

ORDINANCE 2020-01-30-0066

APPROVING AN INCREASE TO THE SBA TOWER LEASE AGREEMENTS FOR THE SAN ANTONIO PUBLIC SAFETY RADIO SYSTEM.

* * * * *

WHEREAS, the City of San Antonio manages SBA tower lease agreements in support of the Alamo Area Regional Radio System (“AARRS”) used by City of San Antonio (“City”) Police and Fire Departments, CPS Energy, Bexar County (“County”) and surrounding participating agencies; and

WHEREAS, On February 15, 2018, Council approved a contract for the construction, system delivery, and system operation of a new P25 compliant public safety radio system, referred to as the Alamo Area Regional Radio System (“AARRS”). On the same date, Council also authorized the execution of an Interlocal Agreement (ILA) between the City, Bexar County (County), and CPS Energy (CPS) for County and CPS to make financial contributions to obtain minority ownership interests in the AARRS; and

WHEREAS, On June 13, 2019 Council approved Ordinance 2019-06-13-0518 that authorized lease agreements in support of the new P25 radio system which included the SBA lease for San Geronimo Tower Site. The lease agreement also supports this location during a transition period starting April 1, 2019 then ending January 31, 2022; and

WHEREAS, the increase to the lease rate of \$7,208.97 is due to the increase in microwave dish size from 4 feet to 6 feet. The increase cost for this adjustment will be shared by the entities based on the Interlocal Agreement approved by the City, CPS Energy and Bexar County; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager or designee, or the Director of the ITSD Department or designee, is authorized to execute an amendment to the SBA lease for San Geronimo Tower Site in support of the AARRS. A copy of the amended agreement, in final form, is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. Payment is authorized to be encumbered and made payable to SBA Towers IV, LLC in an amount not to exceed \$7,208.96. Payment is in support of the Radio and Radio System Replacement Adds Project, using Fund 43099000, and the WBS Elements and GL Accounts in the table below. Funding is provided by COs, and is in the FY2020-FY2025 CIP Budget.

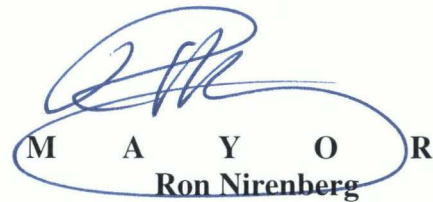
WBS	GL	AMOUNT
09-00089-07-01	5201040	4,037.02
09-00089-08-02	5201040	1,585.97
09-00089-09-02	5201040	1,585.97
	TOTAL	7,208.96

Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with approved operating and/or capital budgets for current and future fiscal years

SECTION 3. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 4. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 30th day of January, 2020.




M A Y O R
Ron Nirenberg

ATTEST:


for Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


Andrew Segovia, City Attorney



City of San Antonio

City Council

January 30, 2020

Item: 30

File Number: 19-9400

Enactment Number:

2020-01-30-0066

Ordinance approving an increase to the tower lease agreement with SBA Towers IV, LLC, in support of the Alamo Area Regional Radio System [Ben Gorzell, Chief Financial Officer; Craig Hopkins, Chief Information Officer, Information Technology Services]

passed

Aye: 11 Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage and Perry

DBS
01/30/2020
Item No. 30

ATTACHMENT I

Site ID: TX13414-A-05
Site Name: San Geronimo 1

Tenant Site ID: COSA
Tenant Site Name: San Geronimo / NW-05 San Geronimo

AMENDMENT TO ANTENNA SITE RENTAL AGREEMENT

THIS AMENDMENT TO ANTENNA SITE RENTAL AGREEMENT (hereinafter "Amendment") is made as of the _____ day of _____, 2019, by and between **SBA TOWERS IV, LLC**, a Delaware limited liability company (hereinafter "Landlord"), and **CITY OF SAN ANTONIO**, a Texas municipality (hereinafter "Tenant").

