

RESOLUTION NUMBER R- 289613

ADOPTED ON JAN 12 1998

A RESOLUTION DESIGNATING FEBRUARY 20, 1998 AS THE DATE ON WHICH ALL PROPERTY IN THE LANDIS STREET (43RD STREET TO CHAMOUNE STREET) UNDERGROUND UTILITY DISTRICT MUST BE READY TO RECEIVE UNDERGROUND SERVICE AND MAY 22, 1998 AS THE DATE FOR REMOVAL OF ALL OVERHEAD UTILITY FACILITIES WITHIN THE SUBJECT DISTRICT.

WHEREAS, the Council by Resolution Number R-288369 adopted on February 25, 1997 established the Landis Street (43rd Street to Chamoune Street) Underground Utility District, which required the conversion of certain overhead electric, communication, and community antenna television facilities; and

WHEREAS, pursuant to said resolution, 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 February 20, 1998 is hereby established and designated as the date on which all property within the Landis Street (43rd Street to Chamoune Street) Underground Utility District must be ready to receive underground utility service, and that May 22, 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 to all affected utility

companies of the adoption of this Resolution No. R- **289613** within fifteen (15) days after the date of this 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 to affected utilities in accordance with section 61.0511(b) of the San Diego Municipal Code.

BE IT FURTHER RESOLVED, as follows:

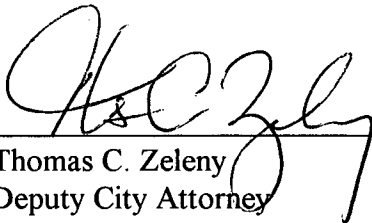
1. That the City Auditor and Comptroller is authorized to establish Fund No. 78096 for the purpose of depositing Public Utilities Commission Case 8209 Utility Underground Allocation Funds.

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

3. That reimbursement payment to all qualified property owners in the subject Landis Street 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 Landis Street Underground Utility District have been completed.

APPROVED: CASEY GWINN, City Attorney

By 
Thomas C. Zeleny
Deputy City Attorney

TCZ:mb
12/18/97
Aud.Cert:N/A
Or.Dept:Eng&CP
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