



**COUNTY OF SAN MATEO**  
**Inter-Departmental Correspondence**

County Manager's Office

**DATE:** June 29, 2009  
**BOARD MEETING DATE:** July 14, 2009  
**SPECIAL NOTICE/HEARING:** None  
**VOTE REQUIRED:** Majority

**TO:** Honorable Board of Supervisors

**FROM:** Steve Alms, Manager, Real Property Division

**SUBJECT:** Permit Agreement with New Cingular Wireless PCS, LLC, for the operation of a wireless communication facility at the Tower Road Communication Facility, San Mateo. (Permit No. 5193)

**RECOMMENDATION:**

Adopt a resolution:

1. Authorizing and directing the President of the Board of Supervisors to execute a Permit Agreement with New Cingular Wireless PCS, LLC, for the operation of a wireless communication facility at the Tower Road Communication Facility in San Mateo, at an initial monthly rate of \$4,100, for a term of five years with one option to extend for an additional five years, and
2. Authorizing the County Manager or his designee to execute notices, options and documents associated with the Agreement including, but not limited to, extension or termination of the Agreement under the terms set forth therein.

**BACKGROUND:**

In 1992, the County and Bay Area Cellular Telephone Company ("BACTC") entered into a Permit Agreement for the installation, construction and operation of a communication facility at the County's Tower Road Communication Facility site in San Mateo. In 1995, the Agreement was amended to authorize the installation of additional equipment at the facility with a corresponding increase in rent. In 1999, the Agreement was further amended to extend the term and increase the base rent. BACTC was sold to Cingular in 2001, and Cingular has operated the site since then. The Permit Agreement expired in 2007, and Cingular has continued operating at this site on a month-to-month basis in accordance with the holdover provision of the Permit. Cingular wishes to enter into a new long-term Agreement for the site.



**DISCUSSION:**

Real Property Services has negotiated an Agreement for a term of five years, providing Cingular one option to extend for an additional five years. The initial monthly fee of \$4,100 is subject to an annual escalation of 3%. There are no changes to the use of the facility as a result of this Agreement.

County Counsel has reviewed and approved the Permit Agreement as to form. The Director of Public Works concurs in this recommendation.

Approval of this Agreement contributes to the Shared Vision 2025 outcome of a Collaborative Community by generating revenue to the County while facilitating the delivery of Cingular's services to the public.

**FISCAL IMPACT:**

The monthly fee, totaling approximately \$261,060 for the initial 5-year term, will be deposited into the Facilities Account for the Department of Public Works.