

RESOLUTION NUMBER R- 293755

ADOPTED ON SEP 12 2000

A RESOLUTION DESIGNATING OCTOBER 30, 2000 AS THE DATE ON WHICH ALL PROPERTY IN THE OCEAN VIEW BOULEVARD (FROM 29TH STREET TO SR-15) UNDERGROUND UTILITY DISTRICT MUST BE READY TO RECEIVE UNDERGROUND SERVICE AND DECEMBER 10, 2000 AS THE DATE ON WHICH ALL OVERHEAD UTILITY FACILITIES IN THE DISTRICT MUST BE REMOVED.

WHEREAS, the Council by Resolution No. R-284599, adopted on September 13, 1994, established the Ocean View Boulevard (from 29th Street to SR-15) Underground Utility District, which required 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 October 30, 2000 is hereby established and designated as the date on which all property within the Ocean View Boulevard (from 29th Street to SR-15) Underground Utility District must be ready to receive underground utility service, and that December 10, 2000 is hereby designated as the date on which all overhead utility facilities within the 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 necessary facility changes on their premises so as to receive underground service from the lines relocated underground of the supplying utility company subject to the 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 City Manager's notification shall be made in the manner provided in Chapter VI, Article 1, Division 5 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. 78128 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.

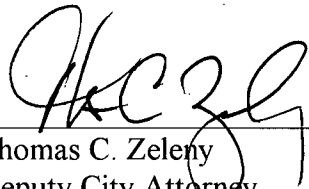
3. That reimbursement payments to all qualified property owners in the subject Ocean View Boulevard (from 29th Street to SR-15) Underground Utility District are hereby authorized as reimbursement for electrical service underground conversion work done on private property, to be reimbursed from Case 8209 Funds deposited by SDG&E with the City Treasurer for this purpose.

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 Ocean View Boulevard (from 29th Street to SR-15) Underground Utility District have been completed.

5. That the expenditure of an amount not to exceed \$57,400 from Annual Allocation - Undergrounding of City Utilities, CIP 37-028.0, TransNet Fund No. 30300, is authorized, solely and exclusively to replace existing street lights in the Ocean View Boulevard (from 29th Street to SR-15) Underground Utility District.

APPROVED: CASEY GWINN, City Attorney

By



Thomas C. Zeleny
Deputy City Attorney

TCZ:mb
08/24/00
Aud.Cert:2100241
Or.Dept:Eng&CP
R-2001-325
Form=uset.res

**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING AC 2100241
DEPT. NO.: 547

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount \$57,400.00 Fund 30244

Purpose Authorizing the expenditure of funds for the Ocean View Boulevard from 29th Street to SR-15 Underground Utility District.

Date August 23, 2000 By: *W. Kennedy*

AUDITOR AND COMPTROLLER'S DEPARTMENT

| ACCOUNTING DATA | | | | | | | | | | |
|-----------------|-------|-------|-------|------|---------|-----------|-------------------|-------------|----------|-------------|
| ACCTG. LINE | CY PY | FUND | DEPT | ORG. | ACCOUNT | JOB ORDER | OPERATION ACCOUNT | BENF/ EQUIP | FACILITY | AMOUNT |
| 1 | 0 | 30244 | 30244 | 106 | 4279 | 370280 | | 30300 | | \$57,400.00 |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| TOTAL AMOUNT | | | | | | | | | | \$57,400.00 |

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed \$ _____

Vendor _____

Purpose _____

Date _____ By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

| ACCOUNTING DATA | | | | | | | | | | |
|-----------------|-------|------|------|------|---------|-----------|-------------------|-------------|----------|--------|
| ACCTG. LINE | CY PY | FUND | DEPT | ORG. | ACCOUNT | JOB ORDER | OPERATION ACCOUNT | BENF/ EQUIP | FACILITY | AMOUNT |
| | | | | | | | | | | |
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| | | | | | | | | | | |
| TOTAL AMOUNT | | | | | | | | | | |

AC-361 (REV 2-92)

FUND OVERRIDE

AC 2100241
R-293755 SEP 12 2000