

RESOLUTION NUMBER R- 289507

ADOPTED ON DEC 02 1997

A RESOLUTION DESIGNATING JANUARY 2, 1998 AS THE DATE ON WHICH ALL PROPERTY IN THE CITY HEIGHTS VILLAGE/CITY LINK INV CORP PHASE II, WIGHTMAN STREET (43RD STREET TO CHAMOUNE AVENUE) UNDERGROUND UTILITY DISTRICT MUST BE READY TO RECEIVE UNDERGROUND SERVICE AND MARCH 27, 1998 AS THE DATE FOR REMOVAL OF ALL OVERHEAD UTILITY FACILITIES WITHIN THE DISTRICT.

WHEREAS, the Council by Resolution No. R-288293 adopted on January 27, 1997 and by Resolution No. R-288371 adopted on February 25, 1997, established the City Heights Village/ City Link Inv. Corp. Phase II, Wightman Street (43rd Street to Chamoune Avenue) Underground Utility District, which required the conversion of certain overhead electric, communication, and community antenna television facilities; and

WHEREAS, pursuant to said resolutions, the date on which property in the district had to be ready to receive underground service and the date on 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 January 2, 1998 is hereby established and designated as the date on which all property within the subject Underground Utility District must be ready to receive underground utility service, and that March 27, 1998 is hereby designated as the date on which all overhead utility facilities within the district 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-289507 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 of the 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. That 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.

BE IT FURTHER RESOLVED, as follows:

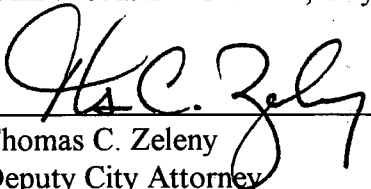
1. That the City Auditor and Comptroller is authorized to establish Fund No. 78095 for the purpose of depositing Public Utilities Commission Case 8209 Utility Underground Allocation Funds.

2. That the City Treasurer is authorized to receive these funds from San Diego Gas & Electric Company.

3. That reimbursement payments to all of the qualified property owners in the subject Underground Utility District is hereby authorized as reimbursement for the electrical service underground conversion work done on private property, to be reimbursed from Case 8209 Funds deposited by San Diego Gas & Electric with the City Treasurer for this purpose.

4. That the City Treasurer is authorized to return to SDG&E undisbursed funds, if any, on written notice from SDG&E to the City that all electrical service conversions within the subject Underground Utility District have been completed.

APPROVED: CASEY GWINN, City Attorney

By 
Thomas C. Zeleny
Deputy City Attorney

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11/5/97
AC No:N/A
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