

RESOLUTION NO. 217962

R. 77-1495
(Rev. 3/22/77)
MAR 23 1977

A RESOLUTION RESCINDING RESOLUTION NO. 216676, ADOPTED SEPTEMBER 1, 1976; DESIGNATING THAT PORTION OF THE SIXTH AVENUE (UPAS STREET TO ROBINSON AVENUE) UNDERGROUND UTILITY DISTRICT, LYING NORTH OF THE NORTHERLY LINE OF BROOKS AVENUE AS THE NORTHERLY SECTION, AND THAT PORTION OF SAID DISTRICT LYING SOUTH OF SAID NORTHERLY LINE OF BROOKS AVENUE AS THE SOUTHERLY SECTION; DESIGNATING APRIL 8, 1977 AS THE DATE UPON WHICH ALL PROPERTY IN THE NORTHERLY SECTION MUST BE READY TO RECEIVE UNDERGROUND SERVICE AND MAY 20, 1977 AS THE DATE FOR THE REMOVAL OF ALL OVERHEAD UTILITY FACILITIES; AND DESIGNATING APRIL 15, 1977 AS THE DATE UPON WHICH ALL PROPERTY IN THE SOUTHERLY SECTION MUST BE READY TO RECEIVE UNDERGROUND SERVICE AND JULY 1, 1977 AS THE DATE FOR THE REMOVAL OF ALL OVERHEAD UTILITY FACILITIES.

WHEREAS, this Council did on March 23, 1976 by Resolution No. 215557 establish the SIXTH AVENUE (Upas Street to Robinson Avenue) UNDERGROUND UTILITY DISTRICT which required the conversion of certain overhead electric, communication and community antenna television facilities; and

WHEREAS, pursuant to said Resolution No. 215557, the date upon which property in the district had to be ready to receive underground service and the date upon which the removal of all poles, overhead wires and associated overhead structures had to be effected was to be subsequently designated by resolution;

NOW, THEREFORE,

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

1. That Resolution No. 216676, adopted by the City Council on September 1, 1976, be and it is hereby rescinded.

2. That portion of the SIXTH AVENUE (Upas Street to Robinson Avenue) UNDERGROUND UTILITY DISTRICT lying north of the northerly line of Brooks Avenue is designated as the NORTHERLY SECTION, and that portion of said district lying south of said northerly line of Brooks Avenue is designated as the SOUTHERLY SECTION.

3. That April 8, 1977 be and the same is hereby established and designated as the date upon which all property in the northerly section within the SIXTH AVENUE (Upas Street to Robinson Avenue) UNDERGROUND UTILITY DISTRICT must be ready to receive underground utility service and that May 20, 1977 be and the same is hereby designated as the date upon which all overhead utility facilities must be removed.

4. That April 15, 1977 be and the same is hereby established and designated as the date upon which all property in the southerly section within the SIXTH AVENUE (Upas Street to Robinson Avenue) UNDERGROUND UTILITY DISTRICT must be ready to receive underground utility service and that July 1, 1977 be and the same is hereby designated as the date upon which all overhead utility facilities must be removed.

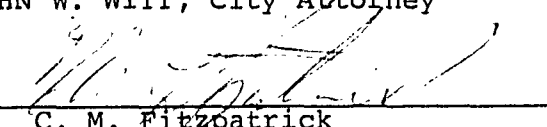
5. That the City Clerk is hereby directed to give notice to all affected persons as defined in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code and all affected utility companies of the adoption of this Resolution No. 217962 within fifteen (15) days after the date of such adoption. The City Clerk shall specifically notify the affected persons that if they desire to continue to receive electric, communication, community antenna television or similar or associated

service, they shall provide, at their owner expense, all necessary facility changes on their premise so as to receive underground service from the lines relocated underground of the supplying utility company subject to applicable rules, regulations and tariffs of the respective utility company on file with the Public Utilities Commission of the State of California and subject to all other applicable requirements of State law and City ordinances. The Clerk's notification shall be made in the manner provided in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code.

6. The City Manager is hereby directed to notice such affected persons and affected utilities in accordance with Section 61.0511(b) of the San Diego Municipal Code.

APPROVED: JOHN W. WITT, City Attorney

By


C. M. Fitzpatrick
Senior Chief Deputy

CMF:vl:460.8
2/17/77
Or. Dept.: Eng. & Dev.

217962

Passed and adopted by the Council of The City of San Diego on MAR 23 1977,
 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
 Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN
 City Clerk of The City of San Diego, California.

By Kathleen Martinez, Deputy.

RECEIVED
 CITY CLERK'S OFFICE
 1977 MAR 11 PM 3:10
 SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California	
Resolution Number 217962	Adopted MAR 23 1977