

**BOARD OF WATER COMMISSIONERS  
RESOLUTION**

PRESENTED BY  
COMMISSIONER \_\_\_\_\_

No. 17-1823  
DATE November 14, 2017

**WHEREAS**, the Board of Water Commissioners of the City of Saint Paul and the City of Saint Paul approved a water tower site lease agreement dated November 13, 2007, whereby the Board leased space to T-Mobile Central LLC, for the operation of wireless communication equipment at the Board's Cottage Avenue Standpipe site located at 2095 Clear Avenue in the city of Saint Paul (the "Lease"); and

**WHEREAS**, the parties entered into Amendment No. 1 to Site Lease Agreement dated July 29, 2015 to provide for the installation of underground fiber optic cable; and

**WHEREAS**, the parties wish to further amend the Lease at this time to allow for the installation of additional equipment on the water tower, an increase in annual rent of \$3,490.50, resulting in a total amended annual rent amount of \$45,376.44, and to eliminate caps on reimbursement of the Board's engineering costs incurred by the installation of wireless equipment; and

**WHEREAS**, staff has prepared an Amendment No. 2 to Site Lease Agreement, which provides such revisions, with all other terms and conditions to remain unchanged; and

**WHEREAS**, the assistant city attorney has approved said Amendment No. 2 to Site Lease Agreement 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, an increase in annual rent and the elimination of caps on reimbursement of the Board's engineering costs incurred by the installation of wireless equipment at the Board's Cottage Avenue Standpipe site located at 2095 Clear Avenue in the city of Saint Paul is hereby approved, and that the proper officers are hereby authorized and directed to execute said Amendment No. 2 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**

**November 14, 2017**

**In favor**

**Opposed**

\_\_\_\_\_  
Secretary

ORIGINAL