WHEREAS, San Geronimo Tower Company, Inc., a Texas corporation and Tenant entered into an Antenna Site Rental Agreement dated January 9, 2003, as amended on December 12, 2007 and on June 17, 2019 (collectively, the "Agreement") pursuant to which Tenant leases a portion of the tower site located at 18970 State Hwy 16, Helotes, Texas 78023; and

WHEREAS, San Geronimo Tower Company, Inc. and Optasite Towers, LLC, a Delaware limited liability company entered into an Instrument of Assignment and Consent on July 3, 2008; and

WHEREAS, Optasite Towers, LLC amended and changed its name to SBA Infrastructure, LLC on September 18, 2008; and

WHEREAS, SBA Infrastructure, LLC and SBA Towers IV, LLC, a Florida limited liability company entered into a Master Assignment and Assumption Agreement dated August 9, 2012; and

WHEREAS, SBA Towers IV, LLC converted into Landlord effective February 28, 2013; and

WHEREAS, Landlord and Tenant desire and intend to amend and supplement the Agreement as provided herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto covenant, agree and bind themselves to the following modifications to the Agreement:

1. The **Equipment** section of the Agreement are hereby amended in accordance with Item 3 below.
2. The **Rental Payment** section of the Agreement is hereby amended to increase Tenant's rental payments as follows:

The current monthly rental payment shall be increased by Three Hundred Dollars and Zero Cents (\$300.00) effective the date this Amendment is last executed by both parties, partial month to be prorated. Rental payment, including any and all rental payment increases, will be escalated in accordance with the Agreement.

3. **Exhibit B** – Antenna and Equipment List attached to the Agreement is hereby deleted in its entirety and replaced with the revised Exhibit B – Antenna and Equipment List attached hereto and made a part of the Agreement.
4. Capitalized terms not defined in this Amendment will have the meaning ascribed to such terms in the Agreement.
5. This Amendment will be governed by and construed and enforced in accordance with the laws of the state in which the Premises are located without regard to principles of conflicts of law.
6. Except as specifically set forth in this Amendment, the Agreement is otherwise unmodified and remains in full force and effect and is hereby ratified and reaffirmed. In the event of any inconsistencies between the Agreement and this Amendment, the terms of this Amendment shall take precedence.
7. This Amendment shall be effective as of the date last executed by both parties.

[Signature Pages to Follow]

Site ID: TX13414-A-05
Site Name: San Geronimo 1

Tenant Site ID: COSA
Tenant Site Name: San Geronimo / NW-05 San Geronimo

IN WITNESS WHEREOF, Landlord and Tenant have executed this Amendment to Antenna Site Rental Agreement as of the date and year first above written.

Signed and acknowledged in the presence of

LANDLORD: SBA TOWERS IV, LLC,
a Delaware limited liability company

Print Name: _____

Name: Alyssa Houlihan
Title: Vice President, Site Leasing

Print Name: _____

Date: _____

STATE OF FLORIDA }
 }
COUNTY OF PALM BEACH }

BEFORE ME, a Notary Public of the aforesaid State and County, personally appeared Alyssa Houlihan, to me personally known (or proved by sufficient evidence) who, being by me duly sworn (or affirmed) did say that she is the Vice President, Site Leasing of **SBA Towers IV, LLC**, a Delaware limited liability company described herein and that the instrument was signed on behalf of the Company, by authority of the Company and that she acknowledged this instrument to be the free act and deed of the Company.

WITNESS MY HAND and Notarial Seal on this _____ of _____, 2019.

Notary Public



Site ID: TX13414-A-05
Site Name: San Geronimo 1

Tenant Site ID: COSA
Tenant Site Name: San Geronimo / NW-05 San Geronimo

Signed and acknowledged in
the presence of

TENANT: CITY OF SAN ANTONIO,
a Texas municipality

Print Name: _____

Name: Craig Hopkins

Title: IT Director

Print Name: _____

Date: _____

STATE OF _____ }
 }
COUNTY OF _____ }

BEFORE ME, a Notary Public of the aforesaid State and County, personally appeared Craig Hopkins, to me personally known (or proved by sufficient evidence) who, being by me duly sworn (or affirmed) did say that he is the IT Director of **City Of San Antonio**, a Texas municipality, described herein and that the instrument was signed on behalf of the municipality, by authority of the municipality and that he acknowledged this instrument to be the free act and deed of the municipality.

WITNESS MY HAND and Notarial Seal on this _____ of _____, 2019.

Notary Public

Site ID: TX13414-A-05
 Site Name: San Geronimo 1

Tenant Site ID: COSA
 Tenant Site Name: San Geronimo / NW-05 San Geronimo

EXHIBIT B
ANTENNA AND EQUIPMENT LIST

Equipment must be installed, routed and stacked pursuant to the most current structural analysis. The equipment contained in said structural must match the equipment as listed below, unless such equipment has been reduced and no structural analysis re-run is required by Landlord.

