

FILE NO. 00-1432

RESOLUTION NO. 371-00

1 [Nextel Communications Transmitter Lease]

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Resolution authorizing and approving a lease of cellular transmitter space at the San Francisco General Hospital Garage to Nextel Communications.

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WHEREAS, The San Francisco Board of Supervisors hereby adopts the following findings regarding a proposed lease of cellular transmitter space within the San Francisco General Hospital (SFGH) Garage at 2500 24th Street, Block 4219 Lot 1 (the "Garage"), owned by the San Francisco Parking Authority (the "Authority"); the Director of Property has negotiated a form of agreement (the "Lease") with Nextel Communications ("Nextel") for the lease of the Premises for a monthly rental of \$3,000.00 for a term of five years, with the Authority having the right to extend the lease for a period of five years; and there is an annual rent increase based upon the Consumer Price Index and the rent will be reappraised prior to the exercise of the option; and the Lease also provides that the cost of all tenant improvements to the Premises will be borne by Nextel; and Nextel will pay all electric utility costs; and

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WHEREAS, Nextel has received a City Planning Commission approval and the Authority approval by Resolution No. 114-00-PA, as well as a building permit to place a 332 sq. ft. equipment room with six cabinets on the fifth level and eleven antennae on the roof of the elevator tower at the SFGH Garage; and

(Real Estate)

1 WHEREAS, a form of the Lease is on file with the Clerk of the Board of Supervisors;
2 now, therefore, be it

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

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

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

20 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
21 Property to enter into any amendments or modifications to the Lease (including without
22 limitation, the exhibits) that the Director of Property determines, in consultation with the City

1 Attorney, are in the best interest of the City, do not increase the rent or otherwise materially
2 increase the obligations or liabilities of the City, are necessary or advisable to effectuate
3 the purposes of the Lease or this resolution, and are in compliance with all applicable laws,
4 including City's Charter.
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8 **RECOMMENDED:**
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10 see original for signatures

11 Director, Parking Authority
12 Department of Parking and Traffic
13 By Resolution No. 114-00-PA
14

15 see original for signatures

16 Director of Property
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City and County of San Francisco

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

Tails

Resolution

File Number: 001432

Date Passed:

Resolution authorizing and approving a lease of cellular transmitter space at the San Francisco General Hospital Garage to Nextel Communications.

October 10, 2000 Board of Supervisors — ADOPTED

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

Absent: 1 - Katz

File No. 001432

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.

OCT 20 2000

Date Approved



Jean Lum
Acting Clerk of the Board



Mayor Willie L. Brown Jr.