



# City of Norman, OK

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

## Master

**File Number: K-1314-96**

**File ID:** K-1314-96

**Type:** Contract

**Status:** ATS Paused

**Version:** 1

**Reference:** Item No. 21

**In Control:** City Council

**Department:** Legal Department

**Cost:**

**File Created:** 11/18/2013

**File Name:** Lease Termination - Nextel Sprint

**Final Action:**

**Title:** CONTRACT K-1314-96: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND NEXTEL WEST CORPORATION PROVIDING FOR TERMINATION OF A LEASE FOR CELLULAR EQUIPMENT AT 620 EAST LINDSEY STREET.

**Notes:** ACTION NEEDED: Motion to approve or reject Contract No. K-1314-96 with Nextel West Corporation; and, if approved, authorize the execution thereof.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 11/26/2013

**Agenda Number:** 21

**Attachments:** Nextel Contract.pdf

**Project Manager:** Kathryn Walker, Assistant City Attorney

**Entered by:** kathryn.walker@normanok.gov

**Effective Date:**

### History of Legislative File

| Ver-<br>sion: | Acting Body: | Date: | Action: | Sent To: | Due Date: | Return<br>Date: | Result: |
|---------------|--------------|-------|---------|----------|-----------|-----------------|---------|
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### Text of Legislative File K-1314-96

Body

**BACKGROUND:** The Norman Utilities Authority ("NUA") entered into Contract K-9798-130 with Nextel West Corporation ("Nextel") for the purpose of leasing space on the Lindsey Street Water Tower for the placement of cellular service equipment. The contract was for a five year initial term, with five successive five year term renewals allowed at the option of Nextel. The rent for leasing the space during the initial term was \$625 per month. The rent increased by 15% with each term renewal. The rent paid by Nextel in 2013 was \$826.56 per month. The contract provided that it may be cancelled at any time with thirty days written notice to NUA.

Staff learned during the summer that Sprint Nextel had been evaluating its cell sites and had deemed the Lindsey Street site no longer appropriate for its operations due to technological and economic reasons. Sprint Nextel gave notice of its desire to terminate the lease and presented Contract K-1314-96 to formalize the termination of the lease.

**DESCRIPTION:** Contract K-1314-96 provides that the lease will be terminated when Sprint Nextel has removed its equipment from the tower, which will occur no later than April 30, 2014. Rents will continue to be

paid until the equipment is removed. Once the equipment has been removed and the site restored to the condition it was in when the lease was originally approved, Staff will inspect the site and sign the Site Acceptance and Release document provided by Sprint Nextel.

**RECOMMENDATION:** Staff recommends approval of Contract K-1314-96.