

File No. 170822

Committee Item No. 8  
Board Item No. \_\_\_\_\_

**COMMITTEE/BOARD OF SUPERVISORS**  
AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Sub-Committee      Date July 20, 2017

Board of Supervisors Meeting      Date \_\_\_\_\_

**Cmte Board**

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| <input type="checkbox"/>            | <input type="checkbox"/> | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/> | Introduction Form                            |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
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**OTHER**      (Use back side if additional space is needed)

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Completed by: Linda Wong      Date July 13, 2017  
Completed by: Linda Wong      Date \_\_\_\_\_

1 [Sharing Agreement Amendment - Department of Veterans Affairs Medical Center, 4150  
2 Clement Street - Emergency Communications Site - \$54,856.26 Annual Base Rent]

3 **Resolution authorizing and approving an Amendment to an existing Sharing**  
4 **Agreement for emergency radio telecommunications and associated equipment with**  
5 **the Department of Veterans Affairs Medical Center at 4150 Clement Street, for the**  
6 **Department of Emergency Management and the Department of Technology,**  
7 **commencing upon approval by the Board of Supervisors and Mayor at an annual base**  
8 **rent of \$54,856.26 in the initial year with 3% annual rent increases, with no change to**  
9 **the term length; adopting findings under the California Environmental Quality Act,**  
10 **Public Resources Code, Section 21000 et seq.; and finding the proposed transaction is**  
11 **in conformance with the General Plan, and the eight priority policies of Planning Code,**  
12 **Section 101.1.**

13  
14 WHEREAS, The Citywide Emergency Radio System (CERS) serves the City's police,  
15 fire, and other first responders; and

16 WHEREAS, In 1997, the San Francisco Board of Supervisors approved Resolution  
17 No. 804-97 authorizing the City and County of San Francisco ("City") to enter into an  
18 agreement to replace its existing radio system with a new 800 MHz Radio System to benefit  
19 the City's Police, Fire, Public Health, Sheriff, Parking and Traffic, Water and Recreation and  
20 Park Departments; and

21 WHEREAS, The Veterans Administration facility at 4150 Clement Street ("VA Site")  
22 with communications equipment located on the Water Tower was one of the City's original six  
23 locations essential to radio coverage; and

24 WHEREAS, On August 25, 1997, the Board adopted Resolution No. 805-97, finding  
25 that use of 4150 Clement Street for the emergency telecommunications equipment is

1 consistent with the City's General Plan and with Planning Code Section 101.1-(b); a copy of  
2 the General Plan Referral is on file with the Clerk of the Board of Supervisors in File  
3 No. 172-97-53 and is incorporated herein by reference; and

4 WHEREAS, On August 12, 2016, the San Francisco Planning Department found that  
5 the CERS replacement project through a contract with Motorola was Categorically Exempt  
6 from further environmental review; a copy of the finding is on file with the Clerk of the Board of  
7 Supervisors and is incorporated herein by reference; and

8 WHEREAS, Resolution 580-03, in 2003, the City entered into a Sharing Agreement  
9 with the Department of Veterans Affairs Medical Center, San Francisco ("VA") for radio  
10 telecommunications equipment on the Water Tank at the VA site; and

11 WHEREAS, The current Sharing Agreement term expires on March 31, 2018, and is  
12 subject to the VA's rights to terminate the agreement; and

13 WHEREAS, The City has one remaining five year option (through March 31, 2023) to  
14 renew the term at a base rent of the then Fair Market Rent as determined by the VA in their  
15 sole opinion; and

16 WHEREAS, The Board of Supervisors and Mayor approved Resolution No. 452-16 on  
17 October 28, 2016, authorizing the Department of Emergency Management ("DEM") and the  
18 Department of Technology ("DT") to enter into a Purchase and Installation Agreement, and a  
19 Maintenance and Support Agreement for a new Citywide 800MHz Radio System with  
20 Motorola, Inc., to enhance the reliability and performance of the emergency radio network;  
21 and

22 WHEREAS, The new 800MHz Radio System Project will use most of the current radio  
23 sites across the City including the VA site to ensure and achieve optimal radio coverage for  
24 public safety agencies within the City's boundaries; and  
25

1           WHEREAS, The Veterans Administration intends to ultimately demolish the existing  
2 Water Tower Premises as part of the construction of its Long Range Development Plan  
3 requiring relocation of the City's equipment; and

4           WHEREAS, The VA and City have identified an appropriate replacement location  
5 within the Premises at 4150 Clement St. for the City's new 800MHz Radio System Project  
6 which will ensure and achieve optimal radio coverage; and

