

## RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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**RESOLUTION AUTHORIZING: A) THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE A FIRST AMENDMENT TO THE PERMIT AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC FOR THE CONTINUED OPERATION OF A WIRELESS COMMUNICATION FACILITY AT THE SAN MATEO COUNTY EVENT CENTER FOR A TERM OF FIVE YEARS WITH ONE OPTION TO EXTEND FOR AN ADDITIONAL FIVE YEARS AT AN INITIAL MONTHLY RATE OF \$5,500; AND B) THE COUNTY MANAGER, OR HIS DESIGNEE, TO ACCEPT OR EXECUTE ON BEHALF OF THE COUNTY OF SAN MATEO ANY AND ALL NOTICES, OPTIONS, CONSENTS, APPROVALS, TERMINATIONS, AND AMENDMENTS IN CONNECTION WITH THE PERMIT, SO LONG AS NO SUCH DOCUMENTS MODIFY THE AMOUNT PAYABLE UNDER THE PERMIT BY MORE THAN \$25,000 (OVER THE TERM OF THE PERMIT) NOR INCREASE THE GROUND AREA OF THE PERMIT**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, on June 19, 2012, the County of San Mateo, as authorized by Resolution No. 071992, entered into a Permit Agreement with New Cingular Wireless PCS, LLC ("New Cingular") for the installation, construction, and operation of a wireless communication facility on the grounds of the San Mateo County Event Center in San Mateo ("Site"); and

**WHEREAS**, this 2012 Permit Agreement had an initial five-year term followed by two five-year extension options potentially extending the term to 2027, but the County has no record of having timely received from New Cingular a notice to exercise its first extension option; and

**WHEREAS**, New Cingular has continued to operate on the Site in holdover status since June 30, 2017, and the parties desire that New Cingular continue to operate the facility on the Site under an Amendment to the Permit Agreement; and

**WHEREAS**, there has been presented to this Board of Supervisors for its consideration and acceptance a First Amendment to the Permit Agreement (“First Amendment”) that extends the term of the Permit to June 30, 2022, grants New Cingular one five-year extension option, potentially extending the term to June 20, 2027, and increases the base rent from \$4,753.02 per month to \$5,500.00 per month, with three percent annual increases; and

**WHEREAS**, this Board has examined and approved the First Amendment as to both form and content and desires to enter into same.

**NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the President of this Board of Supervisors be, and is hereby, authorized and directed to execute said First Amendment for and on behalf of the County of San Mateo, and the Clerk of this Board shall attest the President’s signature thereto; and

**IT IS FURTHER DETERMINED AND ORDERED** that the County Manager, or his designee, is hereby authorized to accept or execute on behalf of the County of San Mateo any and all notices, options, consents, approvals, terminations, and amendments in connection with the Permit, so long as no such documents modify the amount payable under the Permit by more than \$25,000 (over the term of the Permit) nor increase the ground area of the Permit.

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