

**BOARD OF WATER COMMISSIONERS
RESOLUTION**

PRESENTED BY
COMMISSIONER _____

No. 14-57
DATE January 14, 2014

WHEREAS, the Board of Water Commissioners approved a Lease Agreement dated September 19, 1996 between the Board and Sprint Spectrum Realty Company L.P. ("Sprint") which leased space to Sprint at the Board's Mississippi River Pumping Station for the operation of wireless communication equipment; and

WHEREAS, the Board and Sprint entered into Amendment No. 1 to Lease Agreement dated March 10, 1998 which corrected the legal description of the property and the leased premises; and

WHEREAS, the Board and Sprint entered into Amendment No. 2 to Lease Agreement dated March 1, 2012 which provided for equipment and frequency modifications and an increase in annual rent; and

WHEREAS, at this time, the parties desire to further amend the Lease Agreement to provide for the use of alternative cable material for a 24-month period; and

WHEREAS, Sprint agents prepared Amendment No. 3 to Lease Agreement which provides for said temporary use and with no change in annual rent, and Board staff recommends approval of said Amendment; and

WHEREAS, the assistant city attorney has reviewed said Amendment and has approved it as to form; now, therefore, be it

RESOLVED, that Amendment No. 3 to Lease Agreement between the Board of Water Commissioners and Sprint Spectrum Realty Company L.P. allowing the temporary use of alternative cable material is hereby approved and that the proper officers are hereby authorized and directed to execute said Amendment No. 3 on behalf of the Board.

Water Commissioners

Adopted by the Board of Water Commissioners

Yeas

Nays

January 14, 2014

In favor

Opposed

Secretary

ORIGINAL