7           WHEREAS, The Real Estate Division on behalf of DEM and DT has negotiated an  
8 amendment ("Amendment") to the existing Sharing Agreement which provides for new  
9 Premises at Building 200 at 4150 Clement Street at a slightly higher monthly rent than the  
10 existing base rent; and

11           WHEREAS, Pursuant to Administrative Code, Section 23, on May 15, 2017, a Fair  
12 Market Rent appraisal by MAI appraisers Mateo Advisors found the proposed monthly base  
13 rent to be approximately 45% less than the Fair Market Rent; and

14           WHEREAS, 4150 Clement Street is an essential site for the operation of emergency  
15 communications equipment serving the Northwest sector of the City; and

16           WHEREAS, The proposed Amendment is subject to enactment of a resolution by the  
17 Board of Supervisors and the Mayor, in their respective sole and absolute discretion,  
18 approving and authorizing such new Premises and terms; now, therefore, be it

19           RESOLVED, That in accordance with the recommendation of the Executive Director of  
20 the Department of Emergency Management, the Interim Director of the Department of  
21 Technology, and the Director of Property, the Director of Property on behalf of the City, as  
22 Sharing Partner, is hereby authorized to take all actions necessary to execute the Amendment  
23 to Sharing Agreement at 4150 Clement Street in substantially the form on file with the Clerk of  
24 the Board of Supervisors in File No. 170822, which is hereby declared to be a part of this  
25 resolution; and, be it

1 FURTHER RESOLVED, The monthly base rent shall be \$4,537.40 increased to  
2 \$4,673.22 beginning April 1, 2018, with annual rent adjustments of three (3%) percent  
3 thereafter; and, be it

4 FURTHER RESOLVED, As the Director of Property has determined, in consultation  
5 with the Director of the Department of Technology and the City Attorney, that an extended  
6 term through March 31, 2023, is in the best interest of the City and are in compliance with all  
7 applicable laws, including the City Charter, the Board of Supervisors authorizes the Director of  
8 Property to exercise the option to extend the term; and, be it

9 FURTHER RESOLVED, The Board of Supervisors authorizes the Director of Property  
10 to take all actions, on behalf of City, to enter into any amendments or modifications (including  
11 without limitation, the exhibits) to the Amendment that the Director of Property determines, in  
12 consultation with the City Attorney, are in the best interests of the City, do not materially  
13 increase the obligations or liabilities of the City, and are necessary or advisable to complete  
14 the transaction and effectuate the purposes and intent of this resolution and are in compliance  
15 with all applicable laws, including City's Charter; and, be it

16 FURTHER RESOLVED, That any action heretofore taken by any City employee or  
17 official with respect to the exercise of the Lease as set forth herein is hereby approved,  
18 confirmed and ratified; and, be it

19 FURTHER RESOLVED, That the Board of Supervisors finds that the actions  
20 contemplated in this Resolution are consistent with the City's General Plan and with Planning  
21 Code Section 101.1-(b) for the reasons set forth in the General Plan Referral dated August  
22 25, 1997 and Categorically Exempt under California Environmental Quality Act guidelines for  
23 the same reasons as the August 12, 2016, finding of the Planning Department; and, be it

24 FURTHER RESOLVED, City shall occupy said premises for the entire lease term  
25 unless funds for rental payments are not appropriated in any subsequent fiscal year, at

1 which time City may terminate this lease with written notice to Landlord, pursuant to  
2 Charter, Section 3.105, of the City and County of San Francisco; and, be it

3 FURTHER RESOLVED, That within thirty (30) days of the Amendment being fully  
4 executed by all parties, the Director of Property shall provide a copy of the agreement to the  
5 Clerk of the Board to include into the official file.

6 ///

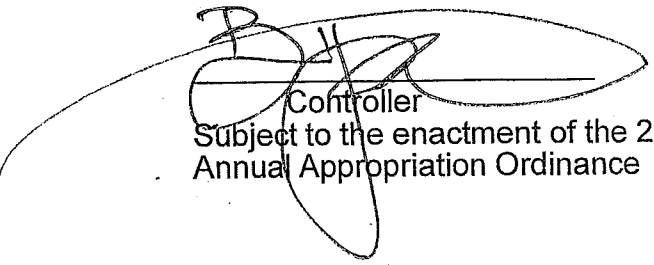
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8 Signatures on the following page

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\$54,856.26 available  
(9 months at \$4,537.40 and 3 months at  
\$4,673.22)  
Index Code: 750512  
Subobject: 03000



Controller


Subject to the enactment of the 2017/2018  
Annual Appropriation Ordinance

RECOMMENDED:



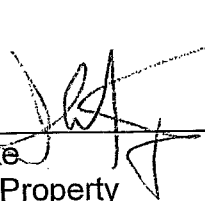
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Anne Kronenberg, Executive Director  
Department of Emergency Management



