



Memorandum

To: Mayor Nelson and Members of the City Council

From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer

Date: June 30, 2025

Subject: Fifth Amendment to Tower Lease Agreement – T-Mobile

T-Mobile (through Sprint Spectrum Realty Company, LLC) has submitted an executed Fifth Amendment to its Tower Lease Agreement with the City for its antenna facilities located at 8249 Arthur Street NE. The lease expired on December 31, 2024. This amendment reinstates and restates the lease under its existing terms, with modifications, for an additional five-year term from January 1, 2025, through December 31, 2029.

The key terms of the agreement include:

- **Term Extension:** A five-year renewal term beginning January 1, 2025, and ending December 31, 2029.
- **Rent Adjustment:** An increase of \$200/month in base rent, effective January 1, 2025. This amount is in addition to the existing rent, which will continue to escalate annually based on the CPI. The additional \$200 will remain flat during the five-year term and will become subject to escalation if the lease is extended again. T-Mobile will pay any unpaid increase retroactive to January 1, 2025, within 30 days of full execution.
- **Holdover Provisions:** If T-Mobile remains after the lease term, monthly rent will increase by 5% over the last month's rate. If the City directs T-Mobile to vacate and they do not comply, rent increases to 150% of that amount until removal.
- **Notice Provisions:** Updated addresses for legal notices to both parties.
- **Planned Maintenance:** The City disclosed its intent to perform tower maintenance and reaffirmed the 120-day notice requirement for equipment relocation at the company's expense.
- **Termination Clause:** Updated to require one-year prior notice by T-Mobile for termination, replacing the previous 120-day notice period.

Staff recommends that the City Council approve the Fifth Amendment to the Tower Lease Agreement with T-Mobile and authorize the Mayor and City Administrator to execute the amendment on behalf of the City.

If you have any questions, please do not hesitate to contact me at 763-784-6491.