

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

January 19, 2010

Agenda Item: 5.8

Subject: Approval of Site Lease Agreement—Clearwire Wireless Broadband for a Communication Antenna, Chabot College

Background: Chabot College has been presented with the opportunity to provide broadband wireless service. Clearwire Wireless Broadband (Clearwire) expresses interest in constructing a wireless broadband facility on the roof of the Performing Arts Center at the College. The proposed equipment includes:

- 3 panel antenna, approximately 42” tall x 12.7” in width x 2.8” in depth
- 3 microwave dishes 2’ in diameter
- equipment cabinet, 54.5” tall x 28” in height x 29” in depth, covering a space of 7 foot by 7 foot

The proposed agreement covers an initial term of five (5) years, to commence with the date of construction of the facility and Clearwire has the right to extend the agreement for five (5) successive five (5) year periods thereafter.

Chabot College will receive a monthly rental amount of \$2,500.00. In year two (2) of the Initial Term, and each year thereafter, including throughout any Extension Terms exercised, the monthly rent will increase by two percent (2%) over the rent paid during the previous year.

TRK Engineering, a State approved Electrical Engineering firm commissioned by Clearwire to conduct a Federal Communications Commission (FCC) compliance study on radio frequency and electromagnetic fields exposure, concluded that the proposed Clearwire facility complies with FCC guidelines.

The proposal was vetted and endorsed by staff of the Performing Arts Center, Chabot ITS, District Maintenance and Operations, as well as the Measure B Bond Team. The proposal also has gone through Chabot’s shared governance process and approved by College Council at the December 12, 2009 meeting.

Agenda Item: 5.8
January 19, 2010
Page 2

Recommended Action: That the Board of Trustees approve the proposed Site Lease Agreement with Clearwire Wireless Broadband for a Communication Antenna, Chabot College. It is further recommended that the Board authorize the Vice Chancellor, Business Services, to execute the agreement and any future augmentations or amendments on behalf of the District.

Submitted: Lorenzo Legaspi /Date

Approved: Joel L. Kinnamon/Date

_____ APPROVED

_____ DISAPPROVED

_____ TABLED