



CITY OF SAN MATEO

City Hall
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Agenda Report

Agenda Number: 16

Section Name: {{section.name}}

Account Number: 72-4675

File ID: {{item.tracking_number}}

TO: City Council
FROM: Alex Khojikian, City Manager
PREPARED BY: Public Works Department
MEETING DATE: May 20, 2024
SUBJECT:
Emergency Communications Equipment – Indemnity Agreement

RECOMMENDATION:

Approve an indemnity agreement between the City and the San Mateo County Pre-Hospital Emergency Medical Services Group; and authorize the City Manager to execute the indemnity agreement in substantially the form presented.

BACKGROUND:

The City and San Mateo Consolidated Fire Department (SMCFD) currently utilize various antennae located on private properties to ensure effective communications for emergency responders. These antennae were installed on various rooftops of tall buildings to maximize the effectiveness of the antennae and minimize interference. In these instances, the City executes a license agreement with the respective property owner granting the City a license allowing it to maintain the antennae, and associated accessory equipment, on the property.

On September 1, 2019, the City and ROMEL 400 LLC (Property Owner) entered into a License Agreement (License Agreement) allowing the City to maintain certain public safety communications equipment on the rooftop and in the boiler room of the building located at 400 South El Camino Real in San Mateo (Property). The equipment at this location includes communications equipment utilized by SMCFD for public safety.

In 2019, SMCFD commenced operations as an independent fire department and separated from the City of San Mateo. Because of this, SMCFD is no longer a party to the City's License Agreement with the Property Owner.

The San Mateo County Pre-Hospital Emergency Medical Services Group (SMC Medical Services), a joint powers authority working on behalf of SMCFD, is currently in the process of upgrading all communications equipment being utilized at the Property, and will assume responsibility for the communications equipment essential to their operations located at the Property by way of a separate license agreement, which is in process to be executed. SMC Medical Services needs immediate access to the Property to upgrade the communications equipment. The Property Owner will allow SMC Medical Services to do so under the City's existing License Agreement, but indemnity provisions between the City and SMC Medical Services are required. The City is agreeable to authorizing immediate access by SMC Medical Services pursuant to the terms of a separate indemnity agreement (Attachment 1).

Based on the reasons stated above, staff recommends for Council to approve an indemnity agreement between the City and SMC Medical Services, authorizing SMC Medical Services to enter and upgrade portions of the communications equipment utilizing the current License Agreement.

BUDGET IMPACT:

There is no budgetary impact from this action.

ENVIRONMENTAL DETERMINATION:

The approval of an indemnity agreement between the City and the JPA allowing access to upgrade public safety related communications equipment is not subject to CEQA review under the “common sense” exemption because it can be seen with certainty that there is no possibility that this activity may have a significant effect on the environment. (CEQA Guidelines Section 15061(b)(3).)

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 - Indemnity Agreement

STAFF CONTACT

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