



Legislation Text

File #: EC-21-274, **Version:** 1



INTER-OFFICE MEMORANDUM

February 16, 2021

TO: Cynthia Borrego, President, City Council

FROM: Timothy M. Keller, Mayor

SUBJECT: ..title

First Amendment to the Lease and Agreement between the City of Albuquerque and Cellco Partnership d/b/a Verizon Wireless

Attached for Council action is a copy of a First Amendment to the Lease and Agreement between the City of Albuquerque and Cellco Partnership d/b/a Verizon Wireless.

Purpose: The original Lease and Agreement expires on September 30, 2025. The First Amendment to the Lease and Agreement provides Cellco Partnership d/b/a Verizon Wireless with an extension of its existing lease term of six additional five-year option terms, thus extending the Lease and Agreement term to September 30, 2055.

The original Lease and Agreement provides for Verizon Wireless to lease the Sunport's cellphone monopole tower and associated grounds surrounding the tower. In addition to extending the term of the lease, the First Amendment to the Lease and Agreement provides that the Tenant shall have the sole right to enter into leases, sublessees, licenses, sublicenses or other agreements with other providers of communication services to allow their antennae and equipment on the monopole tower in exchange for a revenue-sharing arrangement with the City.

Additionally, the First Amendment to the Lease and Agreement provides for an expansion of the ground equipment lease area in order to facilitate the Tenant's management of sub-leases.

This First Amendment to the Lease and Agreement also updates contact information for the parties involved as well as updates federal language that is required by the Federal Aviation Administration to be in all contracts entered into by the airport.

Term: The First Amendment to the Lease and Agreement has six (6) five (5) year option terms which, if exercised, will expire on September 30, 2055.

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Revenue Amount: One-time payment of \$35,000, plus \$33,347.76 per year escalated by 5% annually, as well as the revenue sharing amount of \$500.00 per month escalated annually by 3% for each other provider co-locating on the tower.

The attached transmittal of the First Amendment to Lease and Agreement is submitted for consideration and action by the City Council.

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Approved:

Approved as to Legal Form:

Sarita Nair Date
Chief Administrative Officer

Esteban A. Aguilar, Jr. Date
City Attorney

Recommended:

Nyika A. Allen, C.M. Date
Director of Aviation