

**BOARD OF WATER COMMISSIONERS
RESOLUTION**

PRESENTED BY
COMMISSIONER _____

No. 17-413
DATE March 14, 2017

WHEREAS, the Board of Water Commissioners approved a Site Lease Agreement dated September 19, 1996 between the Board and Sprint Spectrum L.P. predecessor in interest to Sprint Spectrum Realty Company L.P. ("Sprint") which leased space to Sprint at the Board's Cottage Avenue Standpipe site at 2095 Clear Avenue in the city of Saint Paul for the operation of wireless communication equipment, term for which ended September 25, 2016; and

WHEREAS, Amendment No. 1 to Site Lease Agreement extended the expiration date of said lease to March 31, 2017 in order to provide time to negotiate a new lease, and which also provided for an increase in annual rent to \$46,650.00 effective January 1, 2017, and the Board approved said amendment by Resolution No. 16-2163; and

WHEREAS, staff has negotiated a new Site Lease Agreement to provide for continuation of Sprint operations, which includes a 5-year term beginning April 1, 2017 that automatically renews for three additional 5-year terms, a starting annual rent of \$46,650, a 5% annual rent escalator, and terms and conditions consistent with the protection of Board operations; now, therefore, be it

RESOLVED, that the Site Lease Agreement between the Board of Water Commissioners of the City of Saint Paul and Sprint Spectrum L.P. allowing for the installation and operation of a wireless communication system at the Board's Cottage Avenue Standpipe site located at 2095 Clear Avenue in the city of Saint Paul is hereby approved in substantially the form submitted, and that the proper officers are hereby authorized and directed to execute said Site Lease Agreement on behalf of the Board, following approval by the assistant city attorney; and, be it

FURTHER RESOLVED, that the Honorable Council of the City of Saint Paul is hereby requested to approve said Site Lease Agreement and to authorize and direct the proper officers of the City of Saint Paul to execute said Agreement on behalf of the City.

Water Commissioners

Adopted by the Board of Water Commissioners

Yeas

Nays

March 14, 2017

In favor

Opposed

Secretary

ORIGINAL