



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: June 27, 2023

REQUESTER: Nathan Madenwald, Utilities Engineer

PRESENTER: Nathan Madenwald, Utilities Engineer

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT NO. 3 TO CONTRACT K-0506-151; BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND NEW CINGULAR WIRELESS PCS, LLC, INCREASING THE MONTHLY LEASE PAYMENT BY \$100 FOR THE CELLULAR LEASE AT THE BROOKHAVEN WATER TOWER TO ALLOW FOR THE INSTALLATION OF AN EMERGENCY GENERATOR.

BACKGROUND:

The Norman Utilities Authority (NUA) leases ground space and space on water towers to communication companies where the proposed use does not impact the mission of the NUA or other City departments. Revenue from leases on the water towers are an income source to the water fund.

The Norman Utilities Authority (NUA) approved Contract K-0506-151 with AT&T on June 13, 2006, to lease space for telecommunication equipment on the Brookhaven Water Tower located at 4151 West Robinson. On December 9, 2014, the NUA approved Amendment No. 1 to the contract increasing the monthly rate and the annual rate adjustment. On February 18, 2018, the NUA approved Amendment No. 2 to the contract increasing the monthly rate to account for additional equipment added to the tower and the transfer of the agreement from AT&T to Cingular (New Cingular Wireless PCS, LLC).

DISCUSSION:

Cingular has requested that an emergency generator be installed at the site to ensure service reliability for their equipment and their customers. Staff has negotiated the terms of Amendment No. 3 to Contract K-0506-151 with Cingular. The amendment includes: (1) Exhibit 1-A which identifies the location of the generator; (2) a requirement that the generator have a Level III sound enclosure to minimize noise to adjacent properties when generator is ran during emergency conditions; and (3) an increase to the lease rate by \$100 per month beginning six months after approval of this amendment to allow for time to install the equipment.

RECOMMENDATION:

Staff recommends the NUA approve Amendment No. 3 to Contract K-0506-151 with New Cingular Wireless PCS, LLC, to increase the monthly rent by \$100 and install an emergency generator to serve their facilities at the Brookhaven Water Tower.