



## Legislation Details (With Text)

**File #:** R2018-123      **Version:** 1

**Type:** Resolution      **Status:** Consent Agenda

**File created:** 11/6/2018      **In control:** City Council

**On agenda:** 11/27/2018      **Final action:**

**Title:** Consider approving Resolution No. 2018-123 authorizing the City Manager to execute a Communications Facilities License Agreement between the City of Farmers Branch and T-Mobile West LLC; and take appropriate action

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution No. 2018-123, 2. Exhibit "A" to Resolution No. 2018-123

Date	Ver.	Action By	Action	Result
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### **Consider approving Resolution No. 2018-123 authorizing the City Manager to execute a Communications Facilities License Agreement between the City of Farmers Branch and T-Mobile West LLC; and take appropriate action**

#### **BACKGROUND:**

Catalyst Network Services, LLC representing T-Mobile West LLC, has negotiated a license agreement with the City to continue use of the licensee's existing cellular antenna system located on the City-owned water tower at 3723 Valley View Lane. The existing license agreement was entered into in April 2003 with Voicestream GSM I Operating LLC, known as T-Mobile USA (T-Mobile). The lease with T-Mobile expired in April of 2018, and has been month-to-month since then. The new license agreement would allow the licensee to continue operations for an additional 20 years.

#### **DISCUSSION:**

The current cellular license agreement is \$2,880.00 per month, or \$34,560.00 per year. The negotiated cellular license agreement is for an initial term of five years for \$3,600 per month, or \$43,200 per year, with three optional, additional, five-year renewal periods, with an 18% increase upon each five-year renewal of the agreement. No increase of the existing antennas or expansion of the equipment shelter at the base of the tower is proposed. If the licensee continues to operate its facilities on the City's property after the expiration of the final term without written agreement, such tenancy shall be deemed a month-to-month tenancy under the same terms and conditions of the license agreement but will not constitute a renewal of their license agreement.

#### **FISCAL IMPACT:**

Budgeted Financial Impact - This Communications Facilities License Agreement will result in revenues of \$43,200.00 annually.

#### **RECOMMENDATION:**

Recommended motion by City Administration to approve Resolution No. 2018-123 authorizing the City Manager to execute a communications facilities license agreement between the City of Farmers Branch and T-

Mobile West LLC.

**POSSIBLE COUNCIL ACTION:**

1. I move to approve Resolution No. 2018-123 authorizing the City Manager to execute a communications facilities license agreement between the City of Farmers Branch and T-Mobile West LLC.
2. I move to approve Resolution No. 2018-123 authorizing the City Manager to execute a communications facilities license agreement between the City of Farmers Branch and T-Mobile West LLC, with modifications.
3. I move to table the issue for further study or take no action.

**ATTACHMENTS:**

1. Resolution No. 2018-123
2. Exhibit "A" to Resolution No. 2018-123: Communications Facilities License Agreement between the City of Farmers Branch and T-Mobile West LLC