

RESOLUTION NO. 201041 adopted OCT 20 1970

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AWARDING TO THE HIGHEST RESPONSIBLE CASH BIDDER A FRANCHISE TO CONSTRUCT, MAINTAIN AND USE POLES, WIRES, CONDUITS AND APPURTENANCES FOR TRANSMITTING AND DISTRIBUTING ELECTRICITY IN THE STREETS OF THE CITY OF SAN DIEGO.

WHEREAS, the Council of The City of San Diego, upon due consideration, after public hearings, and upon the recommendation of the City Manager, did determine on October 6, 1970 to advertise the fact that it is in the best interest of the City of San Diego and its inhabitants to grant a franchise for a period of fifty (50) years to construct, maintain and use poles, wires, conduits and appurtenances for transmitting and distributing electricity in the streets of the City of San Diego and invited sealed bids in writing for the award of such a franchise according to the terms set forth in Exhibits "A" and "B" of Resolution No. 200941; and

WHEREAS, the Council of The City of San Diego invited said bids in writing to be received for such franchise up to the hour of 9:00 a.m. of Tuesday, the 20th day of October, 1970, at which time the Council, in open session, shall open and publicly declare all bids; and

WHEREAS, said franchise as above described shall then be struck off, sold and awarded to the person, firm or corporation making the highest cash bid therefor, but not less than Fifty Thousand Dollars (\$50,000.00), provided that at the time of opening said bids any responsible person, firm or corporation present or represented may bid for said franchise a sum not less than ten percent (10%) above the highest sealed bid therefor, and said bid so made be raised not less than ten percent (10%) by any other responsible bidder, and said bidding so continue until finally said franchise shall be struck off, sold and awarded by said Council to the highest bidder therefor, in lawful money of the United States; and

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WHEREAS, the Council further provided that each sealed bid shall be accompanied with cash or a certified check payable to the Treasurer of The City of San Diego for the full amount of said bid, and no sealed bid shall be considered unless said cash or check is enclosed therewith; and further required the successful bidder within five (5) days after such franchise is awarded to file a surety bond running to the City, to be approved by the Council, in the sum of Five Hundred Thousand Dollars (\$500,000.00), guaranteeing that such bidder shall well and truly observe, fulfill and perform each and every term and condition of such franchise, and that in case of any breach of any condition of the franchise the whole amount of the sum named in the bond may be recoverable from the principal and sureties of said bond; and

WHEREAS, one sealed bids in writing have been received for such franchise up to the hour of 9:00 a.m., Tuesday, October 20, 1970; and

WHEREAS, after said sealed bid(s) have been opened, the Mayor has asked if any responsible person, firm or corporation present or represented wishes to bid for such franchise a sum not less than ten percent (10%) above the highest sealed bid therefor and has done such other things as set forth in the recitals above; and

WHEREAS, bids have been received in the amount indicated and accompanied with cash or a certified check payable to the Treasurer of The City of San Diego from the following:

<u>Name of Bidder</u>	<u>Amount of Bid (In cash or by certified check)</u>
San Diego Gas & Electric Company	\$50,000 certified check

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WHEREAS, it now appears that San Diego Gas & Electric Company  
is the successful bidder; NOW, THEREFORE,

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

That a franchise to construct, maintain and use poles,  
wires, conduits and appurtenances for transmitting and  
distributing electricity in the streets of the City of San  
Diego is hereby struck off, sold and awarded to San Diego Gas &  
Electric Company subject to the proviso set forth below.

BE IT FURTHER RESOLVED, that if San Diego Gas & Electric Company  
files with the Council within five (5) days from this date  
a surety bond running to the City in a form to be approved  
by the Council in the sum of Five Hundred Thousand Dollars  
(\$500,000.00) guaranteeing that it shall well and truly observe,  
fulfill and perform each and every term and condition of said  
franchise and that in case of any breach of any condition of  
the franchise the whole amount of the sum named in the bond  
may be recoverable from the principal and sureties upon said  
bond, then in that event and that event only shall an ordinance  
granting said franchise be presented for introduction on  
October 29, 1970, and the City Attorney is hereby instructed  
to prepare said ordinance in the form set forth as Exhibit A  
on Resolution No. 200941 of October 6, 1970, inserting therein  
the name of San Diego Gas & Electric Company where appropriate.

APPROVED: JOHN W. WITT, City Attorney

By *C. M. Fitzpatrick*  
C. M. Fitzpatrick, Chief Deputy

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CMF:vl  
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Passed and adopted by the Council of The City of San Diego on OCT 20 1970,  
by the following vote:

RECEIVED  
CITY CLERK'S OFFICE  
1970 OCT 20 AM 8:47  
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN  
Mayor of The City of San Diego, California.

(Seal)

JOHN LOCKWOOD  
City Clerk of The City of San Diego, California.

By Elfa D. Hamel, Deputy. *KE*

Office of the City Clerk, San Diego, California

Resolution Number 201041 Adopted OCT 20 1970

FORM CC-1276 (1.69)

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