



Legislation Details (With Text)

**File #:** 19-1081      **Version:** 1      **Name:**  
**Type:** Agreement      **Status:** Agenda Ready  
**File created:** 11/7/2019      **In control:** BOARD OF SUPERVISORS  
**On agenda:** 11/19/2019      **Final action:**  
**Title:** Approve Amendment No. 2 to Facility Space License Agreement with T-Mobile West LLC.  
**Sponsors:** Public Services  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. 20191107151706

Date	Ver.	Action By	Action	Result
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**MEMORANDUM**

**TO:** Board of Supervisors  
**FROM:** Lars Ewing, Public Services Director  
**DATE:** November 19, 2019  
**SUBJECT:** Amendment No. 2 to Facility Space License Agreement with T-Mobile West LLC.

**EXECUTIVE SUMMARY:**

T-Mobile leases tower space from the County on Buckingham Peak to accommodate their cellular equipment. The 2009 lease agreement is set to expire this month. The attached Amendment Two amends the 2009 contract with T-Mobile relative to its occupancy on the County’s Buckingham Peak communications site.

The current Agreement provides an annual license fee of \$39,853 which is adjusted annually by four percent (4%). The proposed amendment reduces that annual adjustment to three percent (3%) and provides for the following:

1. An immediate increase in the annual license fee to \$42,0000
2. An extension of five successive Terms of five years each for a total of up to 25 years.
3. A “rent guarantee” whereby should T-Mobile terminate the Agreement, they will still be obligated to pay rent for the entirety of the remaining portion of the 5-year Term then in effect.

**FISCAL IMPACT:**  None  Budgeted  Non-Budgeted  
 Estimated Cost:  
 Amount Budgeted:  
 Additional Requested:  
 Annual Cost (if planned for future years):

**FISCAL IMPACT (Narrative):** While the amendment reduces the annual adjustment, the fiscal impact of that reduction is offset to a great extent by increasing the base rent to \$42,000.

**STAFFING IMPACT (if applicable):** None

**RECOMMENDED ACTION:** Approve Amendment No. 2 to the Facility Space License Agreement with T-Mobile West LLC. and authorize the chair to sign and initial where applicable.