



Legislation Details (With Text)

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File created: 10/15/2019 **In control:** Board of Supervisors

On agenda: 1/5/2021 **Final action:** 1/5/2021

Title: Chief Administrative Office, Facilities Division, recommending the Board consider the following:
 1) Approve and authorize the Chair to sign retroactive Site License Agreement 4457, with Cellco Partnership, doing business as Verizon Wireless for the County-owned cell tower located at 1352 Johnson Blvd to extend the term for two (2) years through September 30, 2021, retroactive to October 1, 2019. The Site License Agreement also provides for one (1) automatic Option term for an additional three (3) years; and
 2) Authorize the Purchasing Agent or designee, to execute further documents relating to Site License Agreement 4457 contingent upon approval by County Counsel and Risk Management.

FUNDING: General Fund (Revenue Generating).

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Blue Route Approval, 2. B - Site License Agmt No. 4457, 3. Executed Telecommunications Site License Agreement

Date	Ver.	Action By	Action	Result
1/5/2021	1	Board of Supervisors	Approved	Pass

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 2) Authorize the Purchasing Agent or designee, to execute further documents relating to Site License Agreement 4457 contingent upon approval by County Counsel and Risk Management.

FUNDING: General Fund (Revenue Generating).

DISCUSSION / BACKGROUND

Space on the County's cell tower located at 1352 Johnson Boulevard was first leased to Mountain Cellular November 2, 1999 under Lease Agreement 355-O9911. Mountain Cellular was acquired by the Cellco Partnership (Verizon Wireless) in December 2004 and there have been four amendments to the original Agreement #355-O991 which expired September 30, 2019.

The original terms of Lease Agreement #355-O9911 called for no monies exchanging hands as long as this agreement and Sheriff's Lease Agreement #069-L0011 (Union Hill) were in effect. Amendment II (signed 12-12-06) to Lease Agreement 355-O9911 was then executed to provide \$450 per month to the County for the Johnson Blvd site which has since expired.

Working with County Counsel the determination was made that this agreement needed to switch to a

Site License Agreement versus a Lease Agreement. The Division began working with Verizon on this new agreement in early summer of 2019 and has documented well over three dozen communications with Verizon over the past several months as they were slow to respond and work out the details of the new Site License Agreement which created a situation resulting in this retroactive agreement.

With the new Site License Agreement, the rate effective October 1, 2019 will be \$1,750 per month, \$21,000 per year.

ALTERNATIVES

The Board could decline the annual revenue of \$21,000 and Verizon would need to locate a different space to hold their communications equipment.

PRIOR BOARD ACTION

N/A

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

This is a revenue generating agreement to the County of \$21,000 annually in the General Fund.

CLERK OF THE BOARD FOLLOW UP ACTIONS

The Clerk of the Board will obtain the Chair's signature on the Amendment and forward one original to the Division for processing.

STRATEGIC PLAN COMPONENT

Infrastructure, Good Governance

CONTACT

Russ Fackrell
Facilities Division Manager