

MONTEREY COUNTY BOARD OF SUPERVISORS

MEETING: February 7, 2012 - Consent	AGENDA NO.: 27
SUBJECT: a. Approve Amendment No. 1 to Wireless Communication Site Lease Agreement with New Cingular Wireless PCS, LLC, 1410 Natividad Road, Salinas, California, to correct the legal description of real property and correct and establish a description of the Lease Area consistent with its actual location and square footage and location of installed equipment; and b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 1 to Wireless Communication Site Lease Agreement with New Cingular Wireless PCS, LLC, 1410 Natividad Road, Salinas California.	
DEPARTMENT: RMA - Public Works	

RECOMMENDATIONS:

It is recommended that the Board of Supervisors:

- a. Approve Amendment No. 1 to Wireless Communication Site Lease Agreement with New Cingular Wireless PCS, LLC, 1410 Natividad Road, Salinas, California, to correct the legal description of real property and correct and establish a description of the Lease Area consistent with its actual location and square footage and location of installed equipment; and
- b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 1 to Wireless Communication Site Lease Agreement with New Cingular Wireless PCS, LLC, 1410 Natividad Road, Salinas California.

SUMMARY/DISCUSSION:

On June 7, 2006, the County of Monterey entered into a Wireless Communication Site Lease Agreement (Lease Agreement) with New Cingular Wireless PCS, LLC (New Cingular). The executed Lease Agreement contains a legal property description and exhibit that describes the leased area upon which the Lessee's equipment was to be installed. Subsequently, it was discovered, while preparing a Grant of Easement for the same site, that that legal property description contains inaccuracies. Additionally, actual field conditions proved infeasible for the installation of the telecommunications equipment exactly within the designated lease areas, and the equipment was installed outside the specified area.

Amendment No. 1 to the Lease Agreement will correct the legal description of the real property in the Lease Agreement and also correct and establish a description of the lease area consistent with its actual location and square footage and provide an accurate location of the installed equipment. Additionally the County's and Lessee's Notice information will be updated. All other terms and conditions of the Lease Agreement remain unchanged and in full force.

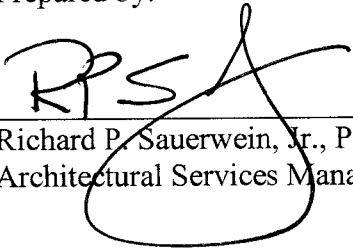
OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel, and Auditor-Controller, have reviewed and approved Amendment No. 1 to the Lease Agreement as to form and legality, and fiscal provisions, respectively.

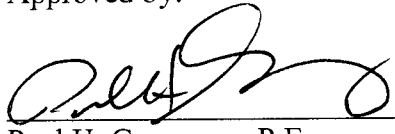
FINANCING:

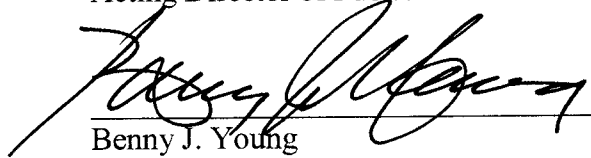
There is no financial impact to the General Fund. Amendment No. 1 contains no financial changes to the existing terms of the Lease Agreement.

Prepared by:


Richard P. Sauerwein, Jr., P.E. (831)796-3071
Architectural Services Manager

Approved by:


Paul H. Greenway, P.E.
Acting Director of Public Works


Benny J. Young
RMA Director

Dated: January 30, 2012

Attachments: Board Order; Amendment No. 1 to Wireless Communication Site Lease
Agreement between County of Monterey and New Cingular Wireless PCS, LLC