



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council

From: Ted Shekell, Planning Director
Walter Denton, City Administrator

Date: December 15, 2008

Subject: **RESOLUTION** Authorizing the Mayor to Sign an Acknowledgement and Amendment Agreement with Tower Co., LLC

List of committees that have reviewed: The Community Development Committee reviewed and unanimously recommended approving the lease amendment at its December 8, 2008, meeting with a vote of 4-0.

Background: The Sprint flagpole cell tower at Green Mount Road was sold by Sprint to Tower Co., who then leased the existing antenna array back to Sprint. The attached agreement authorizes assignment of the lease and authorizes the City to accept a \$5,000 payment as a lease transfer fee per the City's lease with Sprint. City special legal counsel, Dan Vogel, reviewed the attached agreement, and staff recommends approval.

Legal Considerations, if any: The Amended lease has been reviewed by Dan Vogel

Budget Impact: We will receive a lease assignment fee in the amount of \$5,000.

Staff Recommendation: Staff recommends approval of the lease amendment as proposed.