

BILL NO. 17-185

AN ORDINANCE AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT TO A REAL PROPERTY AND MONOPOLE LEASE AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT AND T-MOBILE CENTRAL, LLC EXTENDING THE LEASE TERM AND INCREASING THE ANNUAL RENTAL PAYMENT.

WHEREAS, the City of Lee's Summit, Missouri currently owns a telecommunications tower located at the Fire Department Headquarters addressed as 209 SE Douglas Street; and,

WHEREAS, the City and T-Mobile Central LLC's (hereinafter "T-Mobile") predecessor company (APT Kansas City, Inc.) entered into a real property and monopole lease agreement that was executed on April 23, 1997, and which has reached the end of its final extension period; and

WHEREAS, T-Mobile has requested and staff recommends the lease be amended with respect to the term of the lease providing for up to four additional five (5) year terms with an increase in rental payment to Twenty-Six Thousand and 00/100 Dollars (\$26,000.00) with an annual adjustment of three percent (3%) which is consistent with the terms agreed to with other wireless telecommunications companies on such tower.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That the City Council of the City of Lee's Summit hereby approves and authorizes the execution, by the Mayor, of the First Amendment to a Real Property and Monopole Lease Agreement by and between the City of Lee's Summit and T-Mobile Central, LLC, a Delaware limited liability company, which his attached hereto as Exhibit "A" and incorporated herein by reference as if fully set forth herein.

SECTION 2. That this ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2017.

Mayor Randall L. Rhoads

ATTEST:

Deputy City Clerk Trisha Fowler Arcuri

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APPROVED by the Mayor of said City this _____ day of _____, 2017.

Mayor Randall L. Rhoads

ATTEST:

Deputy City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

*Chief Counsel of Infrastructure and Planning
Nancy K. Yendes*