



## Legislation Details (With Text)

**File #:** 22-1068

**Type:** Consent      **Status:** Agenda Ready

**In control:** Board of County Commissioners

**On agenda:** 8/16/2022      **Final action:**

**Title:** ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A TOWER AND GROUND SPACE LEASE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC. (AT&T) FOR THE PUBLIC SAFETY COMPLEX AT 800 SE MONTEREY ROAD, STUART, FL

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Signed Lease.pdf, 2. AT&T Sheriff Tower.pdf, 3. Exhibits.pdf, 4. Reso.pdf, 5. 0 ITS\_Sheriff\_Tower\_Lease[1].pdf

Date	Ver.	Action By	Action	Result
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**PLACEMENT:** Consent

**TITLE:**

**ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A TOWER AND GROUND SPACE LEASE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC. (AT&T) FOR THE PUBLIC SAFETY COMPLEX AT 800 SE MONTEREY ROAD, STUART, FL**

**EXECUTIVE SUMMARY:**

Request adoption of a resolution approving and accepting a Tower and Ground Space Lease (Lease) with New Cingular Wireless PCS, LLC. (AT&T) for continued use of space on and around the communications tower located at the Public Safety Complex at 800 SE Monterey Road, Stuart, Florida.

**DEPARTMENT:** Information Technology Services

**PREPARED BY:** **Name:** Carla T. Segura, FRP  
**Title:** Real Property Manager

**REQUESTED BY:** Matthew Hinckle, Telecommunications Manager

**PRESET:**

**PROCEDURES:** None

**BACKGROUND/RELATED STRATEGIC GOAL:**

Agreement/Bill of Sale drafted by: Martin County

Parties to the Agreement/Bill of Sale: Martin County - Landlord  
New Cingular Wireless PCS, LLC (AT&T) - Tenant

Purpose of the Agreement/Bill of Sale: Lease Tower and Ground Space to AT&T

New/Renewal/Modification: New

Duration: 10 years with three (3) ten (10) year renewal periods

Benefits to Martin County: Continued service for AT&T customers and citizens

Cost to Martin County: None

AT&T currently has a Tower and Ground Space Lease for a portion of the communications tower located at the Public Safety Complex at 800 SE Monterey Road, Stuart, FL 34994. The current lease expires on August 18, 2022.

AT&T was chosen as the successful bidder of the Ground Space Lease through RFP 2022-3405. The term of the Lease will be for ten (10) years with three (3) ten (10) year renewal periods to commence on August 19, 2022. The Lease calls for rental payments of \$24,000 annually with annual increases of three percent (3%). AT&T will obtain customary insurance coverage and will provide certificates of insurance naming Martin County as an additional insured.

The County is authorized, pursuant to Sec. 125.38, Fla. Stat., to lease real property owned by the County to the highest and best bidder on reasonable terms as determined by the Board of County Commissioners.

**ISSUES:**

None

**LEGAL SUFFICIENCY REVIEW:**

This item has been reviewed for legal sufficiency to determine whether it is consistent with applicable law, has identified legal risks, and has developed strategies for legal defensibility.

**RECOMMENDED ACTION:**

**RECOMMENDATION**

Move that the Board (i) adopt a Resolution approving and accepting a Tower and Ground Space Lease Agreement with New Cingular Wireless PCS, LLC for a term of ten (10) years with three (3) ten (10) year options to renew and (ii) authorize the Chairman to execute any and all documents necessary to complete this transaction.

**ALTERNATIVE RECOMMENDATIONS**

*Pull* this item from the Consent Agenda and provide staff with alternate recommendation.

**FISCAL IMPACT:**

**RECOMMENDATION**

None

**ALTERNATIVE RECOMMENDATIONS**

None

**DOCUMENT(S) REQUIRING ACTION:**

- |  |                                       |  |
|--|---------------------------------------|--|
| <input type="checkbox"/> Budget Transfer / Amendment | <input type="checkbox"/> Chair Letter | <input checked="" type="checkbox"/> Contract / Agreement |
| <input type="checkbox"/> Grant / Application         | <input type="checkbox"/> Notice       | <input checked="" type="checkbox"/> Resolution           |
| <input type="checkbox"/> Other:                      |                                       |  |