



STAFF REPORT

RESOLUTION AMENDING LEASE AGREEMENT WITH AT&T WIRELESS FOR COMMUNICATIONS SITE LEASE AT THE BELMONT SPORTS COMPLEX

October 26, 2004

Honorable Mayor and Council Members:

Summary

AT&T Wireless is requesting an amendment to the site lease for their existing wireless communication facility at the Belmont Sports Complex. The amendment will permit AT&T Wireless to install two radio equipment cabinets on the existing concrete slab in the equipment area, replace two existing antennas with four antennas and complete a wooden fence around the existing equipment area.

Background & Discussion

In December of 1997 AT&T Wireless entered into a Lease Agreement with the City to use a portion of the Belmont Sports Complex for use as a wireless communications facility. In March 2001 the lease was amended to allow AT&T to expand the equipment pad by 30 square feet and replace the two antennas. A second amendment was approved in May of 2003 that allowed for the expansion of the equipment pad by 128 square feet for three equipment cabinets and for the reduction in size of two antennas from 8 feet to 4 feet in length.

The proposed third amendment to the lease will permit AT&T Wireless to install two equipment cabinets on the existing slab and replace two existing antennas measuring 48 inches long with four antennas that will not exceed 68 inches in length on the existing light pole. The amendment also requires the lessee to construct a wooden fence around the equipment area. The Planning Commission approved a Conditional Use Permit and Design Review for the modifications to the site at their September 7, 2004 meeting.

Fiscal Impact

The Lease Agreement requires a lease payment of \$1,854 per month. Pursuant to Section 3 of the Lease, monthly payments will be adjusted annually by the CPI (all urban consumers) for the San Francisco Bay Area on the anniversary date of the lease (December).

Annual lease payments total \$22,248.

Recommendation

It is recommended that Council adopt the attached Resolution amending the Lease Agreement with AT&T Wireless for a communications site lease at the Belmont Sports Complex.

Alternatives

1. Deny the Resolution.
2. Refer to staff for more information.

Attachments

1. Resolution.
2. Planning Commission Resolution.
3. Planning Commission Conditions of Project Approval Exhibit "A".

Respectfully submitted,

Karl Mittelstadt
Director of Parks & Recreation

Daniel Rich
Interim City Manager

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BELMONT AUTHORIZING AND DIRECTING THE CITY MANAGER
TO ENTER INTO AN AMENDED LEASE AGREEMENT WITH
AT&T WIRELESS FOR COMMUNICATIONS
SITE LEASE AT THE BELMONT SPORTS COMPLEX

WHEREAS, in 1997 AT&T Wireless entered into a lease agreement with the City for their wireless communication facility at the Belmont Sports Complex; and,

WHEREAS, on September 7, 2004, AT&T Wireless received City approval of a Conditional Use Permit to allow modifications to the existing wireless communication facility; and,

WHEREAS, execution of a third amendment to the lease agreement has been deemed necessary to complete the modifications for the communications facility for AT&T Wireless on property owned by the City of Belmont.

NOW, THEREFORE, BE IT RESOLVED, that the City Council authorizes and directs the City Manager to enter into the third amendment to the communications site lease agreement with AT&T Wireless to modify their existing facility at the Belmont Sports Complex, in a form approved by the City Attorney.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Belmont at a regular meeting thereof held on October 26, 2004 by the following vote:

AYES, COUNCILMEMBERS: _____

NOES, COUNCILMEMBERS: _____

ABSTAIN, COUNCILMEMBERS: _____

ABSENT, COUNCILMEMBERS: _____

CLERK of the City of Belmont

APPROVED:

MAYOR of the City of Belmont