

ORDINANCE NUMBER O- 13792 (NEW SERIES)

DATE OF FINAL PASSAGE OCT 27 2008

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING AN AGREEMENT WITH NEXTG NETWORKS, INC. FOR THE CONVERSION OF OVERHEAD FACILITIES TO UNDERGROUND SERVICE

WHEREAS, The City of San Diego has implemented an Underground Conversion Program for which NextG Networks, Inc. desires to participate.; NOW THEREFORE,

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

Section 1. That the Mayor be and he is hereby authorized and empowered to execute, for and on behalf of said City, an agreement with NextG Networks, Inc., for an amount not to exceed \$500,000 for the relocation of overhead facilities to underground services under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. OO 13792 together with any reasonably necessary modifications or amendments thereto which do not increase project scope or cost and which the Mayor shall deem necessary from time to time in order to carry out the purposes and intent of this project and agreement.

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 creates an obligation upon the City of San Diego extending for a period greater than five years, and thus requires that the ordinance be adopted by the Council by two-thirds majority vote of the members elected as required under San Diego City Charter section ninety-nine.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

BE IT FURTHER RESOLVED, that this activity is not a "project" and is therefore not subject to CEQA pursuant to State CEQA Guidelines Section 15060(c)(3).


APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Ryan Kohut
Deputy City Attorney

RK:cfq
08/24/08
Or.Dept:E&CP
O-2009-25

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of OCT 21 2008.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 10-22-08
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor