, AND 78 & 79 of MAP 4254 – BROADWAY HEIGHTS UNIT NO. 2
- Lots 21 through 37, 80 through 100, AND 116 & 117 of MAP 4254 – BROADWAY HEIGHTS UNIT NO. 2
- Lots 17 through 20 of MAP 4254 – BROADWAY HEIGHTS UNIT NO. 2
- Lot 37 of MAP 2351 – SONKA URBAN HEIGHT

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

- BLUEBIRD STREET from the intersection with Mallard St to the intersection with Mulberry St of MAP 1193 – DEL NORTE ADD
- ALCEDO STREET from the intersection with Mallard St to the intersection with Mulberry St of MAP 1193 – DEL NORTE ADD
- MULBERRY STREET from adjacent to Lot 197 to the intersection with Mallard St of MAP 1193 – DEL NORTE ADD
- CHARLENE AVENUE from the intersection with Mallard St to the intersection with Madroncillo St of MAP 1193 – DEL NORTE ADD
- WESTON STREET from the intersection with Charlene St to intersection with Tiffin Ave of MAP 4254 – BROADWAY HEIGHTS UNIT NO. 2
- TIFFIN AVENUE from the intersection with Mallard St of MAP 1193 – DEL NORTE ADD to the intersection with Laconia St of MAP 4254 – BROADWAY HEIGHTS UNIT NO. 2
- PILOT WAY from the intersection with Mallard St to the intersection with Laconia St of MAP 4254 – BROADWAY HEIGHTS UNIT NO. 2
- LACONIA STREET from the intersection with Mallard St to the intersection with Tiffing Ave of MAP 4254 – BROADWAY HEIGHTS UNIT NO. 2
- MADRONCILLO STREET from the intersection with Mallard St to the dead end in Lots 29 through 34 of MAP 8520 – RANCHO VALLE
- PANOCHA COURT of MAP 8520 – RANCHO VALLE
- MALLARD ST from an offset northerly line 130 feet from the west corner in LOT 158 of MAP – DEL NORTE ADD to southeast corner in LOT 12 of MAP 8520 – RANCHO VALLE
- PARADISE ST from the intersection of Tooley St to the intersection with Swan St of MAP 1193 – DEL NORTE ADD

WHEREAS, Exhibit Attachment RESIDENTIAL PROJECT BLOCK 4N (NORTH ENCANTO) Map, and Exhibit Attachment GENERAL BOUNDARY DESCRIPTION FOR

RESIDENTIAL PROJECT BLOCK 4N (NORTH ENCANTO) 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.

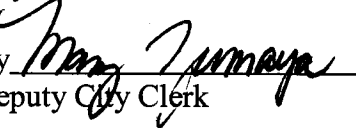
APPROVED: JAN GOLDSMITH, City Attorney

By   
Ryan Kohut  
Deputy City Attorney

RK:cfq  
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 JAN 25 2011.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

