

RESOLUTION NUMBER R- 312195

DATE OF FINAL PASSAGE FEB 04 2019

A RESOLUTION ESTABLISHING UNDERGROUND UTILITY DISTRICTS IN THE COMMUNITIES OF UNIVERSITY CITY (1S), MISSION BEACH (2S3), KENSINGTON (3AA), TERALTA (3AA1), NORMAL HEIGHTS (3BB, 3BB2), ENCANTO (4R1), CLAIREMONT MESA (6K, 6K2), ALLIED GARDENS (7R1) AND DEL CERRO (7U) FINANCED THROUGH THE CITY OF SAN DIEGO UNDERGROUNDING SURCHARGE FUND.

WHEREAS, by Resolution No. R- 312151, a public hearing was called for on JAN 29 2019 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 the certain areas of the City of San Diego more particularly described as follows [the Districts]:

- 1S (UU232) – University City
- 2S3 (UU981) – Mission Beach
- 3AA (UU915) – Kensington
- 3AA1 (UU213) – Teralta
- 3BB (UU909) – Normal Heights
- 3BB2 (UU912) – Normal Heights
- 4R1 (UU899) – Encanto
- 6K (UU499) – Clairemont Mesa
- 6K2 (UU858) – Clairemont Mesa
- 7R1 (UU970) – Allied Gardens
- 7U (UU949) – Del Cerro

The legal descriptions of each District listed above are on file in the Office of the City Clerk as

Document No. RR 312195

WHEREAS, notice of such hearing has been given by the Mayor 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, in accordance with San Diego Municipal Code (SDMC), Chapter 6, Article 1, Division 5, Underground Utilities Procedural Ordinance, these actions will create new Undergrounding Utilities Districts referred to as 1S (UU232), 2S3 (UU981), 3AA (UU915), 3AA1 (UU213), 3BB (UU909), 3BB2 (UU912), 4R1 (UU899), 6K (UU499), 6K2 (UU858), 7R1 (UU970), and 7U (UU949) and the Resolution will authorize undergrounding of all overhead utilities within the designated Districts; and

WHEREAS, project costs estimated at \$174.7 million will be funded through use of the Underground Surcharge Fund and this includes electrical utility work estimated at \$148.9 million and related costs for administration, streetlight replacement, street resurfacing, and other related work estimated at \$25.8 million, expenditures which have been approved or will be approved by subsequent actions; and

CIP ID	Project Name	Estimated Project Cost
UU213	Residential Project Block 3AA1	\$11,958,445
UU232	Residential Project Block 1S	\$18,678,019
UU499	Residential Project Block 6K	\$18,083,928
UU858	Residential Project Block 6K2	\$14,746,062
UU899	Residential Project Block 4R1	\$20,813,526
UU909	Residential Project Block 3BB	\$16,547,767
UU912	Residential Project Block 3BB2	\$13,933,697
UU915	Residential Project Block 3AA	\$19,364,443
UU949	Residential Project Block 7U	\$14,640,220
UU970	Residential Project Block 7R1	\$16,746,348
UU981	Residential Project Block 2S3	\$9,172,949

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 documents 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 associated structures in the Districts.

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:cw
11/26/18
Or.Dept: Transportation & Storm Water
Doc. No.: 1882794

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 29 2019

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 2/4/19
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JAN 29 2019, 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"/>
Jennifer Campbell	<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"/>
Monica Montgomery	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage FEB 04 2019.

(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.

(Seal)

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

By *Aty Brady*, Deputy

Office of the City Clerk, San Diego, California

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