

## Legislation Details (With Text)

<b>File #:</b>	BILL NO. 22-82	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed
<b>File created:</b>	4/12/2022	<b>In control:</b>	City Council - Regular Session
<b>On agenda:</b>	4/19/2022	<b>Final action:</b>	4/26/2022
<b>Title:</b>	An Ordinance approving the second amendment to a Real Property and Monopole Lease Agreement between the City of Lee's Summit and T-Mobile Central, LLC, to increase the annual rent, and authorizing the Mayor to execute the same. (NOTE: Read by Council on April 26, 2022. Passed by unanimous vote.)		

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Exhibit A to Ordinance: Second Amendment to T-Mobile Lease, 3. Supporting Document: Original Lease with APT Now T-Mobile, 4. Supporting Document: First Amendment to Lease

Date	Ver.	Action By	Action	Result
4/26/2022	1	City Council - Regular Session	adopted and numbered	Pass
4/19/2022	1	City Council - Regular Session	advanced to second reading	Pass

An Ordinance approving the second amendment to a Real Property and Monopole Lease Agreement between the City of Lee's Summit and T-Mobile Central, LLC, to increase the annual rent, and authorizing the Mayor to execute the same.

(NOTE: Read by Council on April 26, 2022. Passed by unanimous vote.)

**Issue/Request:**

Approve the second amendment to a lease agreement between the City and T-Mobile to increase the amount of rent T-Mobile pays to the City under the lease.

**Key Issues:**

The City of Lee's Summit (the "City") and APT Kansas City, Inc., entered into a real property and monopole lease agreement executed on April 23, 1997 ("Lease") at the Fire Department Headquarters addressed as 207 SE Douglas Street and attach telecommunications facilities to such monopole.

APT Kansas City, Inc. assigned its interests in the lease to T-Mobile Central LLC's ("T-Mobile"), and the Lease was amended on August 23, 2017, pursuant to Ordinance No. 8226, to extend the Lease term and increase the annual rent to reflect the fair market value.

T-Mobile is updating its facilities on the monopole and would like to add more of its facilities to the monopole. Because T-Mobile is adding more facilities to the monopole than originally approved under the Lease, the City and T-Mobile negotiated an \$2,700 increase in T-Mobile's annual rent to the City.

The increase shall take effect when the additional facilities are installed or by June 30, 2022, whichever occurs

first.

Proposed City Council Motion:

I move for adoption of an Ordinance approving the second amendment to a Real Property and Monopole Lease Agreement between the City of Lee's Summit and T-Mobile Central, LLC, to increase the annual rent, and authorizing the Mayor to execute the same.

Dan White, Chief Counsel of Management and Operations

Staff recommends approval