For the purpose of this Exhibit B, all mounting heights are approximate.

NOTE: Install may not obstruct any lighting, beacon, climbing path, guy wires on tower or current tenant installation.

Antennas:	Five (5) Total		
Type:	Omni	Omni	Omni
Manufacturer:	Rfs Celwave	Decibel	Rfs Celwave
Model:	BMR12-A-B1	DB844H65-XY	BMR12-A-B1
Dimensions:	240" x 6.625" x 6.625"	48" x 24.5" x 8.5"	240" x 6.625" x 6.625"
Weight:	92 lbs.	19 lbs.	92 lbs.
Mounting Base:	350'	348'	330'
Mounting Center:	360'	350'	340'
Mounting Tip:	370'	352'	350'
Mounting Orientation:	180°	____°, ____° & ____°	180°
Mounting Downtilt:	0°	____°	0°
Quantity:	One (1)		
Type:	Omni-Grid		
Manufacturer:	Decibel		
Model:	DB844H65-XY		
Dimensions:	48" x 24.5" x 8.5"		
Weight:	19 lbs.		
Mounting Base:	100'		
Mounting Center:	102'		
Mounting Tip:	104'		
Mounting Orientation:	____°, ____° & ____°		
Mounting Downtilt:	____°		
Cable:	Six (6) Total		
Number of Lines:	Two (2)	One (1)	Two (2)
Cable Type:	Coax	Coax	Coax
Cable Size:	1-1/4"	7/8"	1-5/8"
Number of Lines:	One (1)		
Cable Type:	Coax		
Cable Size:	1/2"		
Quantity:	One (1)	One (1)	Two (2)
Antenna Mounts:			
Quantity:	Two (2)		
Type:	6' Standoff		
Manufacturer:	ALT		
Model:	7000-2113-6		
Dimensions:	3' x 6'		
Weight:	100 lbs.		
Mounting Center:	350'		

Site ID: TX13414-A-05
Site Name: San Geronimo 1

Tenant Site ID: COSA
Tenant Site Name: San Geronimo / NW-05 San Geronimo

Dishes: Two (2) Total

Quantity:	One (1)	One (1)
Type:	Radome	Standard
Manufacturer:	RFS	RFS
Model:	SB3-W100A	SB6-W100
Dimensions:	3.29" x 3.29" x 1.25"	72" x 72" x 24.9"
Weight:	40 lbs.	198 lbs.
Mounting Center:	65'	225'
Mounting Orientation:	111°	73°
Mounting Downtilt:	___°	___°

Cable:

Number of Lines:	Two (2)
Cable Type:	Coax
Cable Size:	E105J

Dish Mounts:

Quantity:	Two (2)
Type:	Pipe Mount
Manufacturer:	Tower Mounts.05.2013
Model:	3' Side Mount Standoff
Mounting Center:	65' / 225'

Ice Shields: Two (2) Total

Quantity:	One (1)	One (1)
Manufacturer:	Valmont	Valmont
Model:	800250	800251
Dimensions:	12" x 48" x 62"	4" x 72" x 62"
Weight:	315 lbs.	364 lbs.
Mounting Center:	75'	235'

Tower Mounted Amplifiers (TMAs):

Quantity:	One (1)
Manufacturer:	Comprod
Model:	S7TMA17C
Dimensions:	21" x 6.6"
Weight:	45 lbs.
Mounting Center:	350'

Remote Radio Units (RRUs): N/A

RRU Modules: N/A

DC Surge Suppression Systems: N/A

Ground Space Requirements: Approximately 378 square feet

Provided By:	Tenant	Tenant	Tenant
Type:	Generator Pad	Shelter	Propane Tank Pad
Dimensions:	10' x 5'	22' x 12'	15' x 4'

ERP: N/A

Transmitter Operating Power: N/A

Generator:

Quantity:	One (1)
Type:	Propane
Location:	Within Tenant's lease area
Power:	60KW

Site ID: TX13414-A-05
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Tenant Site Name: San Geronimo / NW-05 San Geronimo

Transmitters:	Fifteen (15) Total	
Quantity:	One (1)	Fourteen (14)
Manufacturer:	M A Com	Harris
Model:	MR801	Mastr V
Dimensions:	20" x 20"	20" x 20"
Power:	5	100
Frequencies:	Transmit: 806 MHz	
ERP:	Receive: 870 MHz	
	N/A	