

RESOLUTION NUMBER R- 307722

DATE OF FINAL PASSAGE OCT 16 2012

A RESOLUTION ESTABLISHING UNDERGROUND UTILITY DISTRICTS OF RESIDENTIAL PROJECT BLOCKS 1M, 4JI, 7O1, 8C AND VIA DE LA VALLE FROM HIGHLAND COVE TO POLO POINT FINANCED THROUGH THE CITY OF SAN DIEGO UNDERGROUNDING SURCHARGE FUND.

WHEREAS, by Resolution No. R- 307676, a public hearing was called for on OCT 08 2012, 2012 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 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 Districts]:

**Residential Project Block 1M**

- Lots 1 thru 34, Map 3894 together with Avenida Manañena, Avenida Wilfredo and Mañana Place
- Lots 1 through 4, Map 13152
- Lots 1 and 2, Map 5841 together with Mañana Place
- Lots 172 through 223, Map 3895 together with Avenida Wilfredo, Avenida Mañana, Via Angelina, and Via Carolina
- Lots 1 through 60, Map 3081 together with Avenida La Reina, Avenida Mirola, Michaeljohn Drive, Muirlands Drive, Nautilus Street, Via Barranca, Avenida De Las Pescas, Avenida Mañana,
- Lots 61 through 76 and lot 124, Map 3230 together with Avenida Mañana
- Lots 1 through 42, Map 3367 together with Aranda Avenue, Michaeljohn Drive and Scarlati Place
- Portions Pueblo Lots 1257, 1258, 1262 and 1263, Miscellaneous Map 36 together with Nautilus Street and West Muirlands Drive
- Portion Block G, Map 1729
- Parcel 2, Parcel Map 19386
- Lots 1 through 8, Map 2664 together with West Muirlands Drive
- Aranda Avenue, Lots 23 through 32, Map 4039

- Portion Lot 1, Lots 2 through 8, Block 1; Lots 1 through 7, Block 2, Map 2532 together with West Muirlands Drive and Nautilus Street
- Parcels 1 and 2, Parcel Map 16924 together with West Muirlands Drive
- Portions Lots 1 and 2, Lots 3 through 9, Map 3051 together with West Muirlands Drive
- Portions Lots 12 through 18, Map 1750 together with West Muirlands Drive

#### **Residential Project Block 4J1**

- Lots 3 thru 6, 8 through 15, 19 through 26, 28, 30 through 37, 41 through 48, 52 through 60, a portion of lot 50, all of Map 2363 together with Marilou Road, 48<sup>th</sup> Street, Duval Street, 49<sup>th</sup> Street, Mary Lou Street and 50<sup>th</sup> Street.
- Lots 1 through 4, Map 5007 together with Marilou Road
- Portion Lot 16, Map 283 together with Marilou Road and Euclid Avenue
- Portion Lot 3, Map 3980 together with Euclid Avenue
- Parcels 1 through 3, Parcel Map 18472 together with Euclid Avenue
- Lots 1 through 88, Map 2827 together with Marilou Road, Elm Street, Date Place, Date Street, Altadena Street and 50<sup>th</sup> Street
- Lots 1 through 7, Block 7, Map 2700 together with Elm Street and 49<sup>th</sup> Street
- Lots 1 through 9, Block 6, Map 2700 together with Marilou Road, 49<sup>th</sup> Street and Date Street
- Lots 1 through 33, Block 5, Map 2700 together with 49<sup>th</sup> Street, Fir Street, Duval Street and Date Street
- Lots 1 through 36, Block 4, Map 2700 together with Brookline Street, Fir Street, Duval Street and Date Street
- Lots 1 through 16, Block 3, Map 2700 together with Brookline Street, Fir Street, 48th Street and Elm Street
- Lots 1 through 13, Block 2, Map 2700 together with Tilden Street, Fir Street, 48th Street and Elm Street
- Lots 1 through 37, Block 1, Map 2700 together with Tilden Street, Fir Street, 49th Street and Elm Street
- Portions of Lot 14, Map 283 together with 47<sup>th</sup> Street
- Portions of Lot 15, Map 283 together with Elm Street and Euclid Avenue
- Portion Lot 17, Map 283 together with Westover Place, 54<sup>th</sup> Street and Euclid Avenue
- Lots 1 through 8, Map 3366 together with Elm Street and 50<sup>th</sup> Street
- Lots 434 through 441, Map 2855 together with Elm Street and 50th Street
- Portion Lot 1A, Map 3980 together with Euclid Avenue

