169



SUBMITTAL DATE: December 3, 2015

SUBJECT: First Amendment to Communication Site Lease – T-Mobile West Corporation – Riverside County Information Technology, 5 Year Term, District 1, [\$0], CEQA Exempt

RECOMMENDED MOTION: That the Board of Supervisors:

FROM: Economic Development Agency

- 1. Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Class 1, Existing Facilities Exemption; Section 15061 (b) (3), General Rule or "Common Sense" Exemption, Codified under Title 14, Articles 5 and 19, Sections 15061 and 15300 to 15301;
- 2. Approve the attached Communication Site Lease Agreement and authorize the Chairman of the Board to execute the same on behalf of the County;
- 3. Authorize the Assistant County Executive Officer of the Economic Development Agency, or his designee, to execute any other documents and administer all actions necessary to complete or memorialize this transaction; and

(Continued)

Robert Field

Assistant County Executive Officer/EDA

FINANCIAL DATA Current Fiscal Year:		Next Fiscal Year:	Total Cost:		ngoing Cost:	POLICY/CONSENT (per Exec. Office)	
COST	\$ 0	\$ 0	\$ 0	\$	0	Consent □ Policy X	
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$	0	Consent - Policy	
SOURCE OF FUND	OS: N/A			111	Budget Adjustr	nent: No	
					For Fiscal Year	2015/16- 2036/37	
C.E.O. RECOMME	NDATION:	Α	PPROVE	,	900		
			00	1	a 1 K		

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

BY:	Steve Reneker Riverside Cour
Positions Added	Change Order
□ A-30	□ 4/5 Vote

by Informational Technology

Prev.	Agn.	Ref.:
	9	1.01

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

Economic Development Agency/Facilities Management

FORM 11: First Amendment to Communication Site Lease – T-Mobile West Corporation – Riverside County

Information Technology, 5 Year Term, District 1, [\$0], CEQA Exempt

DATE: December 3, 2015

PAGE: 2 of 2

RECOMMENDED MOTION: (Continued)

4. Direct the Clerk of the Board to file the Notice of Exemption within five days of approval by the Board.

BACKGROUND:

Summary

The County of Riverside is the owner of real property commonly known as 7195 Alessandro Blvd. in Riverside (APN: 268-020-019). The primary purpose of the property is the Riverside County Communication Center, which includes the western Riverside County 911 dispatch center. The County has leased a portion of the property to T-Mobile since 1996, including a presence on the roof of the building for antenna support. T-Mobile's cabinetry for transmitters and receivers is situated on the property so as to minimize any disruption to County operations. This First Amendment represents a new five year term extension beginning July 1, 2016 through June 30, 2022 with the option to further extend for three additional five year periods from July 1, 2022 through June 30, 2037, and it allows T-Mobile to add two panel antennas to their existing array of six panels for enhanced radio coverage.

Pursuant to the California, Environmental Quality Act (CEQA), the First Amendment was reviewed and determined to be categorically exempt from CEQA under CEQA Guidelines Section 15301, Class 1, Existing Facilities Exemption; Section 15061 (b) (3), General Rule or "Common Sense" Exemption, Codified under Title 14, Articles 5 and 19, Sections 15061 and 15300 to 15301. The proposed project, the First Amendment, is the letting of property involving existing facilities and no expansion of an existing use will occur.

Lessee:

T-Mobile West Corporation

12920 SE 38th Street Bellevue, WA 98006

Premises Location:

7195 Alessandro Blvd, Riverside, CA 92506

Current

New

Term:

June 30, 2016

June 30, 2021

Rent:

\$2,988.55 per month

\$3,108.09 per month, 4% annual increases

Impact on Citizens and Businesses

Renewal of this lease allows for continued and improved cellular service coverage, fewer dropped calls for citizens and businesses that use T-Mobile services.

