



Legislation Text

File #: 17-531, **Version:** 1

TITLE:

Authorization to Renew and Amend T-Mobile South LLC Lease Agreement for Communication Antenna Co-Location on Town Hall Tower

PURPOSE: T-Mobile South LLC has expressed interest in renewing their antenna co-location lease agreement for the Town's telecommunications tower. The expiration of the lease that is being amended is 2/28/19 and staff has been working with the applicant to negotiate the lease renewal. The proposed lease amendments have been reviewed by the Town Attorney and Finance Director. The Board of Aldermen is requested to adopt the attached resolution authorizing the Town Manager to execute the amended lease agreement.

DEPARTMENT: Town Attorney, Finance Office, Manager's Office

CONTACT INFORMATION: Bob Hornik, Arche McAdoo 919-918-7439, Rebecca Buzzard 919-918-7438

INFORMATION: N.C. G.S. 160A-272 requires Board approval of contracts leasing or renting town property. The proposed lease amendment with T-Mobile South LLC states that at the expiration of the Lease, the term of the lease will automatically be extended for two (2) additional and successive five (5) year terms. An additional requirement for such leases is that the Town provide public notice of the intent to enter into such a lease agreement. A notice was published April 12, 2018 in the Durham Herald-Sun.

FISCAL & STAFF IMPACT: The contract stipulates an annual payment to the Town of \$45,000.00 in advance. Rent shall be adjusted annually, effective on each anniversary of the renewal term, by an amount equal to three percent (3%) over the rent for the immediately preceding year.

RECOMMENDATION: Town staff recommends that the Board authorize the Town Manager to execute a renewal lease agreement with T-Mobile.