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Nina D'Amato  
Acting Director  
Department of Technology



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John Updike  
Director of Property  
Real Estate Division

<b>Item 8</b> <b>File 17-0822</b>	<b>Department:</b> Department of Emergency Management (DEM)
<b>EXECUTIVE SUMMARY</b>	
<b>Legislative Objectives</b>	
<ul style="list-style-type: none"> <li>• The proposed resolution would approve (a) an amendment to an existing sharing agreement between the City, as tenant, and the Department of Veterans Affairs Medical Center, as landlord, for the placement of emergency radio telecommunications and associated equipment at 4150 Clement Street, and (b) adopt findings under the California Environmental Quality Act (CEQA) and find that the proposed transaction is in conformance with the City's General Plan and the eight priority policies of Planning Code.</li> </ul>	
<b>Key Points</b>	
<ul style="list-style-type: none"> <li>• Since 1997, the City has owned and maintained an 800 MHz Citywide Emergency Radio System for the City's public safety and other City departments.</li> <li>• In 2003, the City entered into a sharing agreement with the Department of Veterans Affairs Medical Center for radio telecommunications equipment on the Water Tower at the Veterans Administration facility from April 1, 2003 to March 31, 2013. In 2013, the City used the first of two (2) five-year renewal options to extend the agreement until March 31, 2018.</li> <li>• In October 2016, the City entered into a purchase and installation agreement for a new 800MHz Citywide Emergency Radio System. Concurrently, the Veterans Administration intends to demolish the existing Water Tower premises as part of the construction of its Long Range Development Plan requiring relocation of the City's equipment.</li> <li>• The City will construct a prefabricated telecommunications shelter 500 feet from the Water Tank at Building 2 within the Veterans Administration campus at 4150 Clement Street, and have space on the roof to install new equipment and antennae to support the new radio system and new equipment.</li> </ul>	
<b>Fiscal Impact</b>	
<ul style="list-style-type: none"> <li>• The proposed rent paid by the City is \$4,537.40 per month, which is \$133.12 or 3 percent more than the current rent of \$4,404.28. The rent per month will be adjusted annually by three percent beginning on April 1<sup>st</sup>, 2018 through March 31, 2023. Over the five-year term of the lease, the City will pay a total rent of \$289,076.</li> <li>• The proposed monthly base rent of \$4,537.40 is \$3,712.60 less, or 45 percent, of the fair market monthly rent of \$8,250 monthly.</li> </ul>	
<b>Recommendation</b>	
<ul style="list-style-type: none"> <li>• Approve the proposed resolution.</li> </ul>	



**MANDATE STATEMENT**

City Charter Section 9.118(c) states that any modification, amendment or termination of a lease that had an initial term of ten years or more, including options to extend, or that had anticipated revenues of \$1 million or more is subject to Board of Supervisors approval.

**BACKGROUND**

Since 1997, the City has owned and maintained a 800 MHz Citywide Emergency Radio System for the City's public safety and other City departments, including the Police, Fire, Public Health, Sheriff, and Recreation and Park Departments, the San Francisco Public Utilities Commission Water Enterprise, and the San Francisco Municipal Transportation Agency. The current system relies on eight telecommunications equipment locations essential to city-wide coverage, including telecommunications equipment located on the Water Tower of the Veterans Administration facility at 4150 Clement Street.

In 2003, the City entered into a sharing agreement with the Department of Veterans Affairs Medical Center for radio telecommunications equipment on the Water Tower at the Veterans Administration facility. The agreement allowed the City to (a) install a 360 square foot enclosure at the Veterans Administration facility to house transmitting and receiving equipment, and (b) place two (2) six-foot microwave dishes and three (3) 800 MHz antennas on the Water Tower from April 1, 2003 to March 31, 2013. In 2013, the City used the first of two (2) five-year renewal options to extend the agreement until March 31, 2018.

In October 2016, the Board of Supervisors authorized the Department of Emergency Management and the Department of Technology to enter into a purchase and installation agreement, as well as a maintenance and support agreement, for a new citywide 800MHz Citywide Emergency Radio System with Motorola, Inc. The 800 MHz Citywide Emergency Radio System Replacement Project (Radio System Replacement Project), which will be completed by June 2020, will use most of the current radio sites across the City, including the Veterans Administration site, in order to ensure and achieve optimal radio coverage for public safety agencies. Concurrently, the Veterans Administration intends to demolish the existing Water Tower Premises as part of the construction of its Long Range Development Plan requiring relocation of the City's equipment. Therefore the City and the Veterans Administration entered into negotiations for an amendment to the existing sharing agreement.

