

RESOLUTION NUMBER R- 290635

ADOPTED ON SEP 08 1998

A RESOLUTION DESIGNATING NOVEMBER 17, 1998, AS THE DATE ON WHICH ALL PROPERTY IN THE CORTEZ HILL (7TH AVENUE TO 10TH AVENUE, A STREET TO CEDAR STREET) UNDERGROUND UTILITY DISTRICT MUST BE READY TO RECEIVE UNDERGROUND SERVICE AND FEBRUARY 5, 1999, AS THE DATE ON WHICH ALL OVERHEAD UTILITY FACILITIES IN THE DISTRICT MUST BE REMOVED.

WHEREAS, the Council by Resolution No. R-290010, adopted on May 4, 1998, and Resolution No. R-290224, adopted on June 9, 1998, established the Cortez Hill (7th Avenue to 10th Avenue, A Street to Cedar Street) Underground Utility District, which required conversion of certain overhead electric, communication, and community antenna television facilities; and

WHEREAS, pursuant to the resolutions, the date on which property within 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 November 17, 1998, is hereby established and designated as the date on which all property within the Cortez Hill (7th Avenue to 10th Avenue, A Street to Cedar Street) Underground Utility District must be ready to receive underground utility service, and that February 5, 1999, 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 within fifteen 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 premises so as to receive underground service from 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:

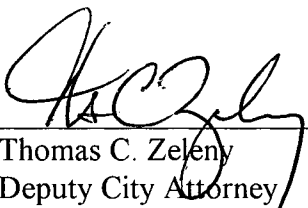
1. That the City Auditor and Comptroller is hereby authorized to establish Fund No. 78101 for the purpose of depositing Public Utilities Commission Case 8209 Utility Underground Allocation Funds.

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

3. That reimbursement payments to all qualified property owners in the subject Cortez Hill (7th Avenue to 10th Avenue, A Street to Cedar 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 SDG&E 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 of the electrical service conversions within the Cortez Hill (7th Avenue to 10th Avenue, A Street to Cedar Street) Underground Utility District have been completed.

APPROVED: CASEY GWINN, City Attorney

By  _____
Thomas C. Zeleny
Deputy City Attorney

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