

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 13-197

WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA) leases certain roof-top premises at 555 California Street for its transit radio communication equipment's installation and operations and

WHEREAS, The SFMTA is the Permittee under a Roof Equipment License Agreement dated June 21, 1994 which was extended by the First Amendment to Roof Equipment License Agreement and

WHEREAS, The First Amendment to Roof Equipment License Agreement expired on October 31, 2011 and the Agreement has continued on a Month-to-Month basis while the Owner and the City have negotiated in good faith to extend the term; and

WHEREAS, The SFMTA is prepared to enter into a Second Amendment to the Roof Equipment License Agreement, with HWA 555 Owner's LLC, a Delaware limited liability company (Owner) which extends the existing license through October 31, 2014; and

WHEREAS, The proposed Second Amendment has an initial term of three years commencing retroactively on November 1, 2011, with at an initial annual rent expenditure of \$88,314.00 per year (or \$7,359.50 per month), adjusted annually by 2.5% each November 1; and

WHEREAS, The proposed Second Amendment includes two three-year options to extend the agreement at fixed rents; and

WHEREAS, Rental expenditures for the proposed Second Amendment have been included and budgeted in the SFMTA's fiscal year's Operating Budgets; now therefore, be it

RESOLVED, That the SFMTA Board of Directors authorize the Director of Transportation to execute this Second Amendment to Roof Equipment License Agreement (Agreement) with the SFMTA as Permittee and HWA 555 Owner's LLC, a Delaware limited liability company (Owner) for existing radio equipment located at 555 California St., San Francisco, with an initial three-year term, plus two three-year extension options at an initial total annual rent expenditure of \$88,314.00 per year (or \$7,359.50 per month), adjusted annually by 2.5%.

FURTHER RESOLVED, That the SFMTA Board of Directors authorize the Director of Transportation to execute either or both of the Extension Options at his discretion.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of August 20, 2013.



Secretary to the Board of Directors
San Francisco Municipal Transportation Agency