**DETAILS OF PROPOSED LEGISLATION**

The proposed resolution would approve (a) an amendment to an existing sharing agreement between the City, as tenant, and the Department of Veterans Affairs Medical Center, as landlord, for the Department of Emergency Management and the Department of Technology to place emergency radio telecommunications and associated equipment at 4150 Clement Street and (b) adopt findings under the California Environmental Quality Act (CEQA) and find that the proposed transaction is in conformance with the City's General Plan and the eight priority policies of Planning Code, Section 101.1.

As noted above, the Department of Technology and the Department of Emergency Management are currently replacing the City's end-of-life 800 MHz Citywide Emergency Radio System. According to Ms. Michelle Geddes, Project Manager for the Radio System Replacement Project, other sites in the northwest area of the City were explored, but the City chose to remain at the Veterans Administration site due to costs, and coverage.

As part of the Radio System Replacement Project, the Department of Technology and the Department of Emergency Management will construct a prefabricated telecommunications shelter 500 feet from the Water Tank at Building 2 within the Veterans Administration campus at 4150 Clement Street, and have space on the roof to install new equipment and antennae to support the new radio system. In addition to the shelter, the new equipment will include four whip antennas, two microwave dish antennas, and two GPS antennas.

Table 1 below summarizes the key lease provisions.

**Table 1: Summary of Key Lease Provisions**

	Proposed Amendment
Premises	4150 Clement Street, Building 2
Equipment	Equipment Shelter (4) Whip Antenna (2) Microwave Antenna (2) GPS W3 Antenna
Base Rent	\$4,537.40 monthly
Base Rent Increase Amount	3% annually beginning April 1, 2018
Term	Through March 31, 2023
Options to Extend	None

If the amendment to the sharing agreement between the City and the Department of Veterans Affairs Medical Center is approved by the Board of Supervisors, the construction of the new site will begin in October 2017 and will be completed in January 2018. The new equipment is expected to be installed by the middle of 2018.

According to Ms. Geddes, the City tried to include options to extend the sharing agreement. However, the Veterans Administration was unwilling to include City options. If the City is unable to negotiate an extension in 2023, the City will need to relocate to another site. If the lease is not renewed, the City could remove the pre-fabricated shelter and keep the equipment in the facility.

#### **FISCAL IMPACT**

The proposed rent paid by the City to the Department of Veterans Affairs Medical Center is \$4,537.40 per month, which is \$133.12 or 3 percent more than the current rent of \$4,404.28. Annual rent in the first year is \$54,449. The rent per month will be adjusted annually by three

percent beginning on April 1<sup>st</sup>, 2018, and will continue through March 31, 2023. Over the five-year term of the lease, the City will pay a total rent of \$289,076 as shown below in Table 2.

**Table 2: Annual Rent over Five-Year Lease**

Lease Year	Rent
Year One	\$54,449
Year Two	56,082
Year Three	57,765
Year Four	59,498
Year Five	61,283
<b>Total Five-Year Rent</b>	<b>\$289,076</b>

Pursuant to Administrative Code Section 23, the Real Estate Division selected Mateo Advisors after a competitive process to provide a Fair Market Rent appraisal of the property. On May 15, 2017, Mateo Advisors found that proposed monthly base rent of \$4,537.40 was \$3,712.60 less, or 45 percent, of the fair market monthly rent of \$8,250 monthly.

The ongoing lease costs are funded by the Department of Technology.

**Construction and Installation Costs**

The City estimates the total cost of construction and installation of the equipment to be \$1,230,000. This amount includes the \$550,000 cost for the site equipment, software and installation services and the approximately \$680,000 cost from a competitive bidding process to install the pre-fabricated shelter. The cost for the site equipment, software and installation services are being paid through a \$34,000,000 financing agreement that the City entered into in December 2016 with Bank of America. The prefabricated shelter is being funded through the Capital Planning Project Funds for FY2015-16 and FY2016-17. The cost of the entire Radio System Replacement Project is \$78,000,000.

**RECOMMENDATION**

Approve the proposed resolution.



**ADDENDUM TO CONTRACT AND SHARING  
AGREEMENT (V261S - 1583) FOR RADIO  
EQUIPMENT AT 4150 CLEMENT ST., SAN FRANCISCO  
(PERMANENT PREMISES)**

**THIS ADDENDUM TO CONTRACT AND SHARING AGREEMENT** (“Addendum”), is dated for reference purposes only as of \_\_\_\_\_ 2017, is made by and between the DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER, SAN FRANCISCO, (“VA”), and the CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation (“City” or “Sharing Partner”).

