

RESOLUTION NUMBER R- 292839

ADOPTED ON MAR 13 2000

A RESOLUTION DESIGNATING MARCH 31, 2000 AS THE DATE ON WHICH ALL PROPERTY IN THE EASTGATE MALL (GENESEE AVENUE TO TOWNE CENTRE DRIVE) UNDERGROUND UTILITY DISTRICT MUST BE REMOVED

WHEREAS, the Council by Resolution No. R-291091, adopted on December 8, 1998, established the Eastgate Mall (Genesee Avenue to Towne Centre Drive) Underground Utility District, which required the conversion of certain overhead electric, communication, and community antenna television facilities; and

WHEREAS, pursuant to the 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 March 31, 2000 is hereby established and designated as the date on which all overhead utility facilities within the Eastgate Mall (Genesee Avenue to Towne Centre Drive) Underground Utility District must be removed.

2. That the City Manager 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 within fifteen days after the date of adoption.

The City Manager shall specifically notify the affected persons that if they desire to continue receiving 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 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 notification shall be made in the manner provided in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code.

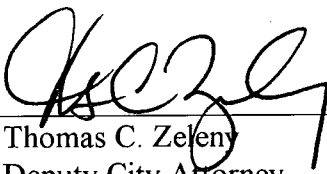
3. That the City Auditor and Comptroller is hereby authorized to establish Fund No. 78126 for the purpose of depositing Public Utilities Commission Case 8209 Utility Underground Allocation Funds.

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

5. That reimbursement payments to all qualified property owners in the Eastgate Mall (Genesee Avenue to Towne Centre Drive) Underground Utility District is hereby authorized as reimbursement for 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.

6. 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 Eastgate Mall (Genesee Avenue to Towne Centre Drive) Underground Utility District have been completed.

APPROVED: CASEY GWINN, City Attorney

By 
Thomas C. Zeleny
Deputy City Attorney

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