



STAFF REPORT

MEETING DATE: October 25, 2023

PRESENTER: John Jansons, City Manager

SUBJECT: First Amendment to Cellular Tower Site Lease with Fresno MSA Limited Partnership dba Verizon Wireless (JJ)

RECOMMENDATION: Council by motion adopt resolution approving First Amendment to Cellular Tower Site Lease with Fresno MSA Limited Partnership dba Verizon Wireless and authorize City Manager to execute all related documents.

DISCUSSION: In 2001, an initial lease for a cellular tower site located at 15201 W. California Avenue was approved by City Council and subsequently renewed and extended over time.

In November 2007, the current lease for the same location was approved by City Council. The current lease is set to expire on December 31, 2023 and by mutual agreement the respective parties wish to extend the lease.

The basics lease extension business terms are as follows:

Term: Five (5) Years

Automatic Extensions: Five (5) additional terms of Five (5) Years each.

Termination: Lessee to provide Thirty (30) days' notice Prior expiration of Initial Extension Term or then-current Additional Extension Term.

Rent: Commencing January 1, 2024, rent shall be (Twenty One Thousand Dollars) \$21,000 per year, paid monthly.

Rent Increase: Shall be two and one half percent per year (2.5%) effective January 1, 2025.

Adoption of the proposed resolution (Attachment 'A') will authorize execution of the "First Amendment to Site Lease" presented as Exhibit 'A' to the resolution. Attachment 'B' to this report is the 2007 Lease.

ATTACHMENTS:

- A. Resolution w/Exhibit
- B. 2007 Lease

RESOLUTION NO. 23-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN APPROVING FIRST AMENDMENT TO SITE LEASE WITH FRESNO MSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS FOR CELLULAR TOWER LOCATED AT 15201 W. CALIFORNIA AVENUE.

WHEREAS, in 2001, the City of Kerman entered in to an initial Fresno MSA Limited Partnership d/b/a Verizon Wireless (Cellco Partnership) for a cellular phone transmission tower in 2001 which was renewed and extended; and

WHEREAS, in 2007, the City executed a new lease with Fresno MSA Limited Partnership d/b/a Verizon Wireless (Cellco Partnership) for continued use of City property for the subject cellular phone transmission tower; and

WHEREAS, the City was presented with renewal terms to extend this agreement in 2023 which were negotiated and ultimately agreed upon to the benefit of the City; and

WHEREAS, approval of the First Amendment to Lease (Exhibit 'A') is in the best interest of the community for the provision of telecommunication services and in the interest of the city by maintaining an important source of revenue.

NOW, therefore, the City Council of the City of Kerman resolves as follows:

SECTION 1. The above referenced recitals are true and correct.

SECTION 2. The City Council approves "First Amendment to Site Lease" incorporated herein as Exhibit 'A'.

SECTION 3. The City Manager is authorized to execute any and all documents necessary to complete this lease extension.

SECTION 4. This Resolution is effective upon adoption.

The foregoing Resolution was considered by the City Council to the City of Kerman at a regular meeting of said Council held on the 25th day of October 2023, and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

[Attestation on next page.]

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Marci Reyes
City Clerk