

Tues 5/16/17

(R-2017-554) Item

335

RESOLUTION NUMBER R- 311111

DATE OF FINAL PASSAGE MAY 30 2017

RESOLUTION CALLING A PUBLIC HEARING TO DETERMINE WHETHER THE PUBLIC HEALTH, SAFETY OR GENERAL WELFARE REQUIRES THE FORMATION OF UNDERGROUND UTILITY DISTRICTS IN RESIDENTIAL BLOCKS UU123 ON INGULF STREET, UU465 ON MARLESTA DRIVE/BEAGLE DRIVE AND UU24 ON ORANGE AVENUE.

WHEREAS, Chapter VI, Article 1, Division 5 of the San Diego Municipal Code establishes a procedure for the creation of underground utility districts and requires as an initial step in such procedure the holding of a public hearing to determine whether the public health, safety or general welfare requires 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 in any such district; and

WHEREAS, Council Policy 600-8, "Underground Conversion of Utility Lines by Utility Company" further governs the undergrounding of utilities; and

WHEREAS, in accordance with Chapter VI, Article 1, Division 5 of the San Diego Municipal Code and Council Policy 600-8, it has been recommended that the following underground utility district [District] be formed:

**Residential Project Block UU123
Ingulf Street (Morena Boulevard to Erie St)**

- Lots 1 through 4, Lots 26 through 28, Block 36, Map 809 together with Chicago Street, Ingulf Street, Denver Street, the unnamed alley and portions of Ingulf Street and Chicago Street as closed and vacated to public use
- Lots 1, 2, 27 and 28, Block 53, Map 809 together with Denver Street, Ingulf Street, Erie Street, the unnamed alley and a portion of Ingulf Street as closed and vacated to public use
- Lot 1, Map 10486 together with Erie Street and the unnamed alley
- Lot 1, Map 6167 together with Erie Street, Ingulf Street and the unnamed alley

- Lot 1, Map 4056 together with Denver Street, the unnamed alley and the portion of Denver Street as closed and vacated to public use
- Lots 1 and 2, Map 5810 together with Ingulf Street, Denver Street and the unnamed alley
- Parcels 1 and 2, Parcel Map 21028 together with Denver Street and Ingulf Street

All in the City of San Diego, Count of San Diego, State of California

Residential Project Block UU465

Marlesta Drive/Beagle Street (Genesee Avenue to Beagle Street/Marlesta Drive to Ashord Street)

- Malesta Drive/Beagle St UUD
- Portion of Pueblo Lot 1204, Miscellaneous Map 36 together with Marlesta Drive
- Lots 11 and 12, Map 5063 together with Marlesta Drive
- Lots 148 through 153, Lots 155 through 163, Map 4738 together with Marlesta Drive and Chasewood Drive
- Lots 8 through 56 and 71, Map 4635 together with Marlesta Drive, Beagle Street, Keston Court and Beagle Place
- Lots 355 through 364, Lots 379 through 387, Lots 395 through 399, Map 4127 together with Beagle Street, Atoll Street and Belford Street
- Lots 285 through 288, Lots 322 through 327, Map 3888 together with Beagle Street, Beagle Court and Ben Street
- Lots 1, 60, 82, 83, 96 through 103, Map 3239 together with Beagle Street, Ames Street, Apollo Street, and Armstrong Street
- Lots 45, 66, 67, 91 through 93, Map 2870 together with Beagle Street, Armstrong Street and Argyle Street
- Parcel 2 as shown on Record of Survey 6045 together with Beagle Street

All in the City of San Diego, Count of San Diego, State of California

Residential Project Block UU24

Orange Avenue (Central Avenue to Fairmont Avenue)

- Orange Ave UUP
- Lot 1, portions of Lots 2, 3, 43, 44, 45 and Lot 46, Block 15, Map 1000 together with Orange Avenue and 41st Street
- Lots 1, 2, portions of Lots 43 and 44, Lots 45 and 46, Block 16, Map 1000 together with Orange Ave, 41st Street, Marlborough Ave and the unnamed alley
- Lots 1 through 7, portion of Lot 8, Block 17, Map 1000 and a portion of Parcel 1, Parcel Map 11754 together with Orange Avenue, Marlborough Avenue, all 42nd Street contiguous to parcel Map 11754, and the unnamed alley as closed and vacated to public use
- Lots 1, 2, 45 and 46, Block 18, Map 1000 together with Orange Avenue, 42nd Street, Van Dyke Avenue and the unnamed alley

- Lots 1, 2, 45 and 46, Block 19, Map 1000 together with Orange Avenue, Van Dyke Avenue, 43rd Street, and the unnamed alley
 - Lots 1, 2, 3, portions of Lots 44, 45, 46, Block 20, Map 1000 together with Orange Avenue, 43rd Street, and the unnamed alley
 - Portions of Lots 21 through 27, Block 21, Map 1037 together with Orange Avenue, 43rd Avenue and the unnamed alley
 - Lots 21 through 26, portions of Lots 27 and 28, Block 22, Map 1037 together with Orange Avenue, 43rd Avenue and Van Dyke Avenue
 - Portions of Lots 19 and 20, Lots 21 through 26, Block 23, Map 1037 together with Orange Avenue, Van Dyke Avenue and Copeland Avenue
 - Lots 22 through 26, Block 24, Map 1037 together with Orange Avenue, Copeland Avenue, 42nd Street and unnamed alley
 - Portions of Lot 22, Lots 23 through 26, Block 25, Map 1037 together with Orange Avenue, 42nd Street, Marlborough Avenue and the unnamed alley
 - Lots 21 through 26, Block 26, Map 1037 together with Orange Avenue, Marlborough Avenue, 41st Street and the unnamed alley
 - Lots 21 through 28, Block 27, Map 1037 together with Orange Avenue and 41st Street
- All in the City of San Diego, Count of San Diego, State of California

NOW, THEREFORE,

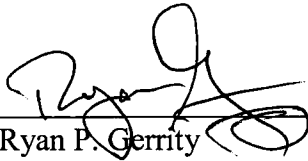
BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. Notice is hereby given that a public hearing will be held by the Council of the City of San Diego on JUL 11 2017, at the hour of 2:00 PM 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 overhead structures and the underground installation of wires and facilities for supplying electric, communication, community antenna television or similar or associated service in the Districts described above.

2. At such hearing all persons interested shall be given an opportunity to be heard and said hearing may be continued from time to time as may be determined by the City Council. The decision of the City Council as to the formation of the District as described above shall be final and conclusive.

3. The City Clerk shall notify all affected persons as defined in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code and each utility company concerned of the time and place of the hearing by following the procedure set forth in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Ryan P. Gerrity
Deputy City Attorney

RPG:jls
May 2, 2017
Or.Dept:Transportation & Storm Water
Doc. No.: 1495811

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 16 2017.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 5/30/17
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on MAY 16 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<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"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
Chris Cate	<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"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 30 2017

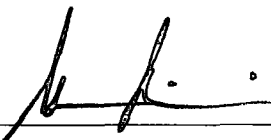
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

(Seal)

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

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

By , Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 311111