



Folsom City Council Staff Report

MEETING DATE:	12/12/2023
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11141 – A Resolution Authorizing the City Manager to Execute a Communications Site License Agreement with Comcast Cable Communications Management, LLC, a Delaware Limited Liability Company, at 403 Stafford Street
FROM:	Parks and Recreation Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends the City Council approve Resolution No. 11141 – A Resolution Authorizing the City Manager to Execute a Communications Site License Agreement with Comcast Cable Communications Management, LLC, a Delaware Limited Liability Company, at 403 Stafford Street.

BACKGROUND / ISSUE

In 1986, the City entered into a Communications Site Lease Agreement with Sacramento Cable Television, a partnership of the Scripps Howard Cable Company of Sacramento and River City Cablevision, for the site at 403 Stafford Street on the City Hall Campus, with plans to construct a tower with cable television equipment. The initial term commenced on April 11, 1986, and was scheduled to expire on December 23, 2003.

In 1998, Amendment No. 1 revised the name of the lessor to Comcast Cablevision of Sacramento by Comcast Cablevision of Sacramento, Inc, a Delaware corporation, a general partnership. Additionally, Amendment No. 1 allowed for some minor site improvements, and adjusted the improvements section, and the terms of the lease. The initial term of the lease was extended through December 31, 2008, and maintained the option to renew for one fifteen (15) year extension from the date of expiration.

In 2005, Amendment No. 2 revised the name of the lessor to Comcast of California III, LLC, allowed for minor site improvements, made revisions to the rent, and modified the options for

extension from one fifteen-year extension to three additional five-year terms that are renewed automatically. To date, all automatic renewals have been exhausted, and the final extension is set to expire on December 31, 2023.

POLICY / RULE

In accordance with Chapter 2.36 of the Folsom Municipal Code, supplies, equipment, services, and construction with a value of \$70,952 or greater shall be awarded by the City Council.

ANALYSIS

The final extension of the City’s Communications Site License Agreement with Comcast of California III, LLC, to utilize the space at 403 Stafford Street is slated to expire on December 31, 2023. Comcast reached out to the City to initiate a new agreement with updated terms and conditions and to continue the use of the space. The major terms and conditions of the proposal are highlighted below:

1. Ground area not to exceed 1,958 square feet.
2. Initial annual lease rate of \$9,517 with an annual escalator of 3%.
3. An initial lease term of 5 years with 3 automatic renewals of 5 years each for a total possible lease term of 20 years.

FINANCIAL IMPACT

The total value of the license agreement, inclusive of renewal option years, would be \$255,725.35 over the 20-year period. The City Attorney’s Office has reviewed and approved the license agreement as to form.

ENVIRONMENTAL REVIEW

Environmental review is not required pursuant to section 15301 of the CEQA Guidelines (related to Existing Facilities) and section 15303 of the CEQA Guidelines (related to new construction or conversion of small structures). Based on the staff’s analysis, none of the exceptions in Section 15300.2 of the CEQA Guidelines apply to the use of the categorical exemptions in this case.

ATTACHMENTS

Resolution No. 11141 – A Resolution Authorizing the City Manager to Execute a Communications Site License Agreement with Comcast Cable Communications Management, LLC, a Delaware Limited Liability Company, at 403 Stafford Street.

Submitted,

Kelly Gonzalez, Parks & Recreation Director

RESOLUTION NO. 11141

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A COMMUNICATIONS SITE LICENSE AGREEMENT WITH COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AT 403 STAFFORD STREET

WHEREAS, Comcast Cable Communications Management, LLC requests a Communications Site License Agreement with 1,958 square feet of lease space; and

WHEREAS, the new agreement will commence on January 1, 2024, and is for five years with three automatic five year renewals with an expiration date of December 31, 2044; and

WHEREAS, the total value of the license agreement, inclusive of renewal option years, would be \$255,725.35 over a 20-year period; and

WHEREAS, the agreement will be in a form acceptable to the City Attorney:

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes the City Manager to execute a Communications Site License Agreement with Comcast Cable Communications Management, LLC, a Delaware Limited Liability Company, at 403 Stafford Street.

PASSED AND ADOPTED this 12th day of December 2023, by the following roll-call vote:

AYES: Councilmember(s):
NOES: Councilmember(s):
ABSENT: Councilmember(s):
ABSTAIN: Councilmember(s):

Rosario Rodriguez, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

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