**RECITALS**

**A.** VA, and City, as Sharing Partner, entered into that certain Sharing Agreement (V261S-1583), dated for reference purposes as of April 1, 2003 (the “Sharing Agreement”), pursuant to which VA granted use of space to City certain Existing Premises (defined below) at the Veterans Affairs Medical Center, San Francisco located at 4150 Clement Street, San Francisco California. The Sharing Agreement was extended through March 31, 2018 pursuant to City’s exercise of its first option to extend the term by letter dated November 29, 2012.

**B.** The purpose of the Sharing Agreement was to allow the construction, placement and operation of vital communication equipment for operation of the City’s emergency radio systems.

**C.** City has one (1) remaining option to extend the term for five (5) years beyond the current expiration of March 31, 2018.

**D.** The Existing Premises (the “Existing Premises”), an integral part of City’s 911 communications systems equipment for police, fire, and other first responders, will be relocated to temporary premises (the “Temporary Premises”) while replacement permanent premises are constructed. Upon said relocation, VA will take ownership of the Existing Premises and demolish said premises in connection with its long-term development plans of the Veterans Affairs Medical Center.

**E.** City and VA now desire to approve the relocation of City’s vital communications network from the Temporary Premises as shown on the attached Exhibit A to Permanent Premises located on VA property as set forth on the attached Exhibit B.

**F.** VA and City presently desire to amend the Sharing Agreement in certain respects, all as more particularly described below.

**NOW, THEREFORE**, for and in consideration of good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, VA and City hereby agree as follows:

1. Definitions. All capitalized terms not otherwise defined herein shall have the meanings ascribed thereto in the Sharing Agreement.

2. Effective Date. This Addendum shall be effective on the date (the "Addendum Effective Date") on which VA and City have each executed and delivered this Addendum, in compliance with applicable law.

3. Base Rent. Upon the Effective Date, the Base Monthly Rent shall be increased to four thousand five hundred thirty seven dollars and forty cents (\$4,537.40) beginning April 1, 2017 through March 31, 2018.

4. Relocation to Permanent Premises. City, generally at City's sole cost except as provided below and with VA's good faith cooperation, agrees to relocate the Temporary Premises (consisting of a mobile trailer and antenna as shown on the attached Exhibit A) to new permanent premises (the "Permanent Premises") in a building commonly known and numbered Building 2 of the campus at 4150 Clement Street. as shown on the attached Exhibit B which shall consist of a (i) new prefabricated shelter to house four (4) racks of new electronic equipment and batteries located on the 6th floor roof, (ii) coaxial cabling connecting the equipment shelter to the antennas routed up an existing ventilation shaft to four (4) Land Mobile Radio (LMR) omnidirectional whip antennas (15' long, 3" diameter, blue in color) and two (2) 3' microwave dish antennas (with white radome) to be mounted to the parapet of the 7th floor roof (one dish will be on the south facing parapet, and the other on the east facing parapet). All fiber shall be routed using a combination of existing VA provided underground conduit and new City provided conduit through Building 200 and Building 2, as shown on the attached Exhibit B. All cabling will be routed in the interior of the building and not visible in public right of ways. All of City's contractors and vendors performing work on or in the Permanent Premises and Building 200 shall be subject to VA's access request requirements. The City's construction contractor will install the prefabricated telecommunications shelter and all associated utility infrastructure necessary for the Permanent Premises. After completion of the Permanent Premises construction, the City's radio system contractor, will provide all professional services related to the radio system installation to the sixth floor roof, including two (2) microwave antenna and three (3) whip antenna attached to the 7th floor parapet and connection to the building grounding system. All of City's contractors and vendors shall meet VA's insurance, work rules, and other related construction requirements. All construction plans shall be subject to VA's prior review and approval. City agrees to provide Update Notice Emails with relocation schedule updates to the address set forth in Section 3.

5. Expediently Relocate to the Permanent Premises. City agrees to use good faith efforts to move expeditiously to (a) secure all permits and approvals including but not limited to State Historic Preservation Office (SHPO) approvals, as per the Programmatic Agreement dated November 25, 2014, between the US Dept. of Veterans Affairs and the California State Historic Preservation Office; (b) bid and construct the

improvements to the Permanent Premises; and (c) test, and relocate the equipment from the Temporary Premises to the Permanent Premises. As soon as practically possible, City shall deliver, through Update Notice Emails (as defined below), a schedule for the relocation to the Permanent Premises and City and VA agree to meet in person or telephonically on a regularly scheduled basis to discuss the progress of relocation. Upon relocation to the Permanent Premises, City shall remove all Temporary Premises trailers, antennas and repair any damage. All plans and submissions shall be subject to VA's prior review and approval, which approval shall not be unreasonably withheld or delayed.

