

RESOLUTION NO. 18-

AUTHORIZING THE CITY MANAGER TO EXECUTE LEASE AMENDMENT NO. 1 TO THE ORIGINAL LEASE AGREEMENT WITH T-MOBILE TO ADD APPROXIMATELY 100 SQUARE FEET OF ADDITIONAL LEASE SPACE TO ACCOMMODATE A SECOND CARRIER ON THE EXISTING 40' TALL PRIVATELY OWNED CELL TOWER FACILITY LOCATED AT 998 TURQUOISE DRIVE, HERCULES

WHEREAS, T-Mobile has submitted a request to co-locate a second cellular array at the existing 998 Turquoise cell tower site which would require an additional 100 square feet of City land to accommodate the ground equipment for this addition; and

WHEREAS, the Original Lease Agreement has been in effect since October 15, 2009 for an initial term of five (5) years that could be extended for five (5) additional and successive five-year terms at a base rent of \$2,500 per month, increased by 3% on the anniversary date for a current ground lease area of approximately 400 square feet (with no charge for the "staging" area) which is now approximately \$3,167 a month or \$38,000 per year; and

WHEREAS, T-Mobile and the City's telecommunication consultant The Center for Municipal Services (CMS), has negotiated an additional \$625 per month revenue for the additional 100 square feet equating to \$7,500 more revenue annually for the site (for a total of \$3,791.93 per month or \$45,503.16 annually), leaving all the original provisions of the lease agreement in place including an annual 3% rent increase.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hercules authorizes the City Manager to Execute Lease Amendment No. 1 for an additional ground lease of approximately 100 square feet with T-Mobile within the existing fenced area shown in the Exhibit attached to the Lease Amendment Agreement No. 1 at 998 Turquoise Drive in Hercules.

The foregoing Resolution was duly and regularly adopted at a meeting of the City Council of the City of Hercules held on the 13th day of November 2018 by the following vote of the Council:

AYES:
NOES:
ABSTAIN:
ABSENT:

Chris Kelley, Mayor

ATTEST:

Lori Martin, Administrative Services Director &
City Clerk

Attachment : Lease Amendment No. 1 with Exhibits A & B