



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



**Date:** February 23, 2017

**Board Meeting Date:** April 25, 2017

**Special Notice / Hearing:** None

**Vote Required:** Majority

**To:** Honorable Board of Supervisors

**From:** John L. Maltbie, County Manager

**Subject:** Amendment To The Ground Lease Agreement With MetroPCS For The Continued Operation Of An Existing Wireless Communication Facility At Flood Park, Located At 215 Bay Road In The City Of Menlo Park (Ground Lease No. 5326)

**RECOMMENDATION:**

Adopt a resolution authorizing:

- A) The President of the Board of Supervisors to execute an amendment to the Ground Lease Agreement with MetroPCS to allow for the continued operation of an existing wireless communication facility at Flood Park, located at 215 Bay Road in the City of Menlo Park; and
- B) The County Manager, or his designee, to accept or execute on behalf of the County any and all notices, options, consents, approvals, terminations, and documents in connection with the agreement.

**BACKGROUND:**

In 2008, as authorized by San Mateo County Resolution No. 69455, the County and MetroPCS entered into a Ground Lease Agreement for the installation, construction, replacement, maintenance, and operation of a wireless communication site at Flood Park, located at 215 Bay Road in the City of Menlo Park (see attached Site Plan of Premises). The current rent is \$2,660.22 per month and will increase 3% to \$2,740.03 on June 1, 2017. The Lease is scheduled to expire on May 31, 2018 and County and MetroPCS desire to execute an early amendment to the Ground Lease Agreement to extend the term.

**DISCUSSION:**

Real Property Services has negotiated a First Amendment to the Ground Lease Agreement with MetroPCS, which would extend the current term to May 31, 2023 and provide one option to extend the term for an additional five years. The current rent will remain the same, as it is considered to be at market levels, and continue to escalate 3% annually on the first day of June. All other terms of the Agreement will remain the

same. Fair market rents for County wireless communication sites are established in accordance with the County's radio site equipment rates by the County's Network and Radio Supervisor.

County Counsel has reviewed and approved the amendment as to form. The Director of Parks concurs in this recommendation.

Approval of this amendment to the Ground Lease Agreement with MetroPCS contributes to the Shared Vision 2025 outcome of a Collaborative Community by extending an agreement that benefits the County of San Mateo and MetroPCS while also supporting the Park's Department in providing recreational opportunities to the public.

**FISCAL IMPACT:**

The monthly rent, currently at \$2,660.22, will be deposited to the Department of Parks Fund.

## SITE PLAN OF PREMISES

In the State of California, County of San Mateo, City of Menlo Park, being a portion of Assessor's Parcel Number 055-312-010, described as follows:

Beginning at a point on the California State Plane Coordinate System, Zone 3, NAD 83 having the following coordinates:

N. 1999528.38, E. 6076352.23;

thence North  $32^{\circ}43'11''$  East 15.00 feet;

thence South  $57^{\circ}16'49''$  East 8.00 feet;

thence South  $32^{\circ}43'11''$  West 15.00 feet;

thence North  $57^{\circ}16'49''$  West 8.00 feet to the point of beginning. Containing 120 square feet more or less