City further agrees to provide VA with written monthly email updates ("Update Notice Emails") of the Temporary Premises relocation schedule. Such emails shall be delivered to:

\_\_\_\_ @ \_\_\_\_\_,  
\_\_\_\_ @ \_\_\_\_\_,  
\_\_\_\_ @ \_\_\_\_\_,

6. Preparation of the Permanent Premises. City, at City's cost shall provide and install a 125 amp 480 volt (the "Circuit") for the new Permanent Premises equipment shelter on the 6th floor. VA will allow use of the abandoned shaft for cabling to the 7th floor antennas. City agrees to provide and install the Circuit at an electrical panel in the electrical room located on the ground floor of Building 2 as shown on Exhibit B. City will abide by VA Electrical shutdown requirements when they need to install circuit at recommended panel location. From said ground floor room, City will install all disconnects, conduits and wiring via the abandoned shaft to a City supplied 480V – 208/120V transformer on the 6th floor roof to be mounted adjacent to the Permanent Premises equipment shelter. VA will also provide use of that portion of underground conduit from "Existing" location to "Permanent" location for fiber. VA will also provide coordination/access to City contractors during construction of the Permanent Premises based upon VA's access requirements.

7. Amendments to Section II.

A. Paragraph 2. SHARING PARTNER Access to Space: of Section II C. of the Sharing Agreement is hereby amended in its entirety to read as follows:

2. SHARING PARTNER Access to Space:

a. VA shall provide emergency access to SHARING PARTNER for Priority Level 1 issues based upon VA's emergency access request process. All requests for Priority Level 2 & 3 access shall be submitted through the VA's normal business hours' access request process. Access request requirements may be amended from time to time upon VA written approval. The point of contact for such requests is Engineering Service.

Priority level	
1	In an emergency: *Service affecting equipment failures, resulting in loss of audio or data for end users; or *Any degradation of system backhaul, microwave connectivity or fiber disruption; or *50% or greater loss of DC power capacity.
2	In need of repairs; or Loss of Redundant capacity.
3	In need of maintenance: *Non Critical Failure; or *Preventative Maintenance; or *Software Upgrades; or *Visual inspection.

b. No other person(s) or organization(s) shall have access to the space, except in the conduct of official business as it pertains to SHARING PARTNER or matters such as SHARING PARTNER deems appropriate after full consideration of all laws and agreements governing the operation of said space.

c. VA may interrupt SHARING PARTNER's access in the event of an immediate threat to the Space or the Medical Center being rendered unsafe for human occupancy.

d. If SHARING PARTNER's use of the Space or access thereto is interrupted for any reason other than SHARING PARTNER's default hereunder, and such condition continues for twenty-four (24) hours, then the rent and other fees payable hereunder shall be abated based on the extent to which such access or use is denied to SHARING PARTNER, upon receipt by VA of written notification by SHARING PARTNER, of the interruption.

e. Current Points of Contact for all notices pursuant to this Paragraph 2. are set forth below. City and VA agree to provide



an updated list of all preauthorized emergency service personnel in accordance with VA access request requirements:

	NAME	TITLE	PHONE	EMAIL
SHARING PARTNER	Christopher Chamberlain	Infrastructure Manager		
VA Engineering				
VA Police				

f. Sharing Partner acknowledges and agrees that any Sharing Partner employee, City contractors or subcontractors operating under this Paragraph 2. will be subject to VA security screening which may include recordation of his or her fingerprints and consent to background checks at Sharing Partner's expense.

g. All Sharing Partner employees on Premises shall at all times wear City issued identification together with any additional identification or badge required by VA.

h. Both Sharing Partner and VA acknowledge and agree that either Party may substitute personnel listed in this Paragraph 2. by providing written notice to the other Party. Only employees that are on the most current VA approved list will be allowed access during and outside of normal duty hours.

B. Paragraph 9. of Section II A. of the Sharing Agreement is hereby amended by adding subparagraph c. to read as follows:

c. SHARING PARTNER will provide a separate key for their shelter to the VA for use in case of fire or other emergency within the shelter.

C. Paragraph 1. of Section II D. of the Sharing Agreement is hereby amended to read as follows:

D. AGREEMENT RENTAL RATES:

1. The following monthly use of space rates shall apply:

<u>Base Year</u>	<u>PERIOD OF TERM</u>	<u>MONTHLY RATE</u>
Option #2		Annual increases includes a three (3) percent escalation factor
Year 16	April 1, 2018 through March 31, 2019	\$4,673.22
Year 17	April 1, 2019 through March 31, 2020	\$4,813.73
Year 18	April 1, 2020 through March 31, 2021	\$4,958.14
Year 19	April 1, 2021 through March 31, 2022	\$5,106.88
Year 20	April 1, 2022 through March 31, 2023	\$5,260.09

D. Paragraph 18. of Section II G. of the Sharing Agreement is hereby amended in its entirety to read as follows:

MacBride Principles – Northern Ireland.

