

APPROVED
JUN 18 2015

REPORT OF GENERAL MANAGER

NO. 15-132

DATE June 18, 2015

BOARD OF RECREATION
AND PARK COMMISSIONERS

C.D. All

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: MASTER LEASE AGREEMENT WITH CALIFORNIA INTERNET –
CELLULAR TELECOMMUNICATION EQUIPMENT ON PARK PROPERTY

R. Adams

V. Israel

for R. Barajas

CBP

K. Regan

H. Fujita

N. Williams

[Signature]

General Manager

Approved

Disapproved

Withdrawn

RECOMMENDATIONS:

That the Board:

1. Approve the Master Lease Agreement, substantially in the form on file in the Board Office, subject to the approval of the Mayor, City Council and the City Attorney as to form, with California Internet; and,
2. Authorize the Board Secretary to forward the Master Lease Agreement to the Mayor and to City Attorney for approval as to form.

SUMMARY:

On June 15, 2011, the Board of Recreation and Parks Commissioners (Board), through Report No. 11-185 approved a proposed model Master Lease Agreement (MLA) and Site Lease Agreement (SLA). The Board also approved, in that same Report, a revised set of "Procedures and Guidelines for Installation of Cellular Equipment on Park Property". The Procedures state, "any installation of cellular equipment on RAP property will require: a. a fully executed MLA, approved by both the Board and the City Attorney as to form and, if applicable, the City Council." The Guidelines state, in part, "Exercise of the initial term of the MLA and each option will require Board approval."

Any entity seeking to install telecommunication equipment on the Department of Recreation and Park (Department) property will be required to enter into a MLA with the Department. This revocable lease agreement clearly assigns responsibilities to both the applicant and the Department, however it does not authorize the installation of any specific equipment. A

REPORT OF GENERAL MANAGER

PG. 2

NO. 15-132

supplemental application, known as a Site Lease Agreement, would have to be made for each individual installation and would be subject to the approval of the Board.

The MLA sets forth basic terms and conditions for leased sites and assigns responsibilities to the applicant and the Department, but does not authorize the installation of any specific equipment. The initial term of each MLA is five (5) years. The MLA will remain in effect and be followed by successive one (1) year renewal options with respect to each existing SLA. The MLA and SLA approved by the Board (Report No. 11-185) were the templates to be used for all future MLA's and SLA's.

The Department has been approached by California Internet, L.P., a telecommunications company, for the purposes of entering into a MLA with the Department. Entering into this lease agreement does not, in any way, guarantee subsequent approval for the installation of any specific equipment at any specific location. Each and every individual installation proposed by the applicant, subsequent to entering into this MLA, will be evaluated and approved by the Board based upon its own merit.

Staff has determined that entering into this MLA does not make a commitment to any specific project that may result in physical environmental impacts. Therefore no environmental review is required under the California Environmental Quality Act until such time as a specific project is proposed.

FISCAL IMPACT STATEMENT:

Approval of this MLA shall have no fiscal impact to the Department's General Fund.

This Report was prepared by Melinda Gejer, City Planning Associate, Planning, Construction and Maintenance Branch.