

(R-98-447)

RESOLUTION NUMBER R- **289363**

ADOPTED ON **NOV 04 1997**

A RESOLUTION DESIGNATING DECEMBER 11, 1997 AS THE DATE UPON WHICH ALL PROPERTY IN THE BROADWAY (12TH AVENUE TO I-5) UNDERGROUND UTILITY DISTRICT MUST BE READY TO RECEIVE UNDERGROUND SERVICE AND MARCH 13, 1998 AS THE DATE FOR THE REMOVAL OF ALL OVERHEAD UTILITY FACILITIES.

WHEREAS, this Council did on November 28, 1995 by Resolution No. R-R-286657 establish the BROADWAY (12TH AVENUE TO I-5) UNDERGROUND UTILITY DISTRICT which required the conversion of certain overhead electric, communication and community antenna television facilities; and

WHEREAS, pursuant to said Resolution No. R-286657, 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:

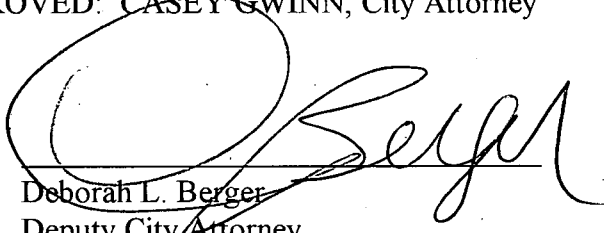
1. That December 11, 1997 be and the same is hereby established and designated as the date upon which all property within the BROADWAY (12TH AVENUE TO I-5) UNDERGROUND UTILITY DISTRICT must be ready to receive underground utility service and that March 13, 1998 be and the same is hereby designated as the date upon which all overhead utility facilities must be removed.

2. 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. R- 289363 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 own 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.

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

APPROVED: ~~CASEY GWINN~~, City Attorney

By

  
Deborah L. Berger  
Deputy City Attorney

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