

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Resolution No. 8652, authorizing execution of a five-year Wireless Communication Facilities Site Lease Agreement with an automatic five-year extension with T-Mobile West, LLC, for existing wireless equipment at the Cougar Mountain #2 Property located at 16859 SE 59th Street, more commonly referred to as the Lakemont Reservoir site.

FISCAL IMPACT

Approving this Resolution will result in the Water Utility Fund receiving annual rent of \$26,076.00 starting December 1, 2013. This represents a significant increase over T-Mobile's current rent of approximately \$7,200 per year. The new lease rate calculation was based on the most recent study of fair market value. The annual rent will increase each year in proportion to the June Seattle-Tacoma-Bremerton CPI. If CPI does not increase, or if it decreases, the rental rate shall remain the same for the following year.

An administrative fee of \$2,000 was assessed to T-Mobile and receipted into the General Fund.

STAFF CONTACT

Nora Johnson, Civic Services Director, 452-4167
Max Jacobs, Real Property Manager, 452-4182
Patti Ebert, Sr. Real Property Agent, 452-5203
Civic Services Department

POLICY CONSIDERATION

Bellevue City Code:

BCC Section 4.30.020 requires Council approval of leases that exceed one year in duration. City property is leased at no less than fair market value.

Land Use Code Section 20.20.195 regulates placement of wireless communication facilities.

Comprehensive Plan:

The City's Comprehensive Plan supports increased availability and improved communication services for its citizens and businesses, and the location of telecommunications antennas on public facilities.

Policy UT-66: For infrastructure opportunities on City property, other than street rights-of-way, encourage the use of appropriate City-owned properties for lease to install wireless communications equipment that is compatible with existing City uses of the sites and consistent with land use requirements.

Policy UT-67: Encourage the co-location of telecommunications equipment on City sites, which reduces total impact of antennas on the community.

BACKGROUND

In 1998, Council responded to a request from wireless carriers seeking to install more wireless antenna sites in Bellevue by enacting policies favoring placement of wireless facilities on public rather than private property, and by authorizing the creation of a standard lease agreement. City staff subsequently developed the agreement template, which was put into use in 2000 and updated in 2005 and 2010. Staff performs periodic reviews of the lease agreement template and also performs market rent studies to ensure lease rates are current.

On November 18, 2003 City Council approved Resolution No. 6924 authorizing execution of a lease with VoiceStream Wireless (now T-Mobile West, LLC), that allowed VoiceStream to install telecommunications facilities at the Lakemont Reservoir site, which included a concrete pad with an electrical cabinet and cabling running to a Puget Sound Energy-owned pole in the right-of-way. VoiceStream subsequently received land use approval and permits for this site.

On November 18, 2008 this lease automatically renewed, and will expire after its second 5-year term on November 18, 2013. (The standard lease agreement provides for cancellation at the end of the initial five-year term, if the company does not intend to renew the lease).

If Council approves this lease, the equipment located at the Lakemont Reservoir site will continue to support wireless communication services for the surrounding neighborhood with minimal impact to the reservoir site and community. Approval of this lease by Council is for the existing equipment and does not guarantee land use approval or the issuance of permits which would be required for any future upgrades to that equipment.

In operating the wireless facility, T-Mobile coordinates with the Utilities Department to ensure there is no impact to reservoir operations. The Utilities Department has expressed no concerns with the new T-Mobile lease.

EFFECTIVE

If approved, this Resolution becomes effective immediately upon Council adoption.

OPTIONS

1. Adopt Resolution No. 8652 authorizing execution of a five-year Wireless Communication Facilities Site Lease Agreement with an automatic five-year extension with T-Mobile West, LLC, for existing equipment at the Cougar Mountain #2 Property located at 16859 SE 59th Street, in Bellevue, Washington and more commonly referred to as the Lakemont Reservoir.
2. Reject Resolution No. 8652 and provide alternative direction to staff.

RECOMMENDATION

Adopt Resolution No. 8652 authorizing execution of a five-year Wireless Communication Facilities Site Lease Agreement with an automatic five-year extension with T-Mobile West, LLC, for existing equipment at the Cougar Mountain #2 Property located at 16859 SE 59th Street, in Bellevue, Washington and more commonly referred to as the Lakemont Reservoir.

MOTION

Move to adopt Resolution No. 8652 authorizing execution of a five-year Wireless Communication Facilities Site Lease Agreement with an automatic five-year extension with T-Mobile West, LLC, for existing equipment at the Cougar Mountain #2 Property located at 16859 SE 59th Street, in Bellevue, Washington and more commonly referred to as the Lakemont Reservoir.

