



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of
Supervisors

105 E. Anapamu Street, Suite
407

Santa Barbara, CA 93101
(805) 568-2240

Department Name: General Services
Department No.: 063
For Agenda Of: August 10, 2010
Placement: Administrative
Estimated Tme:
Continued Item:
If Yes, date from:
Vote Requirement 4/5

TO: Board of Supervisors
FROM: Bob Nisbet, Director (560-1011)
General Services Department
Contact Info: Paddy Langlands, (568-3096)
Assistant Director, Support Services Division
SUBJECT: AT&T Lease Agreement at Tucker's Grove County Park; Second Supervisorial District; ORES 003591

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors approve and execute the attached original and two duplicate original Lease Agreement between the County of Santa Barbara and New Cingular Wireless PCS, a Delaware limited liability company (hereinafter "AT&T Wireless") for the operation of a new wireless communication facility located on the southwest corner of the Tucker's Grove County Park property, which is adjacent to the existing Verizon Wireless facility in Santa Barbara, for an initial period of approximately ten (10) years with two additional terms of five (5) years each upon mutual agreement, and a base annual rent of \$26,000.00 with rent increase of fifteen percent (15%) beginning the 6th year of the Lease and an increase of twenty percent (20%) every five (5) years during the remaining terms of the Lease.

Summary Text:

Approval of this Lease by the Board is the final action required in order for AT&T Wireless to begin construction of their new wireless communication facility. This lease will produce at least \$26,000.00 of revenue per year (this base rent is subject to annual increases as noted above).

Background:

This Lease Agreement will allow AT&T Wireless to operate a small wireless communication facility, consisting primarily of radio equipment cabinets, utilities, cables and a mono-eucalyptus antenna support structure and panel antennas concealed on the mono-pine tree, on the southwest corner of the Tucker's Grove County Park property in Santa Barbara. The facility will be out of the view and access of park users. AT&T Wireless has obtained a Conditional Use Permit for the construction and operation of their facility. It should also be noted this facility will serve to allow a future carrier to co-locate on the mono-eucalyptus tree. Included in Planning and Development's permit process was a review of CEQA, which resulted in a finding of "Exempt" by the County of Santa Barbara Planning and Development Department. This proposed facility was also reviewed by County Parks Department staff and the Parks Commission prior to the issuance of the Conditional Use Permit. Each of them appreciates the stealth design of the facility and deemed the impact on the County park and its users to be negligible. Approval of this Lease by the Board is the final action required in order for AT&T Wireless to begin construction of their facility.

Currently, there are two existing wireless facilities located at Tucker's Grove County Park. The AT&T Wireless facility will be the third. However, all these facilities are located adjacent to one another in a portion of the park property that is not open to the general public for use. The Lease document being presented to the Board is similar to other communication sites and carriers.

Fiscal and Facilities Impacts:

AT&T Wireless will pay base annual rent in the amount of \$26,000.00 (plus the increases) and is responsible for all its utility charges and all costs associated with construction and maintenance of their facility and equipment. A \$5,000 security deposit is also being paid by AT&T Wireless to cover any damages to the property not repaired by AT&T Wireless. It is proposed that the revenue generated from the Lease be directed to the Parks Department Deferred Maintenance Program.

There are no facilities impacts associated with this Lease.

Special Instructions: After Board action, distribute as follows:

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|--|-------------------------|
| 1) Original Lease Agreement | Clerk of the Board File |
| 2) Duplicate & Triplicate Lease & Minute Order | GS/Real Estate Svcs. |

NOTE: The Office of Real Estate Services will deliver the duplicate original Lease Agreement to AT&T Wireless.

Attachments:

Lease Agreement (3)

Authored by:

Ronn Carlentine, Office of Real Estate Services