

**BOARD OF WATER COMMISSIONERS
RESOLUTION**

PRESENTED BY
COMMISSIONER _____

No. 15-1304
DATE July 14, 2015

WHEREAS, the Board of Water Commissioners approved a water tower site lease agreement dated October 1, 1996, whereby the Board leased space to APT Minneapolis, Inc., predecessor in interest to T-Mobile Central LLC, for the operation of wireless communication equipment at the Board's McKnight Road Standpipe site located at 393 N McKnight Road in the city of Saint Paul (the "Lease"); and

WHEREAS, the parties entered into Amendment No. 1 to Site Lease Agreement dated May 12, 2015, which provided for additional wireless equipment and an increase in annual rent; and

WHEREAS, at this time, the parties desire to further amend the Lease to provide for the installation of a fiber optic cable within a non-exclusive easement; and

WHEREAS, staff has prepared an Amendment No. 2 to Site Lease Agreement, which provides for such a cable installation at a one-time charge of \$1,000.00, with all other terms and conditions to remain unchanged and in effect; 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. 2 to Site Lease Agreement between the Board of Water Commissioners and T-Mobile Central LLC providing for additional equipment and increased rent at the Board's McKnight Road Standpipe site located at 393 N McKnight Road in the city of Saint Paul is hereby approved and that the proper officers are hereby authorized and directed to execute said Amendment on behalf of the Board; and, be it

FURTHER RESOLVED, that the Honorable Council of the City of Saint Paul is hereby requested to approve said Amendment No. 2 to Site Lease Agreement and to authorize and direct the proper officers of the City of Saint Paul to execute said Amendment on behalf of the City.

Water Commissioners

Adopted by the Board of Water Commissioners

Yeas

Nays

July 14, 2015

In favor

Opposed

Secretary

ORIGINAL