

SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY  
BOARD OF DIRECTORS

RESOLUTION No. 16-090

WHEREAS, The SFMTA owns approximately 10,000 support poles for overhead traction power lines; and,

WHEREAS, In late 2013, telecommunication companies requested authority to place wireless telecommunication antennae and equipment (ODAS Equipment) on SFMTA poles to meet rising public demand for wireless cellular and data services; and,

WHEREAS, On July 15, 2014, the SFMTA Board approved a form Master Outdoor Distributed Antenna System Pole License Agreement (MLA), which SFMTA staff negotiated with representatives of wireless telecommunications industry, and also delegated to the Director of Transportation the authority to approve MLAs on behalf of the SFMTA; and,

WHEREAS, The form MLA established uniform contract terms and conditions and a standard procedure by which wireless telecommunication companies (Licensees) apply for Pole License(s), which are subordinate agreements that authorize a Licensee to install ODAS Equipment on specified SFMTA poles; and,

WHEREAS, Charter Section 9.118(a) requires that the Board of Supervisors approve any contract that produces revenues of \$1,000,000 or more; and,

WHEREAS, On November 3, 2015, the SFMTA Board of Directors and the Board of Supervisors' approved MLAs with three Licensees, each for a term of nine years and for revenues of \$1,000,000 or more; and,

WHEREAS, The SFMTA entered into a MLA with New Cingular Wireless, LLC (AT&T) on December 30, 2015 and,

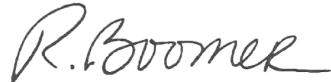
WHEREAS, AT&T initially represented that it would seek to install ODAS on 14 poles, but subsequently informed the SFMTA that it would seek licenses for 75 poles, thereby increasing the SFMTA's anticipated revenues from the MLA from \$534,618 to \$2,864,025, and making the MLA subject to Board of Supervisors' approval under Charter Section 9.118(a); and,

WHEREAS, Approval of the Master License Agreement by the SFMTA is not subject to the California Environmental Quality Act (CEQA) as defined under California Environmental Quality Act (CEQA), California Public Resources Code Sections 21000 et seq., the CEQA Guidelines, 15 Cal. Administrative Code Sections 15000 et seq., (CEQA Guidelines), and San Francisco Administrative Code Chapter 31 (Chapter 31);

WHEREAS, The proposed action is the Approval Action as defined by the S.F. Administrative Code Chapter 31; now, therefore, be it

RESOLVED, The SFMTA Board of Directors recommends that the Board of Supervisors retroactively approve the Master Outdoor Distributed Antenna System Pole License Agreement between the SFMTA and New Cingular Wireless, LLC, under Charter section 9.118(a), for a term of nine years and revenues of \$1,000,000 or more.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting July 19, 2016.

A handwritten signature in cursive script that reads "R. Boomer".

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Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency