



CCAA BOARD MEMO

Agenda Item: G-2

BOARD MEMO 2023-29

Meeting Date: October 18, 2023

Agenda Title: FOR DISCUSSION AND POSSIBLE ACTION: APPROVE A LEASE AMENDMENT FOR AT&T WIRELESS SERVICES, INC. FOR THE ADDITION AND MODIFICATOIN OF EQUIPMENT.

Staff Summary: AT&T would like to install some new equipment on the beacon tower and that will require an amended lease.

Agenda Action: Formal Action/Motion

Time Requested: 0 Minutes

Proposed Motion

I move to approve the amendment to the lease.

CCAA'S Strategic Goal

Maintain airport revenues and financial stability.

Previous Action and Executive Summary

Original lease dated September 6, 2001, approved by both the Authority and the City. We located a First Amendment dated August 21, 2012, signed by a prior Airport Manager. AT&T has proposed an amendment that allows AT&T to replace their equipment with newer equipment and operating frequencies. The Amendment also updates the contact info for both AT&T and the Airport Authority and allows the updates on 45 days written notice.

Financial Information

Is there a fiscal impact?

No Yes

If yes, account name/number & amount:

General Fund/ Federal Share:

Is it currently budgeted?

Alternatives

Approve with changes.

Do not approve.

Board Action Taken:

Motion: _____ 1) _____
2) _____

Aye/Nay

(Vote Recorded By)



Market: Northern California
Cell Site Number: CVL06276
Cell Site Name: Hot Springs (CA)
Fixed Asset Number: 10088507

SECOND AMENDMENT TO LEASE AGREEMENT

THIS SECOND AMENDMENT TO LEASE AGREEMENT (“Second **Amendment**”), dated as of the latter of the signature dates below, is by and between Carson City Airport Authority, a Quasi-municipal corporation, having a mailing address of 2600 College Parkway #6, Carson City, NV 89706 (“**Landlord**”) and New Cingular Wireless PCS, LLC, a Delaware limited liability company, having a mailing address of 1025 Lenox Park Blvd NE, 3rd Floor, Atlanta, GA 30319 (“**Tenant**”).

WHEREAS, Landlord and Tenant entered into Option and Lease Agreement dated September 6, 2001, as amended by the First Amendment to Lease Agreement dated September 26, 2012, whereby Landlord leased to Tenant certain Premises, therein described, that are a portion of the Property located at 2600 E. Graves Lane, Carson City, NV 89706 (collectively, the "**Agreement**"); and

WHEREAS, Landlord and Tenant desire to amend the Agreement to modify the permitted use section for wireless frequency usage;

WHEREAS, Landlord and Tenant desire to amend the Agreement to modify the notice section thereof; and

WHEREAS, Landlord and Tenant, in their mutual interest, wish to amend the Agreement as set forth below accordingly.

NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Landlord and Tenant agree as follows:

1. **Modification of Permitted Use (Section 2c):** Tenant will continue to operate the Communication Facility in accordance with all FCC and FAA rules and regulations. In addition to previously approved operating frequencies, Landlord agree to grant Tenant the right to operate the Communication Facility with additional frequencies as detailed in Exhibit 2 to this Second Amendment. In case of any modification to the range of frequency listed on Exhibit 2 to this Second Amendment, Tenant will notify Landlord 45 days prior to the use of those frequencies.

2. **Notices.** Section 17 of the Agreement is hereby deleted in its entirety and replaced with the following:

NOTICES. All notices, requests, and demands hereunder will be given by first class certified or registered mail, return receipt requested, or by a nationally recognized overnight courier, postage prepaid, to be effective when properly sent and received, refused or returned undelivered. Notices will be addressed to the parties as follows.

If to LANDLORD: Airport Manager
Attn. Corey Jenkins
2600 College Parkway #6
Carson City, NV 89706
cjenkins@flycarsoncity.com
775-842-2255

If to TENANT: New Cingular Wireless PCS, LLC
Attn: Network Real Estate Administration
Re: Cell Site # CVL06276
Cell Site Name: Hot Springs (CA)
Fixed Asset #: 10088507
1025 Lenox Park Blvd NE
3rd Floor
Atlanta, GA 30319

With copy to: New Cingular Wireless PCS, LLC
Attn: Legal Department
Re: Cell Site # CVL06276
Cell Site Name: Hot Springs (CA)
Fixed Asset #: 10088507
208 S. Akard Street
Dallas, Texas, 75202-4206

The copy sent to the Legal Department is an administrative step which alone does not constitute legal notice. Either party hereto may change the place for the giving of notice to it by thirty (30) days prior written notice to the other as provided herein.

3. **Other Terms and Conditions Remain.** In the event of any inconsistencies between the Agreement and this Second Amendment, the terms of this Second Amendment shall control. Except as expressly set forth in this Second Amendment, the Agreement otherwise is unmodified and remains in full force and effect. Each reference in the Agreement to itself shall be deemed also to refer to this Second Amendment.

4. **Capitalized Terms.** All capitalized terms used but not defined herein shall have the same meanings as defined in the Agreement.

IN WITNESS WHEREOF, the parties have caused this Second Amendment to be effective as of the last date written below.

LANDLORD:

Carson City Airport Authority
A Quasi-municipal corporation
The manager for Carson City
A consolidated municipality

TENANT:

New Cingular Wireless PCS, LLC,
a Delaware limited liability company

By: AT&T Mobility Corporation
Its: Manager

By: _____
Print Name:
Its:
Date:

DocuSigned by:
Courtney Perillo
By: _____
Print Name: Courtney Perillo
Its: Director Construction & Engr.
Date: 10/6/2023

EXHIBIT 2

Site Number: CVL06276 / CNU6276

Site Name: Hot Springs

Address: 2600 College Parkway, #6, Carson City, NV 89706

Tenant operates on the following transmit and receive frequencies:

LTE 1900-1945-1965 Mhz and 1865-1885 Mhz

LTE 700- 740-746 Mhz and 710-716 Mhz

LTE WCS- 2350-2360 Mhz and 2305-2315 Mhz

LTE AWS-2110-2140, 2160-2170 Mhz and 1730-1740 Mhz and 1760-1770 Mhz

Tenant plans to operate the following additional frequencies as listed below:

5G CBAND- 3840-3920 Mhz