



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #:	A 19-154	Name:	SBA LLC Site Lease Agreement
Type:	BoS Agreement	Status:	Passed - Information Technology Department
File created:	5/17/2019	In control:	Board of Supervisors
On agenda:	6/11/2019	Final action:	6/11/2019
Title:	a. Approve and authorize the Director of Information Technology or his designee to execute a non-standard Antenna Site Agreement with SBA Structures, LLC, for use of tower antenna and ground space for County telecommunications equipment, located at 3400 Red Wolf Drive, Carmel, CA, for a term of July 1, 2019 through June 30, 2024 in an amount not to exceed \$46,415; b. Authorize the Director of Information Technology or his designee to execute up to four (4) extensions of the Site Agreement of five (5) years each, with prior County Counsel review, provided the Site Agreement terms and conditions do not significantly change, and provided annual rent increases do not exceed 5% over the previous year's rent; and c. Accept non-standard terms and conditions as recommended by the Director of Information Technology.		

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. SBA Structures Antenna Site Agreement, 3. 48. Completed Board Order

Date	Ver.	Action By	Action	Result
6/11/2019	1	Board of Supervisors	approved - information technology department	

- a. Approve and authorize the Director of Information Technology or his designee to execute a non-standard Antenna Site Agreement with SBA Structures, LLC, for use of tower antenna and ground space for County telecommunications equipment, located at 3400 Red Wolf Drive, Carmel, CA, for a term of July 1, 2019 through June 30, 2024 in an amount not to exceed \$46,415;
- b. Authorize the Director of Information Technology or his designee to execute up to four (4) extensions of the Site Agreement of five (5) years each, with prior County Counsel review, provided the Site Agreement terms and conditions do not significantly change, and provided annual rent increases do not exceed 5% over the previous year's rent; and
- c. Accept non-standard terms and conditions as recommended by the Director of Information Technology.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Director of Information Technology or his designee to execute a non-standard Antenna Site Agreement with SBA Structures, LLC, for use of tower antenna and ground space for County telecommunications equipment, located at 3400 Red Wolf Drive, Carmel, CA, for a term of July 1, 2019 through June 30, 2024 in an amount not to exceed \$46,415;
- b. Authorize the Director of Information Technology or his designee to execute up to four (4) extensions of the Site Agreement of five (5) years each, with prior County Counsel review, provided the Site Agreement terms and conditions do not significantly change, and provided annual rent increases do not exceed 5% over the previous year's rent; and
- c. Accept non-standard terms and conditions as recommended by the Director of Information Technology.

SUMMARY/DISCUSSION:

On January 15, 2019, the Board of Supervisors approved execution of an Entry and Testing agreement with SBA Structures, LLC which enabled the County to perform radio site testing at 3400 Red Wolf Drive, Carmel, CA (Lobos Ridge). Testing of the Lobos Ridge site was successful, in that the site proved to be viable and useful for County public safety radio communications.

Accordingly, the Information Technology Department recommends that the County enter into a long-term lease with SBA Structures LLC in order to co-locate a single channel, public safety 2-way radio system, including transmitters and receivers and associated antenna systems, at the Lobos Ridge repeater site. This site is critical to providing radio communications coverage to Carmel-by-the-Sea, Carmel Highlands, the western portion of Carmel Valley, and portions of Pebble Beach and Carmel Hills; radio communications from this site enable regional law, fire, and ambulance services to these areas. Due to SBA Structures, LLC business practice, they will sign second to the County and return a fully executed lease for ITD contracts files.

OTHER AGENCY INVOLVEMENT:

County Counsel reviewed the Antenna Site agreement as to form. County Counsel does not approve the following non-standard provisions: interest on late payments, mutual indemnification obligations, payment of attorneys' fees in the event of dispute, annual rent escalation of 5% over the prior year, and automatic renewal provisions.

FINANCING:

Initial outlay of expense will be under Fund 001, Department 1930, ITD, Appropriation Unit INF002, and Unit 8436. There will be matching revenue to cover this cost by NGEN, who are the end users at this site.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Radio repeater equipment transmitting from this site provides critical public safety communications in, and around, Carmel-by-the-Sea, Carmel Highlands, the western portion of Carmel Valley, and portions of Pebble Beach and Carmel Hills.

☐ Economic Development
☐ Administration
☐ Health & Human Services
☒ Infrastructure
☒ Public Safety

Prepared by: Lynnette Beardsall, Management Analyst II, 759-6938

Approved by:

Date: _____
Eric A. Chatham, Director of Information Technology, 759-6920

Attachments: SBA Structures, LLC Antenna Site Agreement

Attachments on file with the Clerk of the Board

