

ORDINANCE NO. 12106
(New Series)

O. 77-226

~~JUL 20~~ 1977

AN ORDINANCE OF THE CITY OF SAN DIEGO
CONSENTING TO THE TRANSFER OF THE NON-
EXCLUSIVE RIGHT, PRIVILEGE AND FRANCHISE
TO LAY AND USE LINES, WIRES, COAXIAL
CABLE AND APPURTENANCES FOR TRANSMITTING,
DISTRIBUTING AND SUPPLYING RADIO AND
TELEVISION ANTENNA SERVICE ALONG, ACROSS
AND UPON THE PUBLIC STREETS, WAYS, ALLEYS
AND PLACES WITHIN THE CITY OF SAN DIEGO
KNOWN AS THE RANCHO BERNARDO AREA FROM
RANCHO BERNARDO ANTENNA SYSTEMS, INC. TO
AMERICAN TELEVISION AND COMMUNICATIONS
CORPORATION.

WHEREAS, The City of San Diego has by Ordinance No. 8926
(N.S.) granted the nonexclusive right, privilege and franchise
to lay and use lines, wires, coaxial cable and appurtenances
for transmitting, distributing and supplying radio and tele-
vision antenna service along, across and upon the public streets,
ways, alleys and places within the City of San Diego known as
the Rancho Bernardo area to Rancho Bernardo Antenna Systems,
Inc., as more particularly set forth in said ordinance; and

WHEREAS, Rancho Bernardo Antenna Systems, Inc. has by a
letter dated January 18, 1977, a copy of which is on file in
the office of the City Clerk as Document No. 760245,
requested The City of San Diego to consent to the transfer of
said franchise to American Television and Communications
Corporation pursuant to the provisions of Section 6 of Ordinance
No. 8926 (N.S.); NOW, THEREFORE,

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

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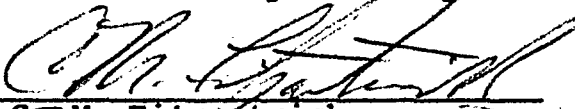
01241

Section 1. That The City of San Diego does by this ordinance consent to the transfer to American Television and Communications Corporation of the franchise heretofore granted by Ordinance No. 8926 (N.S.) to Rancho Bernardo Antenna Systems, Inc. subject to all the terms and conditions contained in said Ordinance No. 8926 (N.S.) and subject to the following additional terms and conditions:

(a) That American Television and Communications Corporation keep, maintain and provide City with separate operational and financial records for the Rancho Bernardo System in order that the operations and rate structure of said system may be analyzed and inspected by the City as a separate operating entity at all times.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
C. M. Fitzpatrick
Senior Chief Deputy

CMF:vl:490.2
5/17/77
Or. Dept.: Manager

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Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

| Councilmen | Yeas | Nays | Excused | Absent |
|---------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| Gil Johnson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Maureen F. O'Connor | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Lee Hubbard | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Leon L. Williams | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Floyd L. Morrow | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Tom Gade | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Joel M. Strobl | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jess D. Haro | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mayor Pete Wilson | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

(Seal)

By Kathleen Martinez Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

JUN 22 1977

JUL 20 1977

, and on _____

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

(Seal)

By Kathleen Martinez Deputy.

RECEIVED
CITY CLERK'S OFFICE
1977 MAY 20 PM 3:17
SAN DIEGO, CALIF.

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Office of the City Clerk, San Diego, California

Ordinance
Number

12106

JUL 20 1977

Adopted

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fw

ATTORNEYS.

San Diego, City of
12th Floor, City Admin. Bldg.
202 C St.
San Diego, Ca 92101
Attn: Kathleen Martinez

CERTIFICATE OF PUBLICATION

No. 12106

IN THE MATTER OF

AMERICAN TELEVISION AND COMMUNICATIONS CORPORATION

ORDINANCE NO. 12106

(New Series)
AN ORDINANCE OF THE CITY OF SAN DIEGO CONSENTING TO THE TRANSFER OF THE NONEXCLUSIVE RIGHT, PRIVILEGE AND FRANCHISE TO LAY AND USE LINES, WIRES, COAXIAL CABLE AND APPURTENANCES FOR TRANSMITTING, DISTRIBUTING AND SUPPLYING RADIO AND TELEVISION ANTENNA SERVICE ALONG, ACROSS AND UPON THE PUBLIC STREETS, WAYS, ALLEYS AND PLACES WITHIN THE CITY OF SAN DIEGO KNOWN AS THE RANCHO BERNARDO AREA FROM RANCHO BERNARDO ANTENNA SYSTEMS, INC. TO AMERICAN TELEVISION AND COMMUNICATIONS CORPORATION.

WHEREAS, The City of San Diego has by Ordinance No. 8928 (N.S.) granted the nonexclusive right, privilege and franchise to lay and use lines, wires, coaxial cable and appurtenances for transmitting, distributing and supplying radio and television antenna service along, across and upon the public streets, ways, alleys and places within the City of San Diego known as the Rancho Bernardo area to Rancho Bernardo Antenna Systems, Inc., as more particularly set forth in said ordinance; and

WHEREAS, Rancho Bernardo Antenna Systems, Inc. has by a letter dated January 18, 1977, a copy of which is on file in the office of the City Clerk as Document No. 780245, requested The City of San Diego to consent to the transfer of said franchise to American Television and Communications Corporation pursuant to the provisions of Section 6 of Ordinance No. 8928 (N.S.); NOW, THEREFORE,

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

Section 1. That The City of San Diego does by this ordinance consent to the transfer to American Television and Communications Corporation of the franchise heretofore granted by Ordinance No. 8928 (N.S.) to Rancho Bernardo Antenna Systems, Inc., subject to all the terms and conditions contained in said Ordinance No. 8928 (N.S.) and subject to the following additional terms and conditions:

(a) That American Television and Communications Corporation shall keep, maintain and provide City with separate operational and financial records for the Rancho Bernardo System in order that the operations and rate structure of said system may be analyzed and inspected by the City as a separate operating entity at all times.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Passed and adopted by the Council of The City of San Diego on July 20, 1977, by the following vote:

YEAS: Johnson, O'Connor, Hubbard, Williams, Morrow, Stroh, Haro.

NAYS: None.
ABSENT: Wilson.
AUTHENTICATED BY:
PETE WILSON,
Mayor of The City of San Diego, California.
EDWARD NIELSEN,
City Clerk of The City of San Diego, California.
By KATHLEEN MARTINEZ,
Deputy.

(Seal)

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on June 22, 1977, and on July 20, 1977.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

EDWARD NIELSEN,
City Clerk of The City of San Diego, California.
By KATHLEEN MARTINEZ,
Deputy.

(Seal)
Pub. Aug. 4, 1977 LS 6317

I, PATRICIA M. DUTRA hereby certify that the San Diego Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of said newspaper; and the

ORDINANCE NO. 12106

is a true and correct copy of which this certificate is annexed and was published in said newspaper on

August 4, 1977

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on

August 5, 1977

Patricia M. Dutra
(Signature)

114 @ 552 = 62.10

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