

ORDINANCE NUMBER O- 19326 (NEW SERIES)

ADOPTED ON NOV 27 2004

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A COMMUNICATIONS USE LEASE WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE, FOREST SERVICE, FOR THE LYONS PEAK COMMUNICATIONS SITE.

WHEREAS, the United States Department of Agriculture, Forest Service, owns property commonly identified as Lyons Peak which is located in the Cleveland National Forest, twenty-four miles due east of downtown San Diego; and

WHEREAS, the City of San Diego currently has a communications facility at the Lyons Peak location which is a base station facility for mobile communications for the City of San Diego Police, Fire, and Water Departments; and

WHEREAS, the City of San Diego and the United States Department of Agriculture, Forest Service, have negotiated a lease for the Lyons Peak location for the construction, operation, and maintenance of a mobile communications facility; and

WHEREAS, the fees for this lease have been waived by the United States Department of Agriculture, Forest Service. The term of the lease is ten years, commencing on December 1, 2004, and terminating one minute after midnight on December 31, 2014; NOW THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the City Manager is authorized to execute, for and on behalf of the City of San Diego, a Communications Use Lease with the United States Department of Agriculture,

Forest Service, for the lease of a portion of Lyons Peak located in the Cleveland National Forest for a term of ten years, for no fee, under the terms and conditions set forth in the Communications Use Lease on file in the office of the City Clerk as Document No.

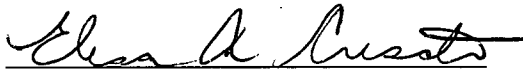
OO- 19326.

Section 2. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By



Elisa A. Cusato  
Deputy City Attorney

EAC:dm  
10/21/04  
Or.Dept:READ#95  
O-2005-53  
Job: 220316  
MMS#840