



# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Text File

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In Control:

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Title

AMENDMENT NO. ONE TO CONTRACT NO. K-0607-58: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND T-MOBILE CENTRAL, L.L.C., FOR THE LEASE OF SPACE ON THE MONOPOLE TOWER LOCATED AT 600 EAST LINDSEY STREET.

Body

**BACKGROUND:** On October 10, 2006, Council approved Contract No. K-0607-58 with T-Mobile Central L.L.C. to lease space on the City's water tower (known as the Lindsey Water Tower) located at 600 East Lindsey Street.

Contract No. K-0607-58 was for a five-year lease commencing on January 1, 2007 and extending through December 31, 2011 with a provision for four additional automatic five-year lease renewals. T-Mobile Central L.L.C. paid \$1,000 per month for the first year of the Agreement with a three percent (3%) annual increase. T-Mobile Central L.L.C. extended their lease on January 1, 2012 for a second five-year term per the terms of the original lease agreement. In addition to paying rent, T-Mobile Central L.L.C. was required to maintain a Commercial General Liability Insurance in the amount of \$5,000,000 (\$2,000,000 for bodily injury, \$3,000,000 for property damage) that named the City of Norman as an additional insured party.

In 2009 Council approved Contract No. K-0809-46 with Alltel Communications to build a monopole tower at the City's Street Maintenance facility at 600 East Lindsey Street on behalf of the City of Norman. This monopole tower was constructed by Alltel Communications at no cost to the City in exchange for a 14 ½ year no-cost tower space lease agreement for Alltel Communications. This contract was amended in February of 2012 as a result of the Verizon Wireless purchase of the Alltel Communications tower assets located in this area. Upon completion of this monopole tower the cellular service providers leasing space on the Lindsey Street Water Tower were notified of the City's intent to remove the water tower in calendar year 2013.

**DISCUSSION:** Amendment No. One to Contract No. K-0607-58 with T-Mobile Central L.L.C. changes all references to a "water tower" in the original Agreement to the word "monopole" and all language in the original Agreement unique to the operation and maintenance of a water tower will no longer apply. This amendment also changes the mailing address for any notices to be sent to T-Mobile pertaining to the lease agreement. All other terms of the original lease agreement will remain unchanged. Finally, T-Mobile will be required to maintain commercial general liability insurance, naming the City of Norman as an additional insured party, with limits of not less than \$5,000,000.

**RECOMMENDATION:** Staff recommends approval of Amendment No. One to Contract No. K-0607-58 with T-Mobile Central L.L.C.