



Board Report

File #: A 18-411, **Version:** 1

- a. Approve and authorize the Director of Information Technology to sign a “County of Monterey Wireless Communication Site Lease Agreement” with Pacific Gas and Electric (PG&E) for an initial term of five (5) years, thereafter auto-renewing three times for five (5) years per renewal, to a total of twenty (20) years, beginning November 1, 2018 through October 31, 2038, at an annual rate of \$13,236, for PG&E’s sublease of tower space at the County’s “Roberts Knolls” radio communication site; and
- b. Authorize an auto-renewal and non-standard insurance provisions as recommended by the Director of Information Technology.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Director of Information Technology to sign a “County of Monterey Wireless Communication Site Lease Agreement” with Pacific Gas and Electric (PG&E) for an initial term of five (5) years, thereafter auto-renewing three times for five (5) years per renewal, to a total of twenty (20) years, beginning November 1, 2018 through October 31, 2038, at an annual rate of \$13,236, for PG&E’s sublease of tower space at the County’s “Roberts Knolls” radio communication site; and
- b. Authorize an auto-renewal and non-standard insurance provisions as recommended by the Director of Information Technology.

SUMMARY/DISCUSSION:

The existing Wireless Communications Site Lease agreement between the County and Weathertop Ranches LLC allows the County to construct a communications shelter to house radio and communications equipment on a site owned by Weathertop Ranch LLC. This equipment provides an effective communications system to public safety and other agencies operating in Monterey County.

The Board of Supervisors approved amendment no. 1 to the Weathertop site lease agreement on November 7, 2017, allowing the County to sub-lease portions of the site to other agencies and entities, so that the sub lessees can install and operate communications equipment, subject to appropriate County management and oversight. Subleasing at this site will enable improved communications throughout the County and will assist in recovery and emergency response in the event of natural disaster.

The proposed agreement enables the County to sub-let space within the existing communications facility to PG&E in compliance with amendment no.1. After an initial 5-year term, it provides for auto-renewal in three additional 5-year increments. PG&E will pay a monthly fee to offset the ordinary costs of providing space for installation and maintenance of its communications equipment, as well as additional fees to offset additional investment of County staff time and resources, as circumstances may require. The agreement provides that the annual fee PG&E pays is subject to specified increases to reflect increases in County costs.

The proposed agreement contains standard provisions in communications leases, requiring PG&E to comply with applicable laws and to operate its equipment so that it does not interfere with other users at the site. The proposed agreement provides that PG&E may satisfy insurance requirements by demonstrating legal self-insurance.

The Director of the Information Technology Department recommends approval of non-standard renewal and insurance terms to maintain continuity in radio communications in the County. The agreement provides that it can be terminated by either party, notwithstanding auto-renewal provisions, for any reason on 60 days' notice and for cause on 30 days' notice. Thus, risk posed to the County by non-standard terms is minimal.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed the proposed Agreement as to form. County Counsel does not approve non-standard auto-renewal provisions and non-standard insurance provisions.

FINANCING:

PG&E will pay an initial annual sub-lease fee in the amount of \$13,236 to the County. The annual sub-lease fee shall be increased annually by two percent (2%) or by the actual increases in County costs.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The sub-lease to PG&E increases radio coverage for operations and maintenance crews throughout the Carmel Valley and some coastal areas. Co-location of facilities is efficient land use and results in higher levels of both service response and rapid deployment in emergency response.

- ☐ Economic Development
- ☐ Administration
- ☐ Health and Human Services
- ☒ Infrastructure
- ☒ Public Safety

Prepared by: Lynnette Beardsall, Management Analyst II

Approved by:

Eric A. Chatham, Director of Information Technology, 759-6920

Attachments: Pacific Gas & Electric Wireless Communications License Agreement for Roberts Knoll

Attachments on file with the Clerk of the Board