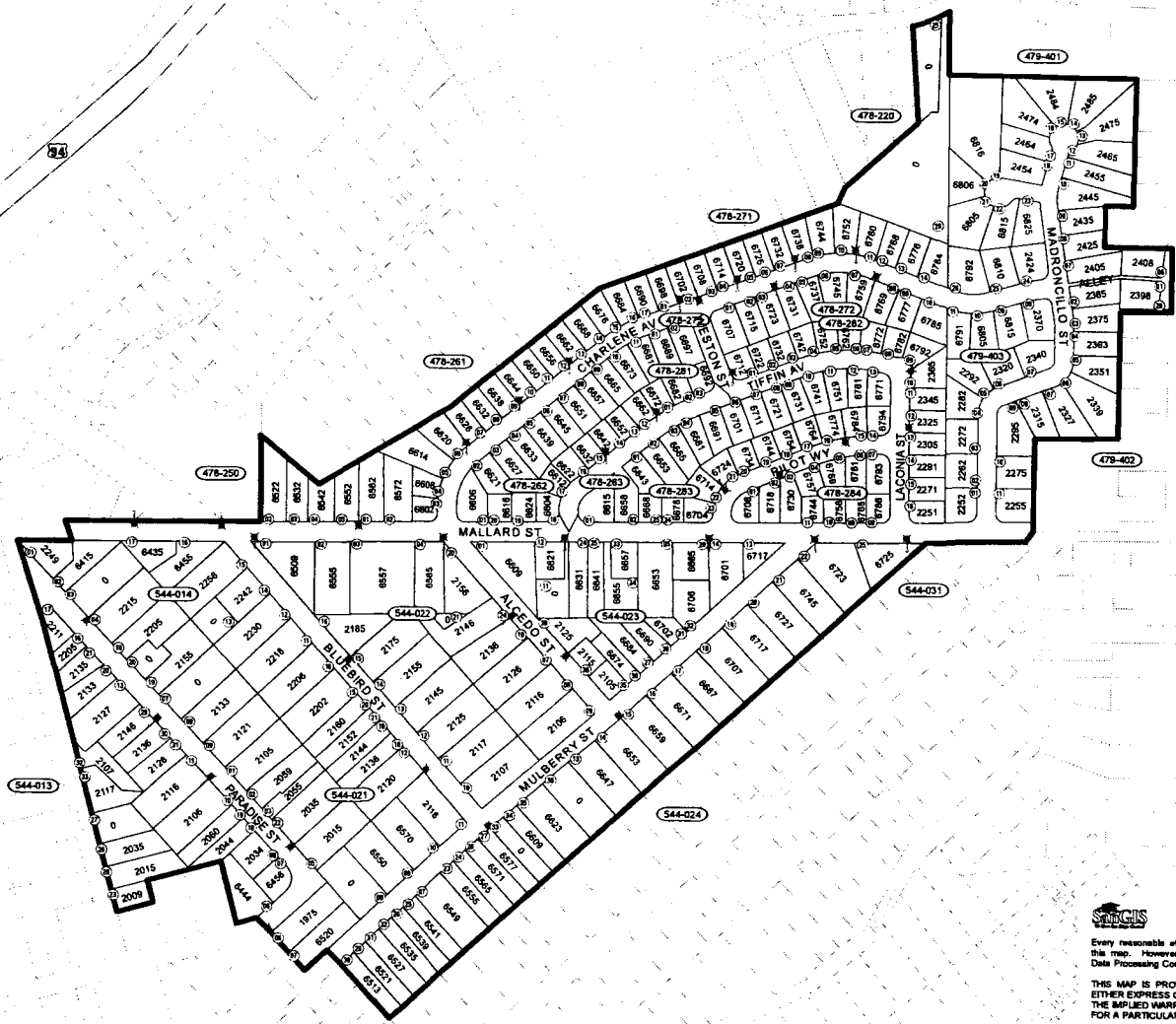
Approved: 1-28-11  
(date)

  
JERRY SANDERS, Mayor

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

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

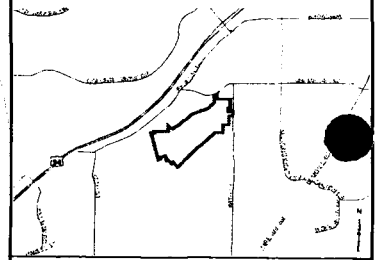
# DISTRICT 4 BLOCK 4N UNDERGROUND UTILITY DISTRICT



### LEGEND

- DISTRICT BOUNDARY
- PARCELS
- PROPOSED STREET LIGHTS
- 123-456 ASSESSOR'S BOOK & PAGE NO.
- 5 ASSESSOR'S PARCEL NO.
- 1234** ADDRESS

### VICINITY MAP



## DISTRICT 4 BLOCK 4N UNDERGROUND UTILITY DISTRICT

CITY OF SAN DIEGO, CALIFORNIA ENGINEERING AND CAPITAL PROJECTS DEPARTMENT SHEET 1 OF 1 SHEETS				LO NO.
701 CITY SHEETS	DATE	DIVISION FIELD		
DESCRIPTION	BY	APPROVED	DATE	FILED
REVISION	DATE	AMOUNT		
AS-BUILT				
CONTRACTOR	DATE STARTED			
INSPECTOR	DATE COMPLETED			

**SINGLES**

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

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R-306570