The provisions of San Francisco Administrative Code §12F are incorporated herein by this reference and made part of this Agreement. By signing this Agreement, VA confirms that VA has read and understood that the City urges companies doing business in Northern Ireland to resolve employment inequities and to abide by the MacBride Principles, and urges San Francisco companies to do business with corporations that abide by the MacBride Principles.

E. Section II G. of the Sharing Agreement is hereby amended by adding subparagraphs 24 to read as follows:

24. Sunshine Ordinance

In accordance with Section 67.24(e) of the San Francisco Administrative Code, contracts, contractors' bids, leases, agreements, responses to Requests for Proposals, and all other records of communications between City and persons or firms seeking contracts will be open to inspection immediately after a contract has

been awarded. Nothing in this provision requires the disclosure of a private person's or organization's net worth or other proprietary financial data submitted for qualification for a contract, lease, agreement or other benefit until and unless that person or organization is awarded the contract, lease, agreement or benefit. Information provided which is covered by this Section will be made available to the public upon request.

2. Miscellaneous. Except as expressly modified herein, the terms, covenants and conditions of the Sharing Agreement shall remain unmodified and in full force and effect. The Sharing Agreement and this Addendum constitutes the entire agreement of the parties concerning the subject matter hereof, and supersedes and cancels any and all previous negotiations, agreements, or understandings, if any, regarding the matters contained herein. The execution of this Addendum shall not constitute a waiver of relinquishment of any rights that VA or City may have relating to the Sharing Agreement. VA and City hereby ratify and confirm all of the provisions of the Sharing Agreement as amended by this Addendum.

**IN WITNESS WHEREOF**, VA and City have caused this Addendum to be executed effective as of the Effective Date.

SIGNATURES ON THE NEXT PAGE

LICENSOR:

VETERANS ADMINISTRATION

By: \_\_\_\_\_  
Its

CITY:

CITY AND COUNTY OF SAN FRANCISCO,  
a municipal corporation

By: \_\_\_\_\_  
JOHN UPDIKE  
Director of Property

RECOMMENDED:

N. J. A. Acting, CTO  
Director, Department of Technology

APPROVED AS TO FORM:

DENNIS J. HERRERA, City Attorney

By: \_\_\_\_\_  
Michelle Sexton  
Deputy City Attorney

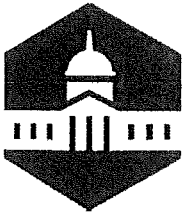
EXHIBIT A

Temporary Premises

EXHIBIT B

Permanent Premises





# SAN FRANCISCO DEPARTMENT OF TECHNOLOGY

Honorable Board of Supervisors  
City and County of San Francisco  
City Hall, 1 Dr. Carlton B. Goodlett Place  
San Francisco, California 94102

Dear Board Members:

Attached for your consideration is a Resolution authorizing and approving an amendment to a communications site lease at 4150 Clement Street, San Francisco, at the Veterans Affairs Medical Center (VA), for use by the Department of Technology (DT) to operate the City's 800MHz Citywide Emergency Public Safety Radio System.

The original Sharing Agreement with the VA was executed in 2003, and approved by the Board of Supervisors in Resolution 580-03. The VA has requested that the City relocate its current equipment, as the current location on the VA water tank is being demolished as part of the VA's long term development plan.

DT, in conjunction with the Department of Emergency Management (DEM), is currently in the process of replacing the City's end-of-life 800 MHz Citywide Emergency Radio System (CERS). As part of this CERS radio replacement project, DEM and DT will construct a prefabricated telecommunications shelter at Building 2 within the VA Hospital campus at 4150 Clement Street, and have space on the roof to install new equipment and antennae to support the new CERS system.

The new equipment will include:

- installing a prefabricated RF shelter on parapet of Building 2
- installing four (4) whip antennas and two (2) microwave dish antennas on the roof of Building 2
- installing two (2) GPS antennas on the prefabricated RF shelter

The proposed Base Rent is \$4,537.40 per month adjusted annually by three percent (3%) **beginning on April 1<sup>st</sup>, 2018**. The amendment also changes the calculation of Base Rent at the City's next option period. Under the current agreement Option Period Rent is a Fair Market Value as determined solely by the VA. Under the proposed amendment, the Option Period Rent simply continues the 3% annual increases. Other than the change in location of the Premises on the VA site and a small monthly increase (\$133.12/month) in rent and a likely reduced option rent, all other terms of the Original Sharing Agreement remain the same. Attachment 1 provides a before and after summary of the Sharing Agreement changes.



