

RESOLUTION NO. 070500

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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**RESOLUTION AUTHORIZING AND DIRECTING THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE A SUBPERMIT WITH THE NATIONAL PARK SERVICE (NPS), FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF A RADIO COMMUNICATIONS FACILITY AT NORTH PEAK ON MONTARA MOUNTAIN IN UNINCORPORATED SAN MATEO COUNTY, BASED ON A REIMBURSEMENT FOR SHARED UTILITY AND OTHER COSTS, FOR A TERM OF TEN YEARS WITH ONE OPTION TO EXTEND FOR AN ADDITIONAL TEN YEARS, AND AUTHORIZING THE COUNTY MANAGER OR HIS DESIGNEE TO EXECUTE NOTICES, OPTIONS AND DOCUMENTS ASSOCIATED WITH THE SUBPERMIT INCLUDING, BUT NOT LIMITED TO, EXTENSION OR TERMINATION OF THE SUBPERMIT UNDER THE TERMS SET FORTH THEREIN.
(PERMIT NO. 5330)**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, on April 23, 1963, the County of San Mateo and the City and County of San Francisco, under jurisdiction of the Water Department, (now, the San Francisco Public Utilities Commission), (SFPUC) as authorized by Resolution No. 18526, entered into a Revocable Permit (Master Permit) for the purpose of erecting and maintaining a radio communications facility site at North Peak on Montara Mountain on property owned by SFPUC, in unincorporated San Mateo County, California; and

WHEREAS, on August 14, 2001, the County of San Mateo and ATC Holding, Inc. (ATC), as authorized by Resolution No. 64673, entered into a Right of Way and Power Services Lease (Access and Power Lease), which provides the County with access and electrical power to the North Peak radio communications site, and on August 1, 2006, the parties, as authorized by Resolution No. 68170, entered into the First Amendment to the Access and Power Lease, which Amendment extended the term for an additional ten year period beginning August 1, 2001, including an option to extend for an additional five year period; and

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WHEREAS, based on the Master Permit and the Access and Power Lease, County wishes to enter into a SubPermit that will allow NPS to replace County's aging tower and to install NPS radio communications equipment at the site; and

WHEREAS, there has been presented to this Board of Supervisors for its consideration and acceptance a SubPermit, reference to which is hereby made for further particulars, whereby the County of San Mateo shall authorize NPS to operate a wireless radio facility at the North Peak facility on Montara Mountain in San Mateo, for a term of ten years with one option to extend for an additional ten years, in accordance with the terms and conditions contained in said SubPermit, and

WHEREAS, this Board has been presented with such SubPermit and has examined and approved same as to both form and content and desires to enter into same.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the President of this Board of Supervisors be, and is hereby, authorized and directed to execute such SubPermit for and on behalf of the County of San Mateo, and the Clerk of this Board shall attest the President's signature thereto; and

IT IS FURTHER DETERMINED AND ORDERED that the County Manager or his designee is hereby authorized to accept or execute on behalf of the County, any and all notices, options and documents associated with the SubPermit including, but not limited to, extension or termination of the SubPermit under the terms set forth therein.

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Regularly passed and adopted this 10th day of November, 2009.

AYES and in favor of said resolution:

Supervisors: MARK CHURCH
CAROLE GROOM
RICHARD S. GORDON
ROSE JACOBS GIBSON
ADRIENNE J. TISSIER

NOES and against said resolution:

Supervisors: NONE


Absent Supervisors: NONE



President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.



Marie L. Peterson, Deputy
Clerk of the Board of Supervisors

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