

1 [Airport Lease Agreements - Cellular Service Equipment Sites - \$350,000 Plus Annual
2 Increases]

3 **Resolution approving the Cellular Service Equipment Sites Leases between New**
4 **Cingular Wireless PCS, LLC., Nextel of California, Inc., and Sprint Spectrum Realty**
5 **Company, L.P., GTE Mobilnet of California Limited Partnership, dba Verizon Wireless,**
6 **and T-Mobile West Corporation and the City and County of San Francisco, acting by**
7 **and through its Airport Commission retroactive to July 1, 2009, with a term of five**
8 **years, and approving Amendment No. 1 to the Cellular Service Equipment Leases with**
9 **New Cingular Wireless PCS, LLC., Nextel of California, Inc., and Sprint Spectrum Realty**
10 **Company, L.P., and GTE Mobilnet of California Limited Partnership, dba Verizon**
11 **Wireless, with a base annual rent of \$350,000 to be increased annually by \$25,000.**
12

13 WHEREAS, The Airport Commission adopted Resolution Nos. 09-0051A, 09-0051B,
14 09-0051C, and 09-0051D, adopted On March 3, 2009, awarding the Cellular Service
15 Equipment Leases (the "Leases") to New Cingular Wireless PCS, LLC, Nextel of California,
16 Inc. and Sprint Spectrum Realty Company, L.P., T-Mobile West Corporation, and GTE
17 Mobilnet of California Limited dba Verizon Wireless (collectively, the "Tenants"), respectively;
18 and
19

20 WHEREAS, The Leases commenced on July 1, 2009, with a term of five years, with a
21 Base Rent of \$350,000, which was adjusted upwards in increments of \$25,000 each Lease
22 Year; and

23 WHEREAS, On July 17, 2012, the Airport Commission adopted Resolution
24 Nos. 12-0167, 12-0168, 12-0169 and 12-0170 approving a five-year extension for New
25 Cingular Wireless PCS, LLC, Nextel of California, Inc. and Sprint Spectrum Realty Company,

1 L.P., and GTE Mobilnet of California Limited dba Verizon Wireless, through an Amendment
2 No. 1, for a new expiration date of June 30, 2019; and

3 WHEREAS, The Airport Commission approved base rent to continue to be adjusted
4 upwards in increments of \$25,000 each Lease Year during the five-year extension for New
5 Cingular Wireless PCS, LLC, Nextel of California, Inc. and Sprint Spectrum Realty Company,
6 L.P., and GTE Mobilnet of California Limited dba Verizon Wireless; and

7 WHEREAS, The Airport Commission approved an additional amendment to Lease
8 No. 09-0051B requiring Nextel of California, Inc. and Sprint Spectrum Realty Company, L.P.
9 to assume all costs of any required relocation that may occur during the Lease Term
10 extension; and

11 WHEREAS, Airport staff inadvertently failed to obtain Board of Supervisors approval of
12 the award of the Leases; now, therefore, be it

13 RESOLVED, That this Board of Supervisors approves award of the Cellular Service
14 Equipment Lease No. 09-0051A with New Cingular Wireless PCS, LLC; the Cellular Service
15 Equipment Lease No. 09-0051B with Nextel of California, Inc. and Sprint Spectrum Realty
16 Company, L.P.; the Cellular Service Equipment Lease No. 09-0051C with T-Mobile West
17 Corporation; and the Cellular Service Equipment Lease No. 09-0051D with GTE Mobilnet of
18 California Limited dba Verizon Wireless retroactive to July 1, 2009; and, be it

19 FURTHER RESOLVED, That this Board of Supervisors further approves Amendment
20 No. 1 to New Cingular Wireless PCS, LLC, Nextel of California, Inc. and Sprint Spectrum
21 Realty Company, L.P., and GTE Mobilnet of California Limited dba Verizon Wireless, which
22 extends the term by five-years, for a new expiration date of July 1, 2019, and the continued
23 increase in base rent in \$25,000 increments each Lease Year; and, be it

1 FURTHER RESOLVED, That Amendment No. 1 to the Cellular Service Equipment
2 Lease No. 09-0051B also requires Sprint Nextel to assume all costs of any required relocation
3 that may occur during the Lease Term extension; and, be it

4 FURTHER RESOLVED, That this Board of Supervisors authorizes the Airport Director
5 to enter into non-material modifications to the Leases that the Commission, in consultation
6 with the City Attorney, determines are in the best interests of the Commission, and necessary
7 to effectuate the purposes of the Agreements and are in compliance with all applicable laws,
8 including the City's Charter; and be it further

9 FURTHER RESOLVED, That the Lease Agreements and Lease Amendments are on
10 file with the Clerk of the Board of Supervisors in File No. 121037, which is hereby declared to
11 be a part of this resolution as if set forth fully herein.



City and County of San Francisco

Tails
Resolution

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

File Number: 121037

Date Passed: December 04, 2012

Resolution approving the Cellular Service Equipment Sites Leases between New Cingular Wireless PCS, LLC., Nextel of California, Inc., and Sprint Spectrum Realty Company, L.P., GTE Mobilnet of California Limited Partnership, dba Verizon Wireless, and T-Mobile West Corporation and the City and County of San Francisco, acting by and through its Airport Commission retroactive to July 1, 2009, with a term of five years, and approving Amendment No. 1 to the Cellular Service Equipment Leases with New Cingular Wireless PCS, LLC., Nextel of California, Inc., and Sprint Spectrum Realty Company, L.P., and GTE Mobilnet of California Limited Partnership, dba Verizon Wireless, with a base annual rent of \$350,000 to be increased annually by \$25,000.

November 28, 2012 Budget and Finance Committee - RECOMMENDED

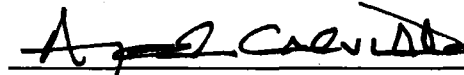
December 04, 2012 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Ologue and Wiener

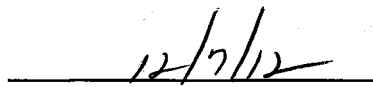
Absent: 1 - Cohen

File No. 121037

I hereby certify that the foregoing Resolution was ADOPTED on 12/4/2012 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


Mayor


Date Approved