



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: October 17, 2022		Subject: Resolution No. 3002 Authorizing the City Manager to enter into the First Amendment to Communications Facility Ground Lease with Clackamas 800 Radio Group for the use of City-owned property on Level C reservoir parcel as a wireless communication facility tower site. Staff Member: Delora Kerber, Public Works Director Department: Public Works	
Action Required		Advisory Board/Commission Recommendation	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input checked="" type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: N/A	
Staff Recommendation: Staff recommends Council adopt the Consent Agenda.			
Recommended Language for Motion: I move to adopt the Consent Agenda.			
Project / Issue Relates To:			
<input type="checkbox"/> Council Goals/Priorities:	<input type="checkbox"/> Adopted Master Plan(s):	<input checked="" type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

Approval of the First Amendment to the Communication Facility Ground Lease with Clackamas 800 Radio Group for the use of the Level C Reservoir property as a wireless communication facility tower site.

EXECUTIVE SUMMARY:

Clackamas 800 Radio Group (C800 Group) owns and operates a public safety voice and data communications system that benefits public safety providers who protect the citizens of Clackamas County. C800 Group is an ORS 190 cooperative intergovernmental agency established in 2000. The organizational and governance format of C800 Group provides public safety communications benefiting first responders, emergency medical service providers and the public they serve through cooperative, partner-managed, information sharing, and communication systems/operations.

In August 2019, the City signed the original Ground Lease agreement with C800 Group to lease 3003 square foot area within the Reservoir property to install a 180.0 feet tall lattice communications tower, equipment building and generator. The agreement also included an access easement and a utility easement on the property.

After execution of the Ground Lease and at completion of construction of the facility, it was determined that the C800 Group placed an electrical transformer and associated power cables in an unauthorized location in the middle of Reservoir Property in violation of the Ground Lease.

Staff upon review, determined the transformer could remain in its current location with the stipulation the C800 Group agreed to relocate the equipment in the future, if needed, at their expense.

Thus, the First Amendment agreement was created to memorialize the arrangement related to future relocation as well as identify other actions the C800 Group needed to perform to allow the transformer to remain where currently situated.

Additionally, the First Amendment agreement includes updated exhibit maps and legal descriptions for the ground lease, access area and utility easement along with updated as-built survey and construction drawings that reflect current situation.

In April 2022, the C800 Group signed the First Amendment agreement and in August 2022, they completed all the requirements of the agreement.

EXPECTED RESULTS:

The project will provide enhanced communications for public safety agencies as part of a larger communications network project

TIMELINE:

N/A

CURRENT YEAR BUDGET IMPACTS:

N/A

COMMUNITY INVOLVEMENT PROCESS:

N/A

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

The cell tower facility will be used by Clackamas 800 Radio Group (C800) and Washington County Consolidated Communication Agency (WCCCA) for communications by police, fire and other emergency services providers as well as schools, transit and public works operations in the Wilsonville and SE Tualatin areas.

ALTERNATIVES:

None.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Resolution No. 3002
 - A. First Amendment to the Communication Facility Ground Lease