

AMENDED IN COMMITTEE

9/17/14

FILE NO. 140501

RESOLUTION NO. 353-14

1 [Lease Amendment - T. Mobile West, LLC - Cellular Service Equipment Sites]

2
3 **Resolution retroactively approving Amendment No. 1 to the Cellular Service Equipment**
4 **Sites Lease No. 09-0051C between T-Mobile West, LLC, and the City and County of San**
5 **Francisco, acting by and through its Airport Commission, extending the term for five**
6 **years from July 1, 2014 through June 30, 2019.**

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8 WHEREAS, The Airport Commission adopted on March 3, 2009, Resolution
9 No. 09-0051C awarding the Cellular Service Equipment Sites Lease ("Lease") to T-Mobile
10 West, LLC ("Tenant"); and

11 WHEREAS, The Lease commenced on July 1, 2009, with a term of five (5) years, with
12 a Base Rent of \$350,000, which was adjusted upwards in increments of \$25,000 each Lease
13 year; and

14 WHEREAS, On March 4, 2014, the Airport Commission adopted Resolution
15 No. 14-0044 approving a five (5) year extension for T-Mobile West, LLC, through an
16 Amendment No. 1, for a new expiration date of June 30, 2019; and

17 WHEREAS, The Airport Commission approved the base rent to continue to be adjusted
18 upwards in increments of \$25,000 each Lease year during the five (5) year extension for
19 T-Mobile West, LLC; now, therefore, be it

20 RESOLVED, That this Board of Supervisors approves Amendment No. 1 to
21 T-Mobile West, LLC, which extends the term by five (5) years, for a new expiration date of
22 June 30, 2019, and the continued increase in base rent in \$25,000 increments each Lease
23 year; and, be it

24 FURTHER RESOLVED, That this Board of Supervisors authorizes the Airport Director
25 to enter into non-material modifications to the Lease that the Commission, in consultation with

1 the City Attorney, determines are in the best interests of the Commission, and necessary to
2 effectuate the purposes of the Agreement and are in compliance with all applicable laws,
3 including the City's Charter; and, be it

4 FURTHER RESOLVED, That the Lease Agreement and Lease Amendment No. 1 are
5 on file with the Clerk of the Board of Supervisors in File No. 140501, which is hereby declared
6 to be a part of this resolution as if set forth fully herein; and, be it

7 FURTHER RESOLVED, That within thirty (30) days of Amendment No. 1 being fully
8 executed by all parties, the Airport Commission shall provide the final Amendment No. 1 to
9 the Clerk of the Board for inclusion into the official file.

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City and County of San Francisco
Tails
Resolution

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

File Number: 140501

Date Passed: September 23, 2014

Resolution retroactively approving Amendment No. 1 to the Cellular Service Equipment Sites Lease No. 09-0051C between T-Mobile West, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, extending the term for five years from July 1, 2014, through June 30, 2019.

September 17, 2014 Budget and Finance Committee - AMENDED

September 17, 2014 Budget and Finance Committee - RECOMMENDED AS AMENDED

September 23, 2014 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 140501

I hereby certify that the foregoing Resolution was ADOPTED on 9/23/2014 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

Date Approved