

RESOLUTION NUMBER R- 307724

DATE OF FINAL PASSAGE OCT 16 2012

A RESOLUTION ESTABLISHING UNDERGROUND UTILITY DISTRICTS FOR CARDIFF STREET, SAN VICENTE STREET, ILLION STREET AND MOUNT ALIFAN DRIVE FINANCED PRIMARILY THROUGH SDG&E ANNUAL ALLOCATION FUNDS (RULE 20A - CASE 8209).

WHEREAS, by Resolution No. R- 307679, 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):

- Cardiff Street (Wade St. to Carlisle Dr.) - Parcel 2, ROS 5954, Lots 900 and 901, Map 2998 together with Jamacha Road and Cardiff Street. All of Cardiff Street adjacent to Lots A, B, 898, 899, 902 of Map 2998;
- San Vicente Street (Meadowbrook Dr to San Vicente Ct) - Lots 1234, 1235, 1254 through 1259, 1267, 1278 through 1287, Map 4858 together with San Vicente Street, San Vicente Way and San Vicente Court;
- Illion Street (Gardena Ave. to Milton St.) - Portion Lot 4 and Lot 5, Map 4259 together with Orten Street and Illion Street; Parcels 1 and 2, Parcel Map 6972 together with Illion Street; Portion Lot 12, Map 2247 together with Illion Street; Parcel 2, Parcel Map 9963 together with Illion Street; Lots 1 through 16, Map 2712 together with Illion Street; Lots 17 through 21, Map 4986 together with Illion Street; Lots 1 and 2, Map 5427 together with Illion Street; Portions Acre Lots 124, 125 and 128, Map 809 together with Illion Street;
- Mount Alifan Drive (Genesee Av to Mt Everest Bl.) - Lots 1 and 2, Map 5606 together with Mount Alifan Drive; Lots 52 through 113, Map 5773 together with Mount Alifan Drive; Mount Alifan Drive within the 150' San Diego Gas & Electric interest per Book 6534, Page 342 of Official Records;

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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 City Council of the City of San Diego, as follows:

1. The City Council hereby finds and determines that creation of the above described Districts is in the general public interest because in each District: such undergrounding will avoid or eliminate an unusually heavy concentration of overhead facilities; the street or road or right of way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic; the street or road or right of way adjoins or passes through a civic area or public recreation area or an area of unusual scenic interest to the general public; or the street, road, or right of way is considered an arterial street or major collector.

2. The City Council hereby finds and determines that the public health, safety or general welfare require 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 pursuant to Chapter VI, Article 1, Division 5 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 documents referred to above are hereby incorporated as a part of this resolution.

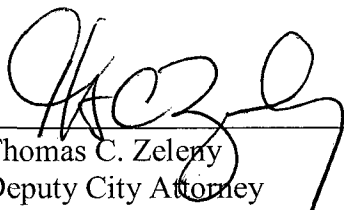
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3. The Mayor or his designee is hereby authorized to establish schedules (District Schedules) for the underground conversion of all poles, overhead wires, and associated structures in each District.

4. 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.

APPROVED: JAN I. GOLDSMITH, City Attorney

By  _____
Thomas C. Zeleny
Deputy City Attorney

TCZ:cfq
8/31/2012
Or.Dept:Trans.
Document Number: 431678

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 Mary Zamora
Deputy City Clerk

Approved: 10-16-12
(date)

J.S.
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

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