



# County of San Mateo

## Inter-Departmental Correspondence

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**Department:** COUNTY MANAGER

**File #:** 18-485

Board Meeting Date: 6/19/2018

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**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors

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

**Subject:** Amendment to a Permit Agreement with New Cingular Wireless PCS, LLC, to enable its continued operation of a wireless communication facility at the Half Moon Bay Airport (Permit No. 5189)

**RECOMMENDATION:**

Adopt a resolution regarding New Cingular Wireless at the Half Moon Bay Airport:

- A) Authorizing the President of the Board of Supervisors to execute an Amendment to the Permit Agreement with New Cingular Wireless PCS, LLC, to enable its continued operation of a wireless communication facility at the Half Moon Bay Airport at an initial monthly Base Permit Fee of \$8,101, for an approximate term of five years starting on February 23, 2020, and with one option to extend the term for an additional five years, and
- B) Authorizing the County Manager, or his designee, to accept or execute on behalf of the County any and all notices, options, consents, and documents associated with the Permit Agreement including, but not limited to, extension or termination of the Permit Agreement under the terms set forth therein.

**BACKGROUND:**

In 1992, the County and the Bay Area Cellular Telephone Company ("BACTC") entered into a permit agreement, which authorized the installation, construction, and operation of a wireless communication facility at the Half Moon Bay Airport. BACTC was later sold to New Cingular Wireless PCS, LLC ("Cingular") in 2001, and Cingular has operated the facility ever since. In February 2010, the County and Cingular entered into a new permit agreement, which enabled the continued operation of the wireless communication facility at the Half Moon Bay Airport ("Permit Agreement").

Since 2010, the Permit Agreement has been amended three times, including most recently in 2015, which authorized Cingular to upgrade their equipment and the County to adjust their monthly Base Permit Fee accordingly. The current monthly permit fee is \$4,286.22 and the fee escalates 3 percent annually. County and Cingular desire to amend the Permit Agreement to extend the term, provide an Extension Option, and increase the monthly Base Permit Fee accordingly. Although the Permit

Agreement does not expire until 2020, Cingular requested an extension at this time so it may adequately plan for future infrastructure upgrades or potential relocation needs.

**DISCUSSION:**

Real Property Services and Cingular have negotiated a Fourth Amendment to the Permit Agreement (“Amendment”), which will extend the Term to February 28, 2025, provide an option to extend the term for an additional five years, and increase the monthly Base Permit Fee to \$8,101 effective February 23, 2020. The new Base Permit Fee is based on ISD’s Radio Site Equipment Rates for installed equipment. Cingular will also pay a one-time processing fee of \$1,500. There are no modifications to the Premises, upgrades to the equipment, or change in use of the facility as a result of this Amendment.

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

Approval of the this action contributes to the Shared Vision 2025 outcome of a Collaborative Community by establishing an agreement that benefits the County and Cingular, while also benefiting the public.

**FISCAL IMPACT:**

The initial monthly Base Permit Fee of \$8,101 will be deposited into the Airport Enterprise Fund.