

Tues 7-11-17
(R-2017-553) Item
330

RESOLUTION NUMBER R- 311232

DATE OF FINAL PASSAGE JUL 25 2017

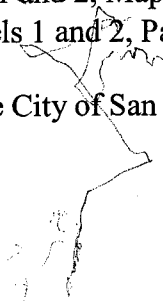
A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO ESTABLISHING UNDERGROUND UTILITY DISTRICTS ON RESIDENTIAL BLOCKS UU123 ON INGULF STREET, UU465 ON MARLESTA DRIVE/BEAGLE DRIVE AND UU24 ON ORANGE AVENUE FINANCED PRIMARILY THROUGH THE CITY OF SAN DIEGO UNDERGROUNDING SURCHARGE FUND.

WHEREAS, by Resolution No. R- 311232, a public hearing was called for on JUL 11 2017, 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 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 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)

- 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

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Residential Project Block UU24
Orange Avenue (Central Avenue to Fairmont Avenue)

- 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

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: 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 the 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: MARA W. ELLIOTT, City Attorney

By 
Ryan P. Gerrity
Deputy City Attorney

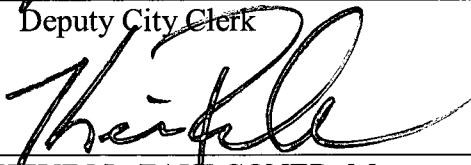
RPG:jls
May 2, 2017
Or.Dept: Transportation & Storm Water
Doc. No.: 1495165

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 11 2017.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 7/24/17
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUL 11 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

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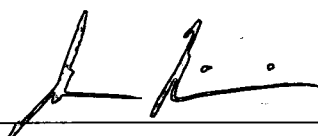
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

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
Resolution Number R- 311232