

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 25-0005

WHEREAS, On November 1, 2005, the City and County of San Francisco (City), through its Public Utilities Commission (SFPUC), entered into a Radio Communications Site Lease with Communication and Control, Inc. (Landlord) and, on July 1, 2012, SFPUC and the Landlord entered into a subsequent Radio Communications Site Lease (Original Leases) to lease certain space from Landlord on Landlord's real property, designated as a portion of Alameda County Assessor's Parcel No. 096-0090-005-07 (Property), on which Landlord owns and operates communications towers and equipment shelters and other associated ground facilities (Existing Premises) for the SFPUC's antennas and equipment (SFPUC Facilities); and

WHEREAS, The Original Leases expired, and, on April 1, 2015, SFPUC and Landlord entered into a new Radio Communications Site Lease (Existing Lease), which allows City to (1) continue leasing the Existing Premises, (2) construct a new tower for one of City's existing antennas and affix an additional antenna, and (3) lease other space in the shelter for additional equipment; and

WHEREAS, The July 8, 2014, Commission Resolution No. 14-0112 and October 28, 2014, Board of Supervisors Resolution No. 401-14, which the Mayor approved on November 7, 2014, authorized the SFPUC General Manager to enter into any future amendments to add additional facilities or expand the Premises to include additional SFPUC communications antennas and equipment, provided that such amendments do not increase the rent under the Existing Lease by more than 20 percent; and

WHEREAS, SFPUC now seeks to enter into Amendment No. 1 (Amendment) to the Existing Lease to expand the area of the Existing Premises (Expanded Premises) and allow the SFPUC to install, operate, and maintain additional equipment within the existing equipment shelter and antenna appurtenances on the tower located on the Existing Premises (Additional SFPUC Facilities); and

WHEREAS, The Monthly Base Rent for the Existing Premises and Expanded Premises is \$9,080, subject to adjustment as provided in the Existing Lease. The Monthly Base Rent for the approved Additional SFPUC Facilities is \$3,366. In addition, the SFPUC agrees to take over the applicable electrical utility meter on the PG&E account from Landlord and pay all electrical costs, and Landlord agrees to pay for all gas costs; and

WHEREAS, The new Monthly Base Rent for the Expanded Premises and the Additional SFPUC Facilities increases the rent under the Existing Lease by more than 20 percent. The 2014 Resolutions therefore require the Amendment to be authorized by the SFPUC Commission, subject to approval by the Board of Supervisors and the Mayor; and

WHEREAS, On September 26, 2022, the San Francisco Planning Department determined the SFPUC - Water Radio Replacement Project, East Bay Sites to be categorically exempt from


environmental review under the CEQA Guidelines sections 15301, Class 1 (Existing Facilities) and 15302, Class 2 (Replacement or Reconstruction) under Case Number 2022-008210ENV; and the Amendment includes work at the Expanded Premises (Mt. Allison), one of the East Bay Water Radio Replacement Project sites, and the Amendment work is within the scope of the project authorized under the Categorical Exemption; now, therefore, be it

RESOLVED, That this Commission hereby ratifies, approves, and authorizes all actions taken to date by any City official in connection with the Amendment; and, be it

FURTHER RESOLVED, That this Commission hereby approves the terms and conditions of the Amendment and authorizes and directs the General Manager to execute the Amendment, subject to the approval of the Board of Supervisors and Mayor; and, be it

FURTHER RESOLVED, That this Commission hereby authorizes the General Manager to enter into any amendments or modifications to the Amendment, including without limitation, the exhibits, that the General Manager determines, in consultation with the City Attorney, are in the best interest of the City; do not materially increase the obligations or liabilities of the City; are necessary or advisable to effectuate the purposes and intent of the Amendment, or this resolution; and are in compliance with all applicable laws, including the City Charter.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of January 14, 2025.



*Director of Commission Affairs
San Francisco Public Utilities Commission*