ATTACHMENTS

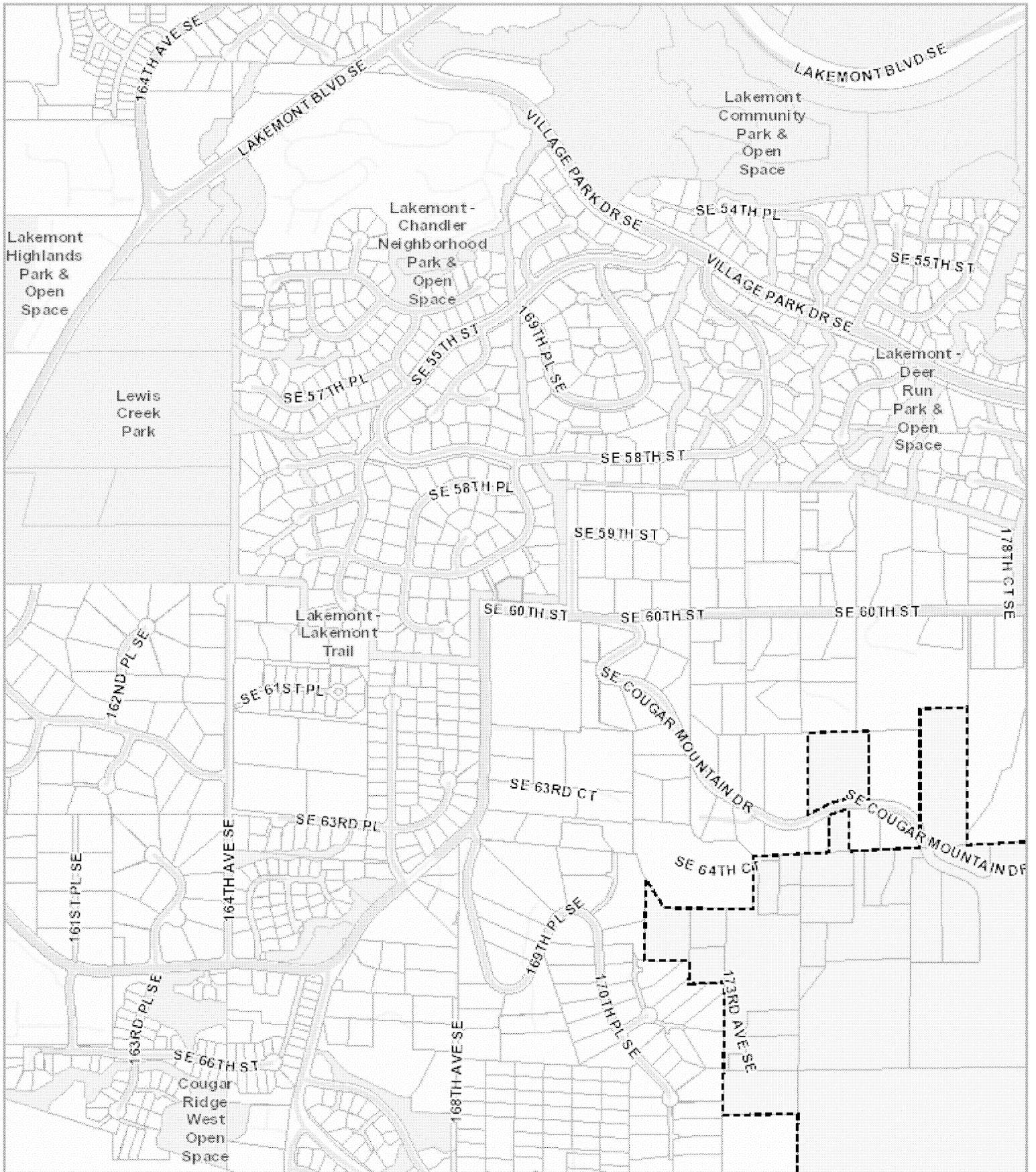
Vicinity Map

Site Map

Proposed Resolution No. 8652

AVAILABLE IN COUNCIL OFFICE

Wireless Communication Lease Agreement

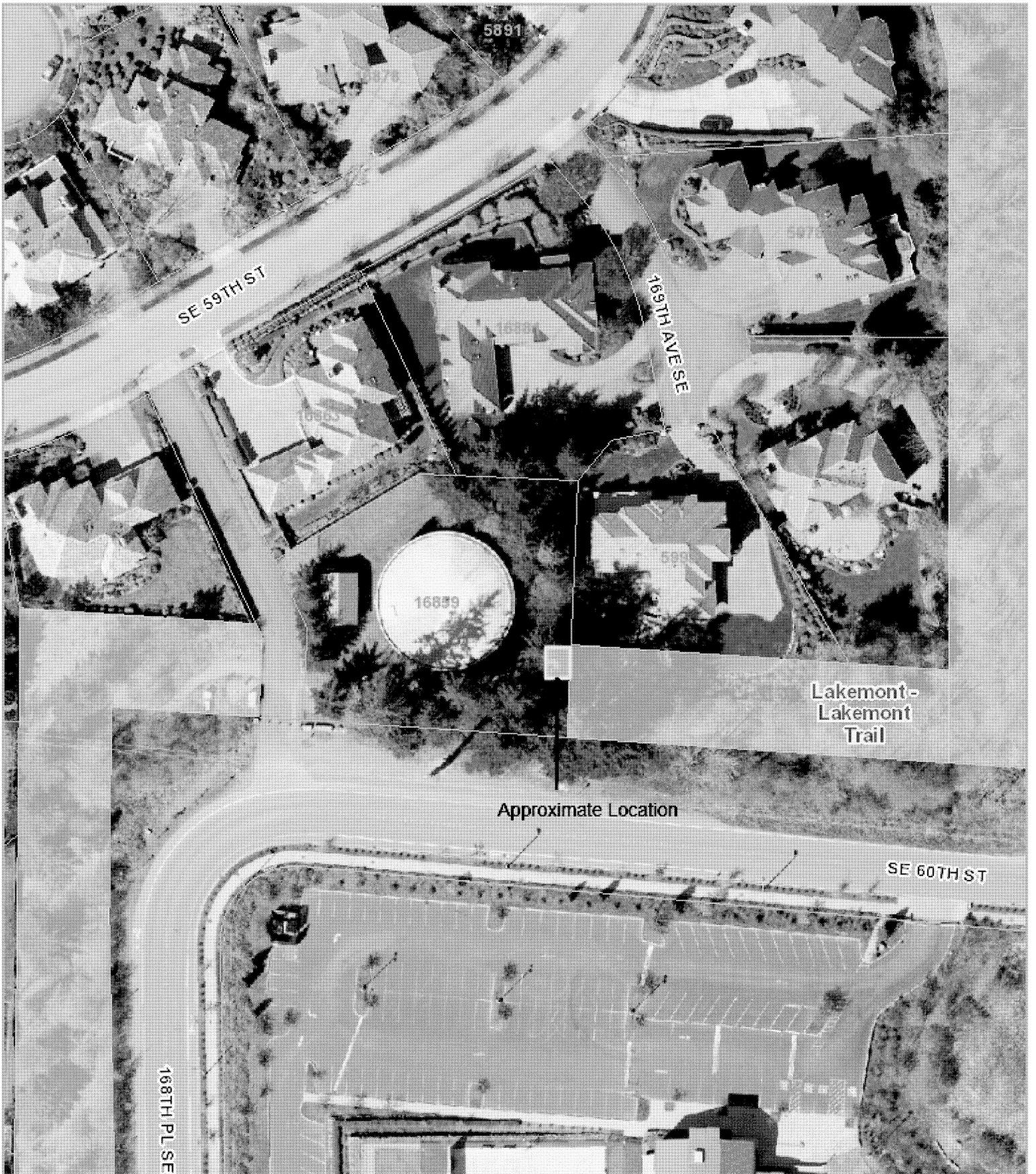


Vicinity Map

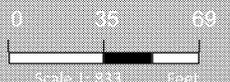


0 366 733

Scale 1: 8,795 Feet



Site Map



CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 8652

A RESOLUTION authorizing execution of a five-year Wireless Communications Facilities Site Lease Agreement with T-Mobile West, LLC, with an automatic five year-extension, for existing wireless equipment at Cougar Mountain #2, more commonly referred to as the Lakemont Reservoir, located at 16859 SE 59th Street.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The City Manager or his designee is hereby authorized to execute a five-year Wireless Communication Facilities Site Lease Agreement with T-Mobile West, LLC, with an automatic five-year extension, for wireless equipment at Cougar Mountain #2, more commonly referred to as the Lakemont Reservoir, located at 5701 Lakemont Boulevard SE, Bellevue, WA, a copy of which Lease Agreement has been given Clerk's Receiving No. _____.

Passed by the City Council this _____ day of _____, 2013, and signed in authentication of its passage this _____ day of _____, 2013.

(SEAL)

Conrad Lee, Mayor

Attest:

Myrna L. Basich, City Clerk