



Legislation Details (With Board Report)

File #: 14-124 **Name:** Amendment to Bryant Canyon Lease
Type: General Agenda Item **Status:** Passed
File created: 2/7/2014 **In control:** Board of Supervisors
On agenda: 2/25/2014 **Final action:** 2/25/2014

Title: a. Approve and authorize the Contracts / Purchasing Officer to sign the “First Amendment to Wireless Communication Site Lease Agreement” managed by the Information Technology Department between the County of Monterey and Crown Castle MU LLC subject to minor non-substantive changes agreeable to the County and approved by County Counsel to amend the agreement to add additional equipment for the NGEN Radio System project managed by Emergency Communications; and
b. Authorize an increase to the lease fees of \$1,000 per month beginning March 1, 2014 and annual increases as defined in the Wireless Communications Site Lease Agreement.

Sponsors:

Indexes:

Code sections:

Attachments: 1. WirelessCommunicationSiteLeaseAgreement, 2. ProposedFirstAmendment, 3. Completed Board Order, 4. Revised Completed Board Order

Date	Ver.	Action By	Action	Result
2/25/2014	1	Board of Supervisors	approved	

a. Approve and authorize the Contracts / Purchasing Officer to sign the “First Amendment to Wireless Communication Site Lease Agreement” managed by the Information Technology Department between the County of Monterey and Crown Castle MU LLC subject to minor non-substantive changes agreeable to the County and approved by County Counsel to amend the agreement to add additional equipment for the NGEN Radio System project managed by Emergency Communications; and
b. Authorize an increase to the lease fees of \$1,000 per month beginning March 1, 2014 and annual increases as defined in the Wireless Communications Site Lease Agreement.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Contracts / Purchasing Officer to sign the “First Amendment to Wireless Communication Site Lease Agreement” managed by the Information Technology Department between the County of Monterey and Crown Castle MU LLC subject to minor non-substantive changes agreeable to the County and approved by County Counsel to amend the agreement to add additional equipment for the NGEN Radio System project managed by Emergency Communications; and
- b. Authorize an increase to the lease fees of \$1,000 per month beginning March 1, 2014 and annual increases as defined in the Wireless Communications Site Lease Agreement.

SUMMARY / DISCUSSION:

This First Amendment to Wireless Communication Site Lease Agreement (Amendment) will authorize changes to the use of the Bryant Canyon Radio Site near Soledad. The existing Wireless Communications Site Lease Agreement (Agreement) was approved by the County Board of Supervisors on June 24, 2008. The Agreement has an Extension option clause which provides for the Agreement to be “automatically be extended for three (3) additional five (5) year terms”.

The Board approved the Agreement with non-county standard liability and indemnification provisions due to the fact that the radio communications equipment installed at this site helped to expand the radio communications coverage and connectivity for public safety agencies within south county as well as Emergency Communications. In addition, the microwave equipment at this site provides access to the county telecommunications network and redundant data network at a reduced cost. Some of the county departments in south county that benefit from the connectivity provided by the equipment located at Bryant Canyon are Health Department, Social Services, Ag Commissioner, Libraries, and District 3 Supervisor's Office.

The location of the Bryant Canyon radio communications site continues to be an essential location providing coverage in this region of the county. The existing usage will be increased to include additional equipment for the NGEN public safety radio system providing radio coverage along Highway 101 for the Sheriff and for the cities in south Monterey County.

The Lessor (Crown Castle) has offered a discount to complete this lease before March 1, 2014. The County has requested minor changes to the proposed amendment to clarify the parties and the total cost of the agreement. As the response has not yet been submitted by the Lessor, the Department requests that this agreement is approved subject to minor, non-substantive changes in order to meet the timeline for a discount.

OTHER AGENCY INVOLVEMENT:

This Agreement has been generally approved by County Counsel as to form. ITD has reviewed this agreement and confirmed their ability to meet the requirements of this Agreement related to ongoing occupancy. ITD will continue to manage this lease agreement.

FINANCING:

This Amendment will increase the monthly lease payment by \$1,000 per month and is paid annually. This amount will be paid by the Information Technology Department and recovered based on the cost sharing formulas in place at the time of each budget. The cost increase resulting from the NGEN project will be shared among users of the NGEN Radio system and has been budgeted in the Emergency Communications Budget for Fiscal Year 13/14 (EME001).

Transactions relating to future fiscal years will be included in each respective Recommended Budget with costs shared among users of the site as appropriate. Should funding be reduced and/or terminated, the County may terminate this agreement by giving thirty (30) days written notice of such action to the Lessor.

Prepared by: DeAnna Hilbrants, Administrative Manager, (831)769-8883

Approved by: William Harry, Director of Emergency Communications, (831)769-8880

Attachments:

Wireless Communication Site Lease Agreement

Proposed First Amendment to Wireless Communication Site Lease Agreement