**SAN FRANCISCO  
DEPARTMENT OF  
TECHNOLOGY**

On May 18, 2017 an MAI appraisal by Mateo Advisors Inc. found the Fair Market Rent to be \$8,250 per month (versus the \$4,537.40 per month proposed).

The Department of Technology, Department of Emergency Management, and Real Estate Division recommend approval of the proposed lease.

If you have any questions, please contact Christopher Chamberlain with DT at 415-603-9629. For the public safety radio replacement project questions, please contact Michelle Geddes with the DEM at 558-3825. And for real estate questions please contact Charlie Dunn at 554-9861 of the Real Estate Division.

Respectfully,

A handwritten signature in black ink that reads "Nina D'Amato".

**Nina D'Amato**

**Acting Director, Department of Technology**

Attachments

cc: Anne Kronenberg, DEM  
Michelle Geddes, DEM  
Christopher Chamberlain, DT  
John Updike, RED





SAN FRANCISCO  
DEPARTMENT OF  
TECHNOLOGY

Attachment #1  
VA Hospital - 4150 Clement Street

	Current Agreement	Proposed Amendment
Premises	4150 Clement Street, Water tower	4150 Clement Street, Building 200
Equipment	Equipment Shelter (4) Whip Antenna (4) Microwave Antenna (1) GPS W3 Antenna	Equipment Shelter (4) Whip Antenna (2) Microwave Antenna (2) GPS W3 Antenna
Base Rent	\$4,404.28 monthly	\$4,537.40 monthly
Base Rent Increase Amount	To Fair Market Rent (FMR) on April 1, 2018, if option is exercised	3% annually beginning April 1, 2018
Term	Through March 31, 2018	Through March 31, 2023
Options to Extend	1 remaining for 5 years (through March 31 2023) at the VA's sole determination of FMR.	None
City's Appraised FMR per MAI appraisal May 15, 2018	NA	\$8,250/ monthly



SAN FRANCISCO  
**DEPARTMENT OF  
TECHNOLOGY**


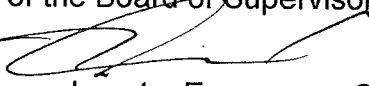
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City's Appraised FMR per MAI appraisal May 15, 2018	NA	\$8,250/ monthly

OFFICE OF THE MAYOR  
SAN FRANCISCO



EDWIN M. LEE

TO: Angela Calvillo, Clerk of the Board of Supervisors  
FROM:  Mayor Edwin M. Lee   
RE: Sharing Agreement Amendment – Emergency Communications Site –  
Department of Veterans Affairs Medical Center – 4150 Clement Street -  
\$54,856.26 Annual Base Rent  
DATE: July 11, 2017

---

Attached for introduction to the Board of Supervisors is a resolution authorizing and approving (i) an Amendment to an existing Sharing Agreement for emergency radio telecommunications and associated equipment with the Department of Veterans Affairs Medical Center, San Francisco ("VA"), for the Department of Emergency Management and the Department of Technology at 4150 Clement Street, San Francisco, commencing upon approval by the Board of Supervisors and Mayor at an annual base rent of \$54,856.26 in the initial year with 3% annual rent increases and (ii) adopting findings under the California Environmental Quality Act, Public Resources Code section 21000 et seq. ("CEQA"), and finding the proposed transaction is in conformance with the City's General Plan, and the eight priority policies of Planning Code, Section 101.1.

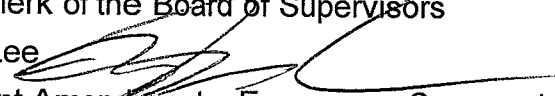
I respectfully request this item be heard in Budget & Finance Committee on July 20, 2017 and sent forward as a Committee Report to the full Board on July 25, 2017.

Should you have any questions, please contact Mawuli Tugbenyoh (415) 554-5168.

OFFICE OF THE MAYOR  
SAN FRANCISCO



EDWIN M. LEE

TO: Angela Calvillo, Clerk of the Board of Supervisors  
FROM: *for* Mayor Edwin M. Lee   
RE: Sharing Agreement Amendment – Emergency Communications Site –  
Department of Veterans Affairs Medical Center – 4150 Clement Street -  
\$54,856.26 Annual Base Rent  
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I respectfully request this item be heard in Land Use Committee on July 17, 2017 and sent forward as a Committee Report to the full Board on July 18, 2017.

Should you have any questions, please contact Mawuli Tugbenyoh (415) 554-5168.

AK  
SAN FRANCISCO

*Replacement on file*