



COUNCIL AGENDA SUMMARY

TO: Mayor Craft & Members of the City Council

FROM: Layla Andrews, Revenue Supervisor

SUBJECT: Cotton Creek Cell Tower Ground Lease Consent Letter

DATE: May 20, 2021 – Committee Meeting 6/7/2021 & Council Meeting 6/14/2021

ISSUE: Execution of Ground Lease Consent Letter for American Tower Corporation

BACKGROUND: This consent letter is for the sale of the Cell Tower located at 160 West 36th Ave (Site Name: Cotton Creek, Site No: AL 0212) from Cellular South Real Estate Inc to American Tower LLC. We have already started receiving monthly Revenue Share and Lease Payments from American Tower as of April 2021. Once this consent is executed by the City the sale of the Cell Tower will proceed. All terms under the existing Option and Lease Agreement dated December 2, 2009 will now fall under the new ownership of American Tower and all terms/conditions will be honored.

PREVIOUS COUNCIL ACTION: Original Option and Lease Agreement approved December 2, 2009 for initial term of (5) years, tenant has the right to extend the Lease for (4) additional successive (5) year terms.

BUDGET IMPLICATIONS: Cellular South Real Estate lease agreement fees \$41,020.24 in 2020 based on the Ground lease of \$14,408.16 and Revenue Share of \$26,612.08. Equivalent or more franchise fees estimated for 2021.

RELATED ISSUES: None

ATTACHMENTS: AL0212 Cotton Creek Consent Letter date December 9, 2020

DEPARTMENT: Finance and Administration

STAFF CONTACT: Cindy King, Finance Director
Layla Andrews, Revenue Supervisor