

1 [Metro PCS Transmitter Lease]

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3 **Resolution authorizing and approving a lease of cellular transmitter space at the Fire**
4 **Station 40 at 2155 18th Avenue; Fire Station 6 at 135 Sanchez Street, and Fire Station**
5 **15 at 1000 Ocean Avenue, San Francisco to Metro PCS.**

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7 WHEREAS, The San Francisco Board of Supervisors hereby adopts the following
8 findings regarding three proposed leases of cellular transmitter space at the Fire Station 40
9 at 2155 18th Avenue, Block 2199 Lot 3; Fire Station 6 at 135 Sanchez Street, Block 3524
10 Lot 25; and Fire Station 15 at 1000 Ocean Avenue, Block 3780 Lot 1, owned by the City
11 and County of San Francisco (the "City"), operated by San Francisco Fire Department
12 (SFFD) on behalf of the City; the Director of Property has negotiated a form of agreement
13 (the "Lease") with Metro PCS for the lease of these Premises for a monthly rental of
14 \$3,000.00 at each site for a term of five years, with the tenant having the right to extend
15 each lease for an additional five years, and there is an annual rent increase based upon the
16 Consumer Price Index and the rent will be reappraised prior to the exercise of the option,
17 and the Lease also provides that the cost of all tenant improvements to the Premises will
18 be borne by Metro PCS; and Metro PCS will pay all electric utility costs; and

19 WHEREAS, Metro PCS has received a City Planning Commission approval as well
20 as a permit for the installation of: three antennae and six small and two large equipment
21 cabinets at Station 40 (18th Avenue and Quintana Street), nine antennae and eight small
22 and two large equipment cabinets at Station 6 (Sanchez and Market Streets), and three
23 antennae and six small and two large equipment cabinets at Station 15 (Ocean and Phelan
24 Avenues); and

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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 Fire Chief and the
4 Director of Property, the Mayor, the Clerk of the Board of Supervisors and the Director of
5 Property are hereby authorized to take all actions, on behalf of the City and County of San
6 Francisco, as Landlord, to execute a written lease and other related documents with Metro
7 PCS, as Tenant at each site; and, be it

8 FURTHER RESOLVED, The Board of Supervisors hereby finds that it is in the best
9 interest of the City to enter into the Leases based upon direct negotiations with Metro PCS
10 without a competitive bid process. Competitive bidding in this situation would be
11 impracticable or impossible. There is sufficient space for an additional cell phone company
12 to place a transmitter and antenna at these sites; and, be it

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

17 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
18 Property to enter into any amendments or modifications to the Leases (including without
19 limitation, the exhibits) that the Director of Property determines, in consultation with the City
20 Attorney, are in the best interest of the City, do not increase the rent or otherwise materially
21 increase the obligations or liabilities of the City, are necessary or advisable to effectuate the
22 purposes of the Leases or this resolution, and are in compliance with all applicable laws,
23 including City's Charter.

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1 RECOMMENDED:

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Fire Chief

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Director of Property

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