#### **Residential Project Block 701**

- Portions of lot 67, Map 330 together with Highway 8
- Lots 2 through 21, Map 5374 together with College Gardens Court and Yerba Anita Way
- Lots 170 through 183, Map 3254 together with Walsh Way
- Lots 212 through 255, Map 3629 together with Drover Drive, Dorman Drive and Bixel Drive

- Lots 256 through 273, Map 3910 together with Bixel Drive
- Lots 89 through 97, Lots 100 through 107, Map 3164 together with Drover Drive, Remington Road and Saxon Street
- Lots 184 through 197, Portion Lot 198, Lots 199 through 211, Map 3459 together with Redding Road
- Lots 1 through 88, Map 3129 together with Remington Road, Redding Road, Manhasset Drive and Hewlett Drive
- Lots 123 through 169, Map 3176 together with Penny Place, Manhasset Drive, Saxon Street and Walsh Way
- Lot 22, Map 5375
- Lots 19 through 72, Map 4499 together with College Gardens Court, Hewlett Drive, Stone Court, and Montezuma Road.
- Lots 1 through 6, Map 4703

### **Residential Project Block 8C**

- Lots 1 through 16, lots 19 through 22, lots 27 through 30, Lots 33 through 48, Block 62, Map 547 together with A Street, B Street, 29<sup>th</sup> Street and the unnamed alleys
- Lot 1, Map 15784 together with the unnamed alley
- Lots 1 through 16, lots 19 through 30, lots 33 through 48, Block 63, Map 547 together with B Street, C Street, 29<sup>th</sup> Street and the unnamed alleys
- Portion Lots 1 and 2, lots 3 through 16, lots 19 through 30, lots 33 through 48, Block 64, Map 547 together with C Street, 29<sup>th</sup> Street and the unnamed alleys
- Lot 1, Map 14917 together with 29<sup>th</sup> Street and C Street
- Lots 1 through 48, Block 87, Map 547 together with C Street, 29<sup>th</sup> Street, 30<sup>th</sup> Street and the unnamed alley
- Lots 1 through 41, Lots 46 through 48, Block 88, Map 547 together with B Street, C Street, 29<sup>th</sup> Street, 30<sup>th</sup> Street and the unnamed alley
- Parcels 1 and 2, Parcel Map 13211 together with C Street and the unnamed alley.
- Lots 1 through 19, Portions of Lots 22 through 24, Lots 25 through 48, Block 89, Map 547 together with A Street, B Street, 29<sup>th</sup> Street, 30<sup>th</sup> Street and the unnamed alley
- Lot 1, Map 15672 together with A Street, 29<sup>th</sup> Street and the unnamed alley
- Lots 1 through 21, Portions of Lots 22 through 24, Lots 25 through 38, Lots 45 through 48, Block 92, Map 547 together with A Street, B Street, 30<sup>th</sup> Street, 31<sup>st</sup> Street and the unnamed alley
- Parcel 1, Parcel Map 13618 together with B Street and the unnamed alley
- Lots 1 through 48, Block 93, Map 547 together with B Street, C Street, 30<sup>th</sup> Street, 31<sup>st</sup> Street and the unnamed alley
- Lots 1 through 42, Block 94, Map 547 together with C Street, 30<sup>th</sup> Street, 31<sup>st</sup> Street and the unnamed alley
- Parcel 1, Parcel Map 15919 together with 31st Street, and the unnamed alley
- Portion Lots 15 through 24, Block 116, Map 547 together with Broadway and Highway 94
- Lots 101 through 112, Block 4, Map 1066 together with Broadway, 31<sup>st</sup> Street, C Street, Edgemont Street and the unnamed alley

