

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 22-0187

WHEREAS, The San Francisco Public Utilities Commission (SFPUC) Water Enterprise currently operates a low-band voice radio systems for communications across its seven-county, 2,400 mile coverage area; and

WHEREAS, On September 12, 2017, by Resolution No. 17-0195, this Commission approved the SFPUC Water Enterprise – Water Radio Replacement Project (Project); and

WHEREAS, The SFPUC seeks to replace an outdated and inadequate low-band Water Enterprise voice radio system with a modern, digital communications system which is inherently portable, easy to use, improves coverage, enhances safety, and provides wider coverage for business and disaster communications; and

WHEREAS, The SFPUC seeks certain radio site locations to construct, install, use, operate, maintain, enhance, repair, and replace radio communications equipment to meet coverage requirements and provide sufficient communications coverage throughout the Water Enterprise coverage area; and

WHEREAS, The SFPUC selected the Corral Hollow radio communications site to install radio communications equipment to provide key radio coverage for Water Enterprise's maintenance and service crews for Tuolumne and San Joaquin Counties, more specifically from Sonora to Tracy, and specific coverage for the City's power line infrastructure in remote San Joaquin and Alameda Counties; and

WHEREAS, The City and County of San Francisco (City), through the SFPUC, as licensee, desires to enter into a five-year Site Use Agreement (Agreement), with four, five-year extension options with VB Nimbus, LLC, a Delaware limited liability company, as landlord (Owner), to use approximately three hundred forty-five (345) square feet of ground space and certain tower space on the Owner's existing tower located at 32322 S Corral Hollow Road in Tracy (Premises) for the construction, installation, operation, maintenance, repair and replacement of SFPUC radio equipment at a rental rate of \$2,500 per month (\$30,000 per year), with annual increases of three-percent (3%); and

WHEREAS, On September 26, 2022, the San Francisco Planning Department determined the Project to be categorically exempt from environmental review under California Environmental Quality Act (CEQA) Guidelines Section 15301, Class 1 (Existing Facilities) and CEQA Guidelines Section 15302, Class 2 (Replacement and Construction) under Case Number 2022-008210ENV; and

WHEREAS, This action constitutes the Approval Action for the Project for the purposes of the CEQA pursuant to Section 31.04(h) of the San Francisco Administrative Code; now, therefore, be it

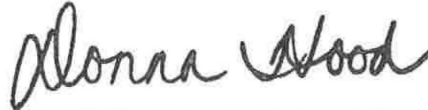
RESOLVED, That this Commission hereby approves the terms and conditions of the Agreement; and, be it

FURTHER RESOLVED, That this Commission recommends to the Board of Supervisors the approval of the Agreement; and, be it

FURTHER RESOLVED, That this Commission hereby authorizes the General Manager, upon approval by the Board of Supervisors and the Mayor of the authorizing resolution, to execute the Agreement and enter into any amendments or modifications to the Agreement, including, without limitation, the modification, addition, or deletion of exhibits, and to enter into any related documents, instruments, memoranda, or other agreements reasonably necessary to consummate the transaction contemplated in the Agreement that the General Manager determines, in consultation with the City Attorney, are in the best interests of the City, do not materially increase the liabilities or obligations of the City or materially diminish the benefits to the City, and to comply with all applicable laws, including the City Charter; and, be it

FURTHER RESOLVED, That upon approval by City's Board of Supervisors and the Mayor, this Commission authorizes the General Manager to take any and all other steps, in consultation with the City Attorney, deemed necessary and advisable to effectuate the purpose and intent of this Resolution.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of October 24, 2022.



Secretary, Public Utilities Commission