

FILE NO. 00-1430

RESOLUTION NO. 869-00

1 [Sprint Spectrum Limited Partnership Company Transmitter Lease]

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3 Resolution authorizing and approving a lease of cellular transmitter space at the
4 Pierce Street Garage to Sprint Spectrum Limited Partnership.

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WHEREAS, The San Francisco Board of Supervisors hereby adopts the following findings regarding a proposed lease of cellular transmitter space at the Pierce Street Garage at Lombard and Chestnut Streets, Block 490 Lots 9-13 (the "Garage"), owned by the City and County of San Francisco (the "City"), operated by Department of Parking and Traffic on behalf of the City: the Director of Property has negotiated a form of agreement (the "Lease") with Sprint Spectrum Limited Partnership (SSLP) for the lease of the Premises for a monthly rental of \$3,000.00 for a term of five years, with the City having the right to extend the lease for a period of five years; and there is an annual rent increase based upon the Consumer Price Index and the rent will be reappraised prior to the exercise of the option; and the Lease also provides that the cost of all tenant improvements to the Premises will be borne by SSLP; and SSLP will pay all electric utility costs; and

WHEREAS, SSLP has received a City Planning Commission approval and Parking and Traffic Commission (PTC) approval (Resolution No. 149-00-PTC) as well as a building permit to place seven equipment cabinets and six antennae at the Pierce Street Garage; and

(Real Estate)

1 WHEREAS, a form of the Lease is on file with the Clerk of the Board of Supervisors;
2 now, therefore, be it

3 RESOLVED, That in accordance with the recommendation of the Executive Director of the
4 Department of Parking and Traffic and the Director of Property, the Mayor, the Clerk of the Board of
5 Supervisors and the Director of Property are hereby authorized to take all actions, on behalf of the
6 City and County of San Francisco, as Landlord, to execute a written lease and other related documents
7 with SSLP, as Tenant; and, be it

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9 FURTHER RESOLVED, The Board of Supervisors hereby finds that it is in the best
10 interests of the City to enter into the Lease based upon direct negotiations with SSLP
11 without a competitive bid process. Competitive bidding in this situation would be
12 impracticable or impossible. There is sufficient space for a second cell phone company to
13 place a transmitter and antenna on this site; and, be it

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15 FURTHER RESOLVED, The Mayor or his designee is hereby authorized to execute,
16 and the Clerk of the Board of Supervisors is hereby authorized to attest and affix the seal of
17 the City thereon, the Lease on behalf of the City and County of San Francisco on file with
18 the Clerk of the Board of Supervisors; and, be it

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20 FURTHER RESOLVED, That the lease shall be subject to and conditioned upon,
21 the Human Rights Commission's approval of SSLP's compliance with City's Non-
22 Discrimination and Equal Benefits in Employment Ordinance; and, be it

23 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
24 Property to enter into any amendments or modifications to the Lease (including without
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1 limitation, the exhibits) that the Director of Property determines, in consultation with the City
2 Attorney, are in the best interest of the City, do not increase the rent or otherwise materially
3 increase the obligations or liabilities of the City, are necessary or advisable to effectuate
4 the purposes of the Lease or this resolution, and are in compliance with all applicable laws,
5 including City's Charter.
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8 **RECOMMENDED:**

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10 see original for signature

11 Executive Director
12 Department of Parking and Traffic
13 By Resolution No. 149-00-PTC

14 see original for signature

15 Director of Property
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Resolution

File Number: 001430

Date Passed:

Resolution authorizing and approving a lease of cellular transmitter space at the Pierce Street Garage to Sprint Spectrum Limited Partnership.

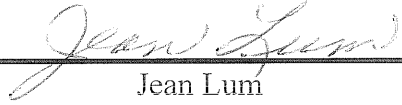
October 10, 2000 Board of Supervisors — ADOPTED

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Kaufman, Leno, Newsom, Teng,
Yaki, Yee

Absent: 1 - Katz

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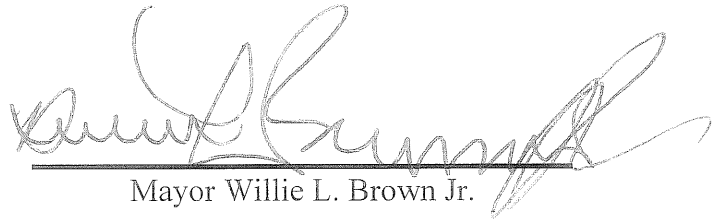
I hereby certify that the foregoing Resolution was ADOPTED on October 10, 2000 by the Board of Supervisors of the City and County of San Francisco.



Jean Lum
Acting Clerk of the Board

OCT 20 2000

Date Approved



Mayor Willie L. Brown Jr.