- Lots 101 through 112, Block 1, Map 1066 together with B Street, 31<sup>st</sup> Street, C Street, Edgemont Street and the unnamed alley
- Lots 101 through 112, Block 1, Map 973 together with B Street, 31<sup>st</sup> Street, A Street, Edgemont Street and the unnamed alley
- Lots 101 through 111, Lots 115 and 116, Block 2, Map 973 together with A Street, 32<sup>nd</sup> Street, B Street, Edgemont Street and the unnamed alleys
- Parcels 1 and 2, Parcel Map 17167 together with A Street, 32<sup>nd</sup> Street, and the unnamed alley
- Lots 101 through 116, Block 2, Map 1066 together with C Street, 32<sup>nd</sup> Street, B Street, Edgemont Street and the unnamed alleys
- Lots 101 through 108, Lots 111 and 112, Block 3, Map 1066 together with C Street, 32<sup>nd</sup> Street, Edgemont Street, Broadway and the unnamed alleys
- Parcels 1 and 2, Parcel Map 14614, together with 32<sup>nd</sup> Street and the unnamed alley
- Portion Lots 16 and 17, Lots 18 through 32, Portions of Lots 33 and 34, Block 122, Map 167 together with A Street, 32<sup>nd</sup> Street, B Street, Wabash Freeway and the unnamed alley
- Portion Lots 13 and 14, Lots 15 through 35, Portion Lot 36, Block 123, Map 167 together with C Street, 32<sup>nd</sup> Street, B Street, Wabash Freeway and the unnamed alley
- Lots 1 through 3, Portions Lots 4 through 10, Lots 11 through 39, Block 124, Map 167 together with C Street, 32<sup>nd</sup> Street, Broadway, 33<sup>rd</sup> Street and the unnamed alley.
- Parcel 1, Parcel Map 14885 together with Broadway, 33<sup>rd</sup> Street, and the unnamed alley
- Parcel 1, Parcel Map 11509 together with Broadway and Highway 94
- Parcel 1, Parcel Map 20198 together with A street, 33<sup>rd</sup> Street, C Street and Wabash Freeway
- Portions of Lots 1 through 7, Lots 8 through 25, Portions Lots 26 through 40, Block 147, Map 167 together with C Street, 33<sup>rd</sup> Street, 34<sup>th</sup> Street, the unnamed alley and Highway 94
- Lots 1 through 48, Block 148, Map 167 together with B Street, 34<sup>th</sup> Street, C Street, 33<sup>rd</sup> Street and the unnamed alley
- Lots 1 through 21, Lots 25 through 48, Block 149, Map 167 together with B Street, 33<sup>rd</sup> Street, A Street, 34<sup>th</sup> Street and the unnamed alley
- Parcels 1 and 2, Parcel Map 3920 together with A Street, 33<sup>rd</sup> Street, and the unnamed alley

**Via de la Valle  
Highland Ct to Polo Pt**

- Parcels 1 and 2, Parcel Map 9150 together with Highland Court
- Parcels 1 and 2, Parcel Map 9311 together with Highland Court
- Parcels 3 and 4, Parcel Map 7725 together with Highland Court
- Lots 1 and 2, Map 5610
- The northwest quarter of Section 12, Township 14 South, Range 4 West, San Bernardino Base and Meridian excepting therefrom the south half of the south half of said Section 12; easterly of the west line of Interstate 5 per MS 776 and Map 5610
- Parcels 1 and 2, Parcel Map 20470 together with Via de la Valle
- Parcels 1 through 9, Parcel Map 16202 together with Avocado Point
- Lots 1 through 47, A through F, Map 13216 together with San Andres Drive

- Lots 7 through 79, D through Y, Map 11431 together with San Andres Drive
- Lots 1 through 6, A through C, Map 11378 together with Via Campestre and San Andres Drive
- Lot 2, Map 6737 together with San Andres Drive and Via de la Valle
- Lot 5, Map 8646 together with Via de la Valle
- Lots 1 and 2, Map 12129
- Lots 24 through 33, Map 12028
- Lots 1 through 23, Map 11684
- Southwest quarter of the southeast quarter of Section 1, Township 14 South, Range 4 West, San Bernardino Base and Meridian excepting therefrom Map 8646 together with Via de la Valle
- Southeast quarter of the southeast quarter of Section 1, Township 14 South, Range 4 West, San Bernardino Base and Meridian together with Via de la Valle
- Lots 1 through 22, Map 13600 together with Via de la Valle
- Portion southwest quarter of the southwest quarter of Section 6, Township 14 South, Range 3 West, San Bernardino Base and Meridian lying south of Via de la Valle together with Via de la Valle
- The southeast quarter of the southwest quarter of Section 6, Township 14 South, Range 3 West, San Bernardino Base and Meridian together with Via de la Valle, Via Del Cañon and El Camino Real
- Parcels 1 and 2, Parcel Map 15180 together with Via de la Valle and El Camino Real
- Portion north half of the southeast quarter of Section 6, Township 14 South, Range 3 West, San Bernardino Base and Meridian together with Via de la Valle and El Camino Real southerly of the City of San Diego boundary
- Parcel 1, Parcel Map 14637 together with Via de la Valle and El Camino Real
- The northeast quarter of the northwest quarter of Section 7, Township 14 South, Range 3 West, San Bernardino Base and Meridian together with El Camino Real and San Dieguito Road
- The northwest quarter of the northwest quarter of Section 7, Township 14 South, Range 3 West, San Bernardino Base and Meridian
- The northeast quarter of the northeast quarter of Section 12, Township 14 South, Range 4 West, San Bernardino Base and Meridian
- Parcel B, Parcel Map 791 together with Via de la Valle and San Andres Drive
- Parcels 1 and 2, Parcel Map 3594 together with Via de la Valle and San Andres Drive
- Portion southeast quarter of the southwest quarter of Section 1, Township 14 South, Range 4 West, San Bernardino Base and Meridian lying easterly of Interstate 5 per MS 776 and westerly of Parcel Map 3594
- Interstate 5 per MS 776 northerly of the south line of Section 1, Township 14 South, Range 4 West, San Bernardino Base and Meridian and southerly of the City of San Diego boundary

WHEREAS, notice of such hearing has been given by the City to all affected property owners as defined in Chapter VI, Article 1, Division 5 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 Districts set forth above and that pursuant to Chapter VI, Article One, Division Five of the San Diego Municipal Code, the above Districts are hereby declared to be underground utility districts in the City of San Diego, and any maps and document referred to above are hereby incorporated as a part of this resolution.

2. The Mayor or his designee is hereby authorized to establish schedules (District Schedules) for the underground conversion of all poles, overhead wires, and associates structures in each District.

3. The Mayor or his designee is hereby instructed to notify, within fifteen calendar days of the effective date of adoption of the District Schedule, all affected Utility Companies and all Affected Persons as defined in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code, of the provisions of the District Schedule, of the date by which all poles and related overhead structures shall be removed, and of the applicable date by which all work required to convert the facilities shall be accomplished. The Mayor or his designee shall further notify said

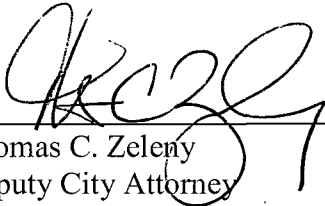
affected persons as defined in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code that if they desire to continue to receive electric, communication, community antenna television or similar or associated service they shall permit installation of all necessary facility changes on their premises, or provide such changes at their own expense, so as to receive underground service from the supplying utility company's relocated underground lines, 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 adoption of this resolution) and subject to all other applicable requirements of State law and City ordinances.

4. That the Mitigated Negative Declarations [MNDs], Project Nos. 215186 and 240865 on file with the Office of the City Clerk, have 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 MNDs, together with any comments received during the public review process has been reviewed and considered by this City Council in connection with approving the Districts, 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 City Council adopts the Mitigation Monitoring and Reporting Programs, or alterations to implement the changes to the Districts as required by the City Council in order to mitigate or avoid significant effects on the environment.

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

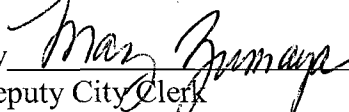
APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Thomas C. Zeleny  
Deputy City Attorney

TCZ:cfq  
9/4/2012  
9/5/2012 Cor. Copy  
Or.Dept:Trans.  
Document Number: 432119

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 08 2012.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 10-16-12  
(date)

  
JERRY SANDERS, Mayor

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

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