



County of Monterey

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

Board Report

File #: A 22-470, **Version:** 1

Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the Second Amendment to the Wireless Communication Site Lease Agreement between the County of Monterey and New Cingular Wireless PCS, LLC, for certain Real Property located at 1410 Natividad Road, Salinas, California to modify and/or replace wireless equipment, increase the lease fee, update the notices section of the Agreement, and extend the term of the Agreement.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the Second Amendment to the Wireless Communication Site Lease Agreement between the County of Monterey and New Cingular Wireless PCS, LLC, for certain Real Property located at 1410 Natividad Road, Salinas, California to modify and/or replace wireless equipment, increase the lease fee, update the notices section of the Agreement, and extend the term of the Agreement.

SUMMARY/DISCUSSION:

The County of Monterey ("County") entered into a 20-year Site Lease Agreement ("Agreement") with New Cingular Wireless PCS, LLC ("New Cingular") on June 7, 2006, to operate and maintain a wireless communication site located at 1410 Natividad Road, Salinas, California. The Agreement was first amended on February 16, 2012, to correct the legal description of the leased area and to update the notices section of the Agreement.

Approval of the proposed Second Amendment to the Agreement will allow New Cingular to complete equipment upgrades and maintain compliance with current and future federal, state or local mandated applications, including but not limited to emergency 911 communications services as further described in Exhibit B-2 of the proposed Second Amendment. The current annual lease fee of \$34,494.21 will increase to equal \$47,641.32 commencing on the first day of the month following the date that New Cingular commences construction of the modifications set forth in the proposed Second Amendment, subject to three percent (3%) annual rent increase adjustments as provided in the Agreement. In addition, approval of the proposed Second Amendment will update the term of the Agreement to automatically be extended for one (1) additional (5) five-year term and provide updates to the notice section.

OTHER AGENCY INVOLVEMENT:

Information Technology Department has reviewed the plans and specification for the requested equipment upgrades by New Cingular. The Office of the County Counsel-Risk Management has reviewed the proposed Second Amendment as to form.

FINANCING:

The Board Report and proposed Second Amendment was developed by the PWFP Department staff and funded as part of the FY222-23 PWFP Adopted Budget, General Fund 001, Facilities Appropriation Unit PFP054.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This action supports the Board of Supervisors strategic initiative to promote sustainable, physical infrastructure that improves the quality of life for County residents and visitors and supports public safety by ensuring proper telecommunications infrastructure is sufficient for the Communities safety needs.

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

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Chief of Facilities

Approved by: Tom Bonigut, Assistant Director of Public Works, Facilities &
Parks

Approved by: Randell Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities & Parks

Attachments are on file with the Clerk of the Board:

- Attachment A - Location Map
- Attachment B - Site Lease Agreement
- Attachment C - First Amendment
- Attachment D - Second Amendment