



Legislation Text

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File #: AM No. 20-075, Version: 1

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**MEMO TO:** Members of the City Council

**FROM:** Mayor Angela Birney

**SUBJECT:**

Approval of Amendment No. 3 to the Facility Lease for Telecommunications for Sprint Spectrum Realty Company, LLC for Antennas and Equipment on the Southeast Redmond Storage Tank

**I. RECOMMENDED ACTION**

Authorize the Mayor to sign Amendment No. 3 to the Facility Lease for Telecommunications for Sprint Spectrum Realty Company, LLC for its antennas and equipment on the Southeast Redmond Storage Tank.

**II. DEPARTMENT CONTACTS**

|                                 |              |
|---------------------------------|--------------|
| Malisa Files, Finance Director  | 425-556-2166 |
| Scott Thomasson, Sr. Engineer   | 425-556-2829 |
| Maria Ubezzi, Financial Analyst | 425-556-2144 |

**III. DESCRIPTION/BACKGROUND**

The City of Redmond leases its 6 water tanks to wireless companies for the operation of their antennas and equipment. There is a Capital Improvement Project for the SE Redmond Tank that includes substantial rehabilitation, including new paint, both inside and outside, and structural improvements. The structural improvements include:

- Improved foundation
- Piping reconfiguration
- New seismic shutoff valve
- Tank shell reinforcement
- New handrail to support the replaced antennas
- New vertical cable trays

To complete this work the telecommunication antennas, radios, and cabling need to be removed from the tank. The current carrier tenants (Verizon, T-Mobile, Sprint, and Clearwire) will construct a new temporary tower on the SE Redmond Tank Property and relocate their antennas while the upgrades occur. Lease amendments for all carriers will need to be executed to document the relocation of the carriers' antenna facilities from the tank to the temporary tower. Specifically, these amendments replace the existing exhibits that illustrate the deployment of the telecommunications facilities on the tank with exhibits showing the new attachments to the temporary tower. The lease amendments include that the tower is temporary, and that a new amendment or lease agreement will need to be entered into by the parties to allow for the relocation of the telecommunications facilities back onto the tank following the rehabilitation project. Further, the lease amendments clarify that the City expects the carriers to pay for the costs associated with the relocation, including all permitting requirements.

The existing lease agreements for 3 of the 4 carriers have delegation of authority allowing the Mayor to approve the amendments, however Sprint's lease does not. City Staff is requesting approval by the City Council of the amendment to the Sprint lease. Further, City Staff is requesting that the City Council also approve adding a section to the Lease, delegating authority to the Mayor to approve and execute all future amendments to the Lease, consistent with the other leases on this SE Redmond Tank.

**A. Analysis**

Relocation of Sprint's facilities from the tank is essential in order for the City to commence the rehabilitation project. The City has the right to require the relocation under the current Lease, the requested amendment is to clarify the exact location and timeline for the relocation, as well as the limited duration of the relocation on the temporary tower. Considering the need to apply for permits and the date by which all facilities must be off the tank before 8/31/2020, it is important that the parties amend the Lease as soon as possible to enable the completion of the work before the deadline.

**IV. PREVIOUS DISCUSSIONS HELD**

Discussion was held at the Finance, Administration and Communications Committee of the Whole on May 26, 2020.

**V. IMPACT**

**A. Service/Delivery:**

There should be no disruption of service to the Community. The four cell providers currently at the site are coordinating to move to the temporary tower. Assuming approval of all the leases, the acquisition of all necessary permits, and construction of the tower and antennas before August 31<sup>st</sup> service will continue as usual.

The Construction Division Project Engineer is coordinating with the Communications Division for notices to be sent to the neighborhood on the details of the project.

**B. Fiscal Note:**

There is no financial impact to the City based on this amendment. Sprint currently pays \$24,703.77 on an annual basis with regular CPI increases, that will continue until the end of the

lease.

**VI. ALTERNATIVES TO STAFF RECOMMENDATION**

Council could choose to approve the attached amendment, approve the amendment with changes or not approve the amendment. If the amendment were not approved, the City would need to terminate the service at the project site until such time as an acceptable lease amendment could be brought forward to Council.

**VII. TIME CONSTRAINTS**

All telecommunication antennas and infrastructure attached to the tank need to be removed by 8/31/20. The carriers will need time to go through the permitting process in order to move their antennas to the temporary location.

**VIII. LIST OF ATTACHMENTS**

Attachment A: Amendment to Facility Lease

Attachment B: Proposed Temporary Tower

Attachment C: Site Map

Attachment D: Equipment Photos

Attachment E: Cable Examples

Attachment F: Equipment and Cable Tray Examples