

## **SUBJECT**

Pertaining to an Amendment No. 1 to Site Lease Agreement with Sprint Spectrum Realty Company L.P. to address cable material allowed for upgrade at its Highwood Standpipe wireless site at 640 South McKnight Road in the city of Maplewood.

## **BACKGROUND INFORMATION**

Staff is seeking approval of an amendment to the lease that will allow the use of black cable on the side of the tank for equipment upgrades until such time as the required white cable is available. The amendment provides that failure to install the white cable and remove the black within 24 months will be considered an event of default of the lease, which could lead to termination.

Sprint is in the process of upgrading its antennas, cables and ground equipment on most of its sites. For aesthetic reasons, white hybrid cable is required, but is unavailable at this time. Waiting until the white cable is available would significantly delay the upgrade. Amending the lease in this manner is a solution requested by Sprint and has been used by other municipalities to solve this problem. No change in rent is required.

Construction details such as this are not included in lease terms and conditions. However, amending the lease in this manner seemed like the best way to allow additional time for Sprint to obtain and install white cable and also provide a consequence for not doing so within a reasonable time.

See attached Amendment.

## **RECOMMENDATION**

Approval is recommended.