



Folsom City Council Staff Report

MEETING DATE:	6/28/2022
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10878 – A Resolution Authorizing the City Manager to Execute a Communications Site License Agreement with T-Mobile West LLC, at Cummings Family Park
FROM:	Parks and Recreation Department

RECOMMENDATION / CITY COUNCIL ACTION

Move to approve Resolution No. 10878 – A Resolution Authorizing the City Manager to Execute a Communications Site License Agreement with T-Mobile West LLC, at Cummings Family Park.

BACKGROUND / ISSUE

The City of Folsom entered into a Communications Site License Agreement with Pacific Bell Wireless, LLC, a Nevada limited liability company, doing business as Cingular Wireless dated September 16, 2002, for twenty years. The agreement was effective on October 8, 2002, and expiring on October 7, 2022. T-Mobile USA acquired Cingular Wireless in California and Nevada in 2004.

T-Mobile West LLC (a Delaware limited liability company) desires to continue a Communications Site License Agreement at Cummings Family Park. Upon review of the current site license agreement, it was determined by staff that a new agreement for ten (10) years with three (3) automatic five (5) year renewals should be pursued instead of extending the existing lease so the new agreement is up to the City's current standards. The lease area is approximately 784 square feet with antennas secured to an existing Pacific Gas and Electric (PG&E) tower. The new agreement will commence October 8, 2022, and expire on or before October 7, 2047, with a total value of \$1,483,371. The annual amount in year 1 is \$40,000 and the agreement includes an annual 3% escalator as shown in Exhibit D of the agreement.

POLICY / RULE

The City Manager shall receive City Council authority to execute contracts in excess of \$66,141.

ANALYSIS

T-Mobile US, Inc. will enter into a new Communications Site License Agreement at Cummings Family Park for an initial term of ten (10) years with three (3) automatic five (5) year renewals that will commence on October 8, 2022, and expire on or before October 7, 2047. The lease space is approximately 784 square feet, and the total value of the agreement is \$1,483,371.

This amendment will be in a form acceptable to the City Attorney.

FINANCIAL IMPACT

The annual amount in year one is \$40,000 and increases annually by 3% with a total agreement value of \$1,483,371 disbursed over twenty-five (25) years.

ENVIRONMENTAL REVIEW

This project is Categorical Exempt from the California Environmental Quality Act (CEQA) regulation under Section 15301 (Existing Facilities) of the CEQA Guidelines.

ATTACHMENT

1. Resolution No. 10878 – A Resolution Authorizing the City Manager to Execute a Communications Site License Agreement with T-Mobile West LLC, at Cummings Family Park

Submitted,

Lorraine Poggione, Parks and Recreation Director

RESOLUTION NO. 10878

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A COMMUNICATIONS SITE LICENSE AGREEMENT T-MOBILE WEST LLC, AT CUMMINGS FAMILY PARK

WHEREAS, T-Mobile West LLC requests a Communications Site License Agreement with 784 square feet of lease space; and

WHEREAS, the new agreement will commence October 8, 2022, and is for ten (10) years with three (3) automatic five (5) year renewals with an expiration date October 7, 2047; and

WHEREAS, the license fee for the first year will be \$40,000 and will increase each year thereafter by 3%; and

WHEREAS, the total value of the agreement is \$1,483,371 to be paid at the yearly rate shown in Exhibit D of the agreement; 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 T-Mobile West LLC, at Cummings Family Park.

PASSED AND ADOPTED this 28 day of June, 2022, by the following roll-call vote:

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

Kerri M. Howell, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

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