

RESOLUTION NUMBER R- 309077

DATE OF FINAL PASSAGE JUL 07 2014

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO ESTABLISHING UNDERGROUND UTILITY DISTRICTS ON HANCOCK STREET, MISSION BOULEVARD AND 32ND STREET, FINANCED PRIMARILY THROUGH SDG&E ANNUAL ALLOCATION FUNDS (RULE 20A - CASE 8209).

WHEREAS, by Resolution No. R-308929, a public hearing was called for on June 23, 2014 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):

**UU15 Hancock St  
(Witherby St to Washington St)**

- Parcel A, Parcel Map 640
- Lots 1, 2, 3, 10, 11 and 12, Block 185, Map of Middletown together with Sutherland Street
- Portions Lots 1 through 6, Lots 7 through 12, Block 196, Map of Middletown together with Sutherland Street and Hancock Street
- Parcels 1 and 2, Parcel Map 17813 together with Hancock Street
- Parcels 1 and 2, Parcel Map 17788 together with Hancock Street
- Lot 2, Portions Lots 3 through 5, Block 207, Map of Middletown together with Hancock Street
- Parcels 1 and 2, Parcel Map 17789 together with Hancock Street
- Lot 2, Block 212, Map of Middletown together with Hancock Street
- Parcels 1 and 2, Parcel Map 16495 together with Hancock Street
- Lots 1 through 4, Block 219, Map of Middletown together with Hancock Street and Coutts Street closed and vacated to public use.
- Portions Lot 1 through 3, Lots 4 through 7, Block 224, Map of Middletown together with Hancock Street and Coutts Street closed and vacated to public use

- Portions Lot 9 through 16, Block 223, Map of Middletown together with Hancock Street and Coutts Street closed and vacated to public use

**UU30 Mission Blvd.  
(Loring St. to Turquoise St.)**

- Lots 23 through 26, Block 1, Map 977 together with Mission Boulevard, Sapphire Street, the unnamed alley and the portion of Mission Boulevard closed and vacated to public use
- Portion of Lot 2, Lots 3 through 5, Lots 29 through 32, portion of Lot 33, Block 2, Map 977 together with Mission Boulevard, Sapphire Street, and the unnamed alley
- Portion of Lot 2, Lots 3 and 4, Lots 30 through 32, portion of Lot 33, Block 3, Map 977 together with Mission Boulevard, Sapphire Street, and the unnamed alley
- Portion of Lot 2, Lots 3 and 4, Block 3, Map 1039 together with Mission Boulevard and Tourmaline Street
- Lots 15 and 16, Block 4, Map 977 together with Mission Boulevard, Sapphire Street, the unnamed alley and the portion of Mission Boulevard closed and vacated to public use
- Lots 15, Block 4, Map 1039 together with Mission Boulevard, Tourmaline Street, and the portion of Mission Boulevard closed and vacated to public use
- Lots 1 and 2, Map 2263 together with Tourmaline Street, Mission Boulevard and the unnamed alley
- Portions of Lot 5 of Pueblo Lot 1783, Map 839 together with Tourmaline Street, Mission Boulevard and the unnamed alley
- Lots 27 through 35, Block 3, Map 1033 together with Mission Boulevard and the unnamed alley
- Lots 27 through 34, Block 3, Map 941 together with Mission Boulevard
- Lots 49 through 52, Block 4, Map 1033 together with Mission Boulevard and the unnamed alley
- Lots 49 through 52, Block 4, Map 941 together with Mission Boulevard
- Lots 1 through 8, Block 2, Map 941 together with Mission Boulevard inclusive of southerly to Loring Street
- Lot 1, portions of Lots 2, 3, and 4, Block 1, Map 941 together with Mission Boulevard, Opal Street and the unnamed alley

**UU17 32nd St.  
(Market St. to Imperial Av.)**

- Lots 24 through 28, Block 112, Map 927 together with 32nd Street, Market Street and the unnamed alley
- Lots 1, 2, 47 and 48, Block 129, Map 927 together with 32nd Street, Island Avenue, Market Street and the unnamed alley
- Lots 1, 2, 47 and 48, portion of Lot 46, Block 130, Map 927 together with 32nd Street, Island Avenue, J Street and the unnamed alley
- Lots 1 and 2, Block 131, Map 927 together with 32nd Street, J Street and the unnamed alley
- Lots 25 and 26, Block 110, Map 927 together with 32nd Street and K Street
- Lots 47 and 48, Block 131 ½, Map 1256 together with 32nd Street, K Street and the unnamed alley

- Lots 1, 2, 25 and 26 Block 132, Map 435 together with 32nd Street, K Street, L Street and the unnamed alley
- Lots 21 through 26, Block 109, Map 435 together with 32nd Street, K Street, L Street and the unnamed alley
- Lot 1 and portions of Lots 2, 25 and 26, Block 133, Map 435 together with 32nd Street, L Street and the unnamed alley
- Lots 23 through 27, Block 108, Map 435 together with 32nd Street, L Street and the unnamed alley

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 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 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.

3. 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.

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.

5. The Mitigated Negative Declarations (MNDs), Project No. 299805, 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

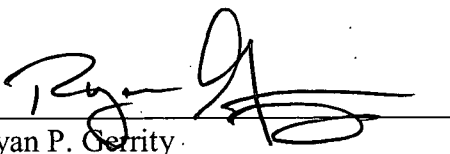
amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), and that the final MND, together with any comments received during the public review process has been reviewed and considered by this City Council in connection with approving the Districts, and that this declaration reflects the independent judgment of the City of San Diego as Lead Agency.

6. 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.

7. 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

  
\_\_\_\_\_  
Ryan P. Gerrity  
Deputy City Attorney

RPG:jls

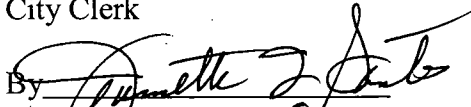
4/15/2014

Or.Dept: Transportation & Storm Water Dept.

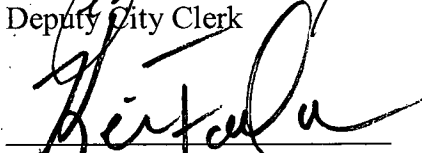
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I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 23 2014

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 7/7/14  
(date)

  
KEVIN L. FAULCONER, Mayor

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

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUN 23 2014, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Harris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 07 2014

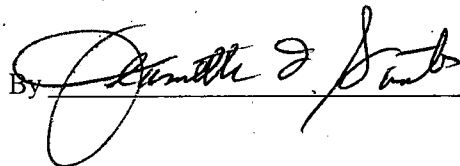
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

(Seal)

By , Deputy

Office of the City Clerk, San Diego, California

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