



Los Angeles  
Department of  
Water & Power

RESOLUTION NO. \_\_\_\_\_

BOARD LETTER APPROVAL

LINDA P. LE  
Chief Administrative Officer

MARTIN L. ADAMS  
General Manager and Chief Engineer

**DATE:** November 16, 2020  
**SUBJECT:** Approval of First Amendment to Lease Agreement With Mammoth Mountain Ski Area, LLC

**SUMMARY**

Approval of First Amendment to Communications Site Lease Agreement (Amendment) between LADWP, as lessee, and Mammoth Mountain Ski Area, LLC (MMSA), as lessor, for LADWP's continued operational use of an essential communication facility in the June Mountain Ski Area, Mountain Top Telecommunications Site (June Mountain) located in Mono County, California. This facility provides communication support for the Water and Power Systems ranging from Bishop to Lee Vining, California areas. This Amendment will extend the Communications Site Lease Agreement dated January 28, 2015 and expired on January 28, 2020 (Agreement), for up to twenty-five years.

City Council approval is required according to City Charter Section 606.

**RECOMMENDATION**

It is requested that the Board of Water and Power Commissioners adopt the attached Resolution recommending City Council's approval of the execution of the Amendment, in accordance with City Charter Section 606.

**ALTERNATIVES CONSIDERED**

There are no feasible alternatives.

The mountaintop location of June Mountain is strategically selected based on coverage studies. LADWP does not have a site in this area that provides equivalent or enhanced

coverage. Any other radio system to supplement the site will require end users to carry multiple wireless and radio communication devices. The cost and reliability of implementing any other communication system will not match the existing 900 MHz radio system (Radio System).

It would not be economical to pursue an alternate location, where field and engineering studies would need to be redone. New facilities would need to be constructed and maintained, and new lease agreements would need to be declared with other mountain top landowners.

### **FINANCIAL INFORMATION**

Effective January 28, 2020, the lease will be \$7,859.88 per year and will be increased annually thereafter by 3 percent. LADWP will be paying a total of \$286,565.40 over the additional twenty-five-year term, unless sooner terminated by LADWP in accordance with the Amendment.

Payment for this Amendment will be budgeted by the Information Technology Services Division.

### **BACKGROUND**

LADWP leases rack and antenna space from MMSA located at June Mountain. LADWP's use of this site allows it to provide Water and Power Systems with operational digital radio support. LADWP has been utilizing the space at this mountaintop site since 2015 due to a lack of wireless radio coverage in the area.

June Mountain is crucial for LADWP's Radio System because it provides radio coverage encompassing Highway 395 and facilities between Bishop, California, and Lee Vining, California areas. The Radio System is widely used by LADWP for wireless voice communication during normal and emergency operations. LADWP relies on this Radio System to communicate while inspecting, repairing, and servicing infrastructures such as power transmission lines, energized facilities, reservoirs, aqueducts, and mountaintop located equipment. LADWP foresees the continued operational need for June Mountain well into the future and is seeking long-term leasehold rights.

The Agreement was entered into under the General Manager's authority in 2015 for a term of five years to expedite the availability of the Radio System at June Mountain for LADWP. LADWP negotiated the Amendment with MMSA to secure availability of the space to LADWP's Radio System for its long-term use. The Amendment will extend the Agreement term through January 28, 2025, which shall automatically renew for four additional five-year periods through January 28, 2045, unless sooner terminated by LADWP in accordance with the Amendment.

In accordance with the Mayor's Executive Directive No. 4, the City Administrative Officer Report was approved on November 13, 2020.

### **ENVIRONMENTAL DETERMINATION**

Determine item is exempt pursuant to California Environmental Quality Act (CEQA) Guidelines 15060(c)(3). In accordance with this section, an activity is not subject to CEQA if it does not meet the definition of a project. Section 15378(b)(2) states that continuing administrative or maintenance activities, such as the amendment of existing leases, does not meet that definition. Therefore, the Amendment to the Agreement for LADWP's continued operation and maintenance of its digital radio system is not an action subject to CEQA.

### **CITY ATTORNEY**

The Office of the City Attorney reviewed and approved the Resolution and Amendment as to form and legality.

### **ATTACHMENTS**

- Resolution
- Amendment
- CAO Report