



CITY COUNCIL AGENDA REPORT

MEETING DATE: JANUARY 18, 2011

ITEM NUMBER: Item Number

SUBJECT: LEASE AGREEMENT WITH T-MOBILE WEST CORPORATION, A DELAWARE CORPORATION

DATE: NOVEMBER 17, 2010

FROM: ADMINISTRATIVE SERVICES DEPARTMENT

PRESENTATION BY: ANNA TELLEZ, TELECOMMUNICATIONS MANAGER

FOR FURTHER INFORMATION CONTACT: ANNA TELLEZ, TELECOMMUNICATIONS MANAGER
(714) 754-5142

RECOMMENDATION:

Staff recommends that Council approve the attached Lease Agreement with T-Mobile West Corporation, a Delaware corporation, having a mailing address of 2008 McGaw, Irvine, CA 92614, for a cell tower at the Costa Mesa TeWinkle Park and authorize the City Manager to sign the Agreement.

BACKGROUND:

T-Mobile approached the City about the possibility of placing a cell tower at the Costa Mesa TeWinkle Park. The design is called a stealth tower and it is used to blend the tower into the surrounding area aesthetics (Exhibit B).

The Lease Agreement is for \$24,000 per year with a 3% annual increase. The term is five (5) years, with five (5) year options.

ANALYSIS:

Proposed plans for the location of a cell tower by T-Mobile were reviewed by Public Services Engineering and Maintenance Divisions and the Recreation Division. They modified the proposed type and location of the cell tower.

The Planning Division of Development Services has reviewed the proposed location plans and found the proposal to be acceptable, per the Minor Conditional Use Permit ZA-09-43 (See Attachment).

ALTERNATIVES CONSIDERED:

The alternative would be to disapprove the request. This would not be consistent with Federal and State regulations regarding discrimination of personal wireless service providers.

FISCAL REVIEW:

The Lease Agreement would generate \$24,000 annual revenue to the General Fund. There is no negative fiscal impact to the City.

LEGAL REVIEW:

The City Attorney's Office has reviewed the attached documents and approved them 'as to form'.

CONCLUSION:

Staff recommends the City Council approve the proposed Lease Agreement with T-Mobile West Corporation, for a cell tower at 980 Arlington Drive.

ANNA TELLEZ

Telecommunications Manager

STEPHEN N. MANDOKI

Director of Administrative Services

KIMBERLY HALL BARLOW

City Attorney

ATTACHMENTS: 3 [Communications Site Lease Agreement](#)
Exhibit A - Legal Description of the Premises
Exhibit B - Depiction of Premises
Exhibit C - Tech. Requirements for Third Party
[Memorandum of Lease](#)
[Minor Conditional Use Permit ZA-09-43](#)