

FILE NO. 00-1429

RESOLUTION NO. 868-00

1 [Sprint Spectrum Limited Partnership Company Transmitter Lease]

2

3 **Resolution authorizing and approving a lease of cellular transmitter space at the**
4 **Performing Arts Garage to Sprint Spectrum Limited Partnership.**

5

6 WHEREAS, The San Francisco Board of Supervisors hereby adopts the following
7 findings regarding a proposed lease of cellular transmitter space within the Performing Arts
8 Garage at Grove and Gough Streets, Block 792 Lot 29 (the "Garage"), owned by the San
9 Francisco Parking Authority (the "Authority"); the Director of Property has negotiated a form
10 of agreement (the "Lease") with Sprint Spectrum Limited Partnership (SSLP) for the lease
11 of the Premises for a monthly rental of \$3,000.00 for a term of five years, with the Authority
12 having the right to extend the lease for a period of five years; and there is an annual rent
13 increase based upon the Consumer Price Index and the rent will be reappraised prior to the
14 exercise of the option; and the Lease also provides that the cost of all tenant improvements
15 to the Premises will be borne by SSLP; and SSLP will pay all electric utility costs; and
16
17

18 WHEREAS, SSLP has received a City Planning Commission approval and the
19 Authority approval by Resolution No. 113-00-PA, as well as a building permit to place
20 seven equipment cabinets and nine antennae at the Performing Arts Garage; and
21

22 WHEREAS, a form of the Lease is on file with the Clerk of the Board of Supervisors;
23 now, therefore, be it
24

25 (Real Estate)

1 RESOLVED, That in accordance with the recommendation of the Director of the
2 Parking Authority and the Director of Property, the Mayor, the Clerk of the Board of
3 Supervisors and the Director of Property are hereby authorized to take all actions, on
4 behalf of the City and County of San Francisco, as Landlord, to execute a written lease and
5 other related documents with SSLP, as Tenant; and, be it
6

7 FURTHER RESOLVED, The Board of Supervisors hereby finds that it is in the best
8 interests of the Authority to enter into the Lease based upon direct negotiations with SSLP
9 without a competitive bid process. Competitive bidding in this situation would be
10 impracticable or impossible. There is sufficient space for a second cell phone company to
11 place a transmitter and antenna on this site; and, be it
12

13 FURTHER RESOLVED, The Mayor or his designee is hereby authorized to
14 execute, and the Clerk of the Board of Supervisors is hereby authorized to attest and affix
15 the seal of the City thereon, the Lease on behalf of the Parking Authority of San Francisco
16 on file with the Clerk of the Board of Supervisors; and, be it
17

18 FURTHER RESOLVED, That the lease shall be subject to and conditioned upon,
19 the Human Rights Commission's approval of SSLP's compliance with City's Non-
20 Discrimination and Equal Benefits in Employment Ordinance; and, be it
21

22 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
23 Property to enter into any amendments or modifications to the Lease (including without
24 limitation, the exhibits) that the Director of Property determines, in consultation with the City
25 Attorney, are in the best interest of the City, do not increase the rent or otherwise materially
increase the obligations or liabilities of the City, are necessary or advisable to effectuate

1 the purposes of the Lease or this resolution, and are in compliance with all applicable laws,
2 including City's Charter.

3
4
5 RECOMMENDED:

6
7 see original for signature

8 Director, Parking Authority
9 Department of Parking and Traffic
By Resolution No. 113-00-PA

10
11 see original for signature

12 Director of Property



City and County of San Francisco

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

Tails Resolution

File Number: 001429

Date Passed:

Resolution authorizing and approving a lease of cellular transmitter space at the Performing Arts Garage to Sprint Spectrum Limited Partnership.

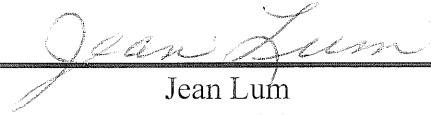
October 10, 2000 Board of Supervisors — ADOPTED

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Kaufman, Leno, Newsom, Teng,
Yaki, Yee

Absent: 1 - Katz

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I hereby certify that the foregoing Resolution was ADOPTED on October 10, 2000 by the Board of Supervisors of the City and County of San Francisco.



Jean Lum
Acting Clerk of the Board

OCT 20 2000

Date Approved



Mayor Willie L. Brown Jr.