

(O-89-29)

ORDINANCE NUMBER O- 17144 (NEW SERIES)

ADOPTED ON SEP 19 1988

AN ORDINANCE OF THE CITY OF SAN DIEGO AMENDING FRANCHISE ORDINANCE NUMBER O-16068, WHICH GRANTED TO BOULDER RIDGE CABLE TELEVISION, INC. (FORMERLY COASTSIDE CABLE TELEVISION, INC.) THE NON-EXCLUSIVE RIGHT, PRIVILEGE AND FRANCHISE TO LAY AND USE LINES, WIRES, COAXIAL CABLE AND APPURTENANCES FOR TRANSMITTING, DISTRIBUTING AND SUPPLYING RADIO AND CABLE TELEVISION SERVICE WITHIN CERTAIN AREAS OF SAN DIEGO, BY AMENDING SECTION 7(b) TO CHANGE THE COMMENCEMENT DATE FROM NOVEMBER 23, 1983 TO NOVEMBER 23, 1988 AND APPROVING THE SECURITY AGREEMENT BETWEEN PHILADELPHIA NATIONAL BANK AND BOULDER RIDGE CABLE TELEVISION.

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

Section 1. That Section 7(b) of Ordinance Number O-16068 is amended to read as follows:

(b) The term of this Franchise shall be sixty (60) months, commencing on the effective date of the Navy contract, which is understood as November 23, 1988; provided, however, that the term of this Franchise shall be considered extended concurrent with proper exercise of the option to renew provided for in the Navy contract, provided, however, that the City shall reserve the right not to extend this agreement in the event Grantee fails to comply with any material provisions of this ordinance.


Section 2. All other provisions of Ordinance Number O-16068 remain in full force and effect.

BE IT FURTHER ORDAINED, that the security agreement between Boulder Ridge Cable Television and Philadelphia National Bank, dated November 20, 1987, be and it is hereby approved.

Section 3. This ordinance shall take effect and be in force on the thirtieth (30) day from and after its passage.

APPROVED: John W. Witt, City Attorney

By



C. M. Fitzpatrick
Assistant City Attorney

CMF:js:smm
08/16/88
08/31/88 CORRECTED COPY
Or.Dept:Prop.
O-89-29
Form=o.none

SEP 19 1988

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

| Council Members | Yeas | Nays | Not Present | Ineligible |
|------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| Abbe Wolfsheimer | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ron Roberts | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Gloria McColl | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| H. Wes Pratt | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ed Struiksma | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| J. Bruce Henderson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Judy McCarty | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Bob Filner | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mayor Maureen O'Connor | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

(Seal)

By *Rhonda R. Barney* 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

SEP 5 1988

SEP 19 1988

, and on

~~.....~~

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.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

(Seal)

By *Rhonda R. Barney* Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number *0-17100*

SEP 19 1988

Adopted

RECEIVED

88 SEP -1 AM 8:57

CITY CLERKS OFFICE
SAN DIEGO, CA

#54
~~#334~~

FRAN

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO
202 C STREET, 2ND FLOOR
SAN DIEGO, CA 92101
ATTN: RHONDA R. BARNES

RECEIVED
1988 OCT -7 AM 10:23
SAN DIEGO, CALIF.
NO.

IN THE MATTER OF
AN ORDINANCE OF THE CITY OF SAN DIEGO AMENDING
FRANCHISE ORDINANCE NUMBER 0-16068, WHICH GRANTED
TO BOULDER RIDGE CABLE TELEVISION, INC....

ORDINANCE NUMBER 0-17144 (NEW SERIES)

AN ORDINANCE OF THE CITY OF SAN DIEGO AMENDING
FRANCHISE ORDINANCE NUMBER 0-16068, WHICH
GRANTED TO BOULDER RIDGE CABLE TELEVISION, INC.
(FORMERLY COASTSIDE CABLE TELEVISION, INC.) THE
NON-EXCLUSIVE RIGHT, PRIVILEGE AND FRANCHISE TO
LAY AND USE LINES, WIRES, COAXIAL CABLE AND AP-
PURTENANCES FOR TRANSMITTING, DISTRIBUTING AND
SUPPLYING RADIO AND CABLE TELEVISION SERVICE
WITHIN CERTAIN AREAS OF SAN DIEGO, BY AMENDING
SECTION 7(b) TO CHANGE THE COMMENCEMENT DATE
FROM NOVEMBER 23, 1983 TO NOVEMBER 23, 1988 AND
APPROVING THE SECURITY AGREEMENT BETWEEN
PHILADELPHIA NATIONAL BANK AND BOULDER RIDGE
CABLE TELEVISION.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:
Section 1. That Section 7(b) of Ordinance Number 0-16068 is amended to read as follows:

(b) The term of this Franchise shall be sixty (60) months, commencing on the effective date of the Navy contract, which is understood as November 23, 1988; provided, however, that the term of this Franchise shall be considered extended concurrent with proper exercise of the option to renew provided for in the Navy contract, provided, however, that the City shall reserve the right not to extend this agreement in the event Grantee fails to comply with any material provisions of this ordinance.

Section 2. All other provisions of Ordinance Number 0-16068 shall remain in full force and effect.

BE IT FURTHER ORDAINED, that the security agreement between Boulder Ridge Cable Television and Philadelphia National Bank, dated November 20, 1987, be and it is hereby approved.

Section 3. This ordinance shall take effect and be in force on the thirtieth (30) day from and after its passage.

Passed and adopted by the Council of The City of San Diego, on SEP 19 1988, by the following vote:

YEAS: Wolfheimer, Roberts, McColl, Pratt, Struikama, Henderson, McCarty, Filner, Mayor O'Connor,
NAYS: None.

NOT PRESENT: None.

AUTHENTICATED BY: MAUREEN O'CONNOR

Mayor of The City of San Diego, California

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By RHONDA R. BARNES, 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 SEP 6 1988, and on SEP 19 1988.

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

(See)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By RHONDA R. BARNES, Deputy

Pub. October 3

118810

I, THOMAS D. KELLEHER, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

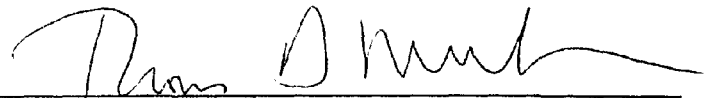
ORDINANCE NUMBER 0-17144 (NEW SERIES)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

OCT. 3

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 3 day of OCT., 19 88.



(Signature)

5 1/2" x 2 = \$125.66