



STAFF REPORT

MEETING DATE: July 10, 2024

PRESENTER: John Jansons, City Manager

SUBJECT: Resolution Approving Cellular Tower Lease with T-Mobile West LLC, a Delaware limited liability company, for property located at 15061 West “C” Street, Kerman, also known as Assessor’s Parcel Numbers 023-204-14SU and 023-204-16SU (JAJ)

RECOMMENDATION: Council by motion adopt resolution approving Cellular Tower Lease with T-Mobile West LLC, a Delaware limited liability company, for property located at 15061 West “C” Street, Kerman California also known as Assessor’s Parcel Numbers 023-204-14SU and 023-204-16SU.

DISCUSSION:

In November of 2023, the City purchased the property located at 15061 West “C” Street for redevelopment as a new police station facility. Included in that purchase was an inactive on-site communications tower that is proposed for alteration and activation with equipment by T-Mobile West, LLC.

T-Mobile West, LLC (“T-Mobile”) has proposed a lease agreement (**Exhibit ‘A’** to the Resolution) to modify and use the tower to host its equipment to serve its customers and the local area. The negotiated lease terms were coordinated with and reviewed by the City Attorney, T-Mobile and the Central San Joaquin Valley Risk Management Authority to their mutual satisfaction. The City of Kerman supports the expansion of services that benefit our residents and businesses. Entering into a lease agreement to activate the tower is of mutual benefit to the City and the community.

The summarized terms of the proposed lease are as follows:

1. Term: 5 years (four, five year renewal options)
2. Rent: \$3,000 per month
3. Rent Escalation: 3% per/year upon anniversary date of lease
4. Access and Security; 24 hrs./day, seven days a week access
5. Utilities: To be paid directly by tenant to Utility or if sub-metered to Owner
6. Modifications: At Tenant’s Expense – to include change in fencing.

As stated, a significant condition of the lease is that T-Mobile West LLC, undertake modifications of the existing monopole to accommodate their equipment. T-Mobile’s engineers have proposed modifications that include shortening the height of the monopole to enhance its stability as well as other improvements to the facility.

As part of its due diligence, the City commissioned Cornerstone Structural Engineering Group (CSEG) to peer review T-Mobile's proposed alterations and CSEG agreed that the proposed alterations were appropriate and recommended acceptance by the City. Additional modifications to access and fencing will be completed by T-Mobil in coordination with the redevelopment of the site as approved by the City.

ATTACHMENTS:

- A. Resolution w/Exhibit

Attachment 'A'

RESOLUTION 24-__

A RESOLUTION OF THE CITY COUNCIL OF KERMAN, CALIFORNIA APPROVING LEASE WITH T-MOBILE WEST LLC, A DELAWARE LIMITED LIABILITY COMPANY FOR USE OF EXISTING COMMUNICATION TOWER LOCATED AT 15061 WEST "C" STREET, KERMAN, CA. ALSO KNOWN AS FRESNO COUNTY ASSESSOR'S PARCEL NUMBERS 023-204-14SU AND 023-204-16SU.

RECITALS

WHEREAS, on September 27, 2023, the City Council of the City of Kerman approved Resolution 23-80 authorizing the Purchase of Real Property 15061 West "C" Street, also known as Fresno County Assessor's Parcel Numbers 023-204-14SU and 023-204-16SU; and

WHEREAS, the Real Property includes an existing communications tower: and

WHEREAS, T-Mobile West LLC, wishes to improve, modify and lease said tower for use as a cellular communications facility; and

WHEREAS, T-Mobile West LLC shall make alterations and improvements to the tower, supporting equipment and facility acceptable to, and at no cost to, the City; and

WHEREAS, the City finds it beneficial to lease the tower and support telecommunication improvements in the community; and

WHEREAS, the City has received and agreed to the proposed lease presented herein as **Exhibit 'A'**.

NOW, THEREFORE, the City Council of the City of Kerman, California resolves as follows:

- Section 1. The above recitals are true and correct and incorporated herein by reference.
- Section 2. The City Council approves the Lease (**Exhibit 'A'**) for Communication Tower use by T-Mobile West LLC,
- Section 3. The City Manager is hereby authorized to make minor modifications as needed to perfect the lease and execute all documents necessary as approved by the City Attorney.
- Section 4. This resolution is effective upon adoption.

The foregoing resolution was introduced and adopted by the City Council of the City of Kerman at a regular meeting held on the 10th day of July 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
City Clerk