Attachments:
Aerial Image
Communications Site Lease
CEQA Notice of Exemption

FIRST AMENDMENT TO COMMUNICATIONS SITE LEASE AGREEMENT

THIS FIRST AMENDMENT TO COMMUNICATIONS SITE LEASE AGREEMENT ("First Amendment"), dated as of _______, is entered by and between the COUNTY OF RIVERSIDE, a political subdivision of the State of California, as Lessor, and T-Mobile West LLC, a Delaware limited liability company f/k/a T-Mobile West Corporation, as successor-in-interest to Omnipoint Communications Inc., as Lessee, sometimes collectively referred to as the "Parties".

RECITALS

- A. Lessor and Omnipoint Communications Inc., a subsidiary of T-Mobile USA Inc, predecessor in interest to T-Mobile West LLC, as Lessee, entered into that certain Communications Site Lease Agreement dated July 9, 2007, (the "Lease") pursuant to which Lessee leased a portion of the real property formerly referred to in the Lease as Assessor's Parcel Number 268-020-011 at the Riverside County Communication Center, (RCCC), 7195 Alessandro Riverside, CA, now identified as Assessor's Parcel Number: 268-020-019, depicted on Exhibit "B", attached to the Lease, along with all applicable easements (the "Premises").
- B. The Original Lease together with this First Amendment are collectively referred to herein as the "Lease".
- C. The Parties now desire to amend the Lease for the purpose of, but not limited to, upgrading antennas, equipment shelters, cabinets, and any other equipment deemed necessary for improvement of operation.

NOW THEREFORE, for good and valuable consideration the receipt and adequacy of which is hereby acknowledged, the Parties agree as follows:

1. USE. Section 2 of the Lease is hereby amended by the following:

The Premises may be used for the purpose of constructing, maintaining and operating a communications facility, including tower structures, equipment shelters, cabinets, meter boards, utilities, antennas, equipment, any related improvements and structures and uses incidental thereto; and Lessor approves of and consents to all modifications set forth in the construction drawings, identified as Exhibits A-1 through A-6, and G-1, attached hereto and by this reference incorporated herein.

2. TERM. Section 4 of the Lease is hereby amended by the following:

The term of this Lease ("Term") shall be extended five (5) years commencing on July 1, 2016 through June 30, 2021. Lessee shall have the option to extend the Term of this Lease for three (3) additional five (5) year periods ("Renewal Term") as set forth herein. This Lease shall automatically be extended for the Renewal

- 3. IMPROVEMENTS; ACCESS. Subsection (a) of Section 6 of the Lease is hereby amended by the following:
 - Exhibit "D" of the Lease shall be replaced with the Riverside County Wireless Facility Application Form, Exhibit "D", attached hereto and by this reference incorporated herein.
- 4. CAPITALIZED TERMS. First Amendment to Prevail. Unless defined herein or the context requires otherwise, all capitalized terms herein shall have the meaning defined in the Lease, as heretofore amended. The provisions of this First Amendment shall prevail over any inconsistency or conflicting provisions of the Lease, as heretofore amended, and shall supplement the remaining provisions thereof.
- 5. MISCELLANEOUS. Except as amended or modified herein, all the terms of the Lease shall remain in full force and effect and shall apply with the same force and effect. Time is of the essence in this First Amendment and the Lease and each and all of their respective provisions. Subject to the provisions of the Lease as to assignment, the agreements, conditions and provisions herein contained shall apply to and bind the heirs, executors, administrators, successors and assigns of the parties hereto. If any provisions of this First Amendment or the Lease shall be determined to be illegal or unenforceable, such determination shall not affect any other provision of the Lease and all such other provisions shall remain in full force and effect. The language in all parts of the Lease shall be construed according to its normal and usual meaning and not strictly for or against either Lessor or Lessee. Neither this First Amendment, nor the Lease, nor any notice nor memorandum regarding the terms hereof, shall be recorded by Lessee.
- 6. EFFECTIVE DATE. This First Amendment to Communications Site Lease shall not be binding or consummated until its approval by the Riverside County Board of Supervisors and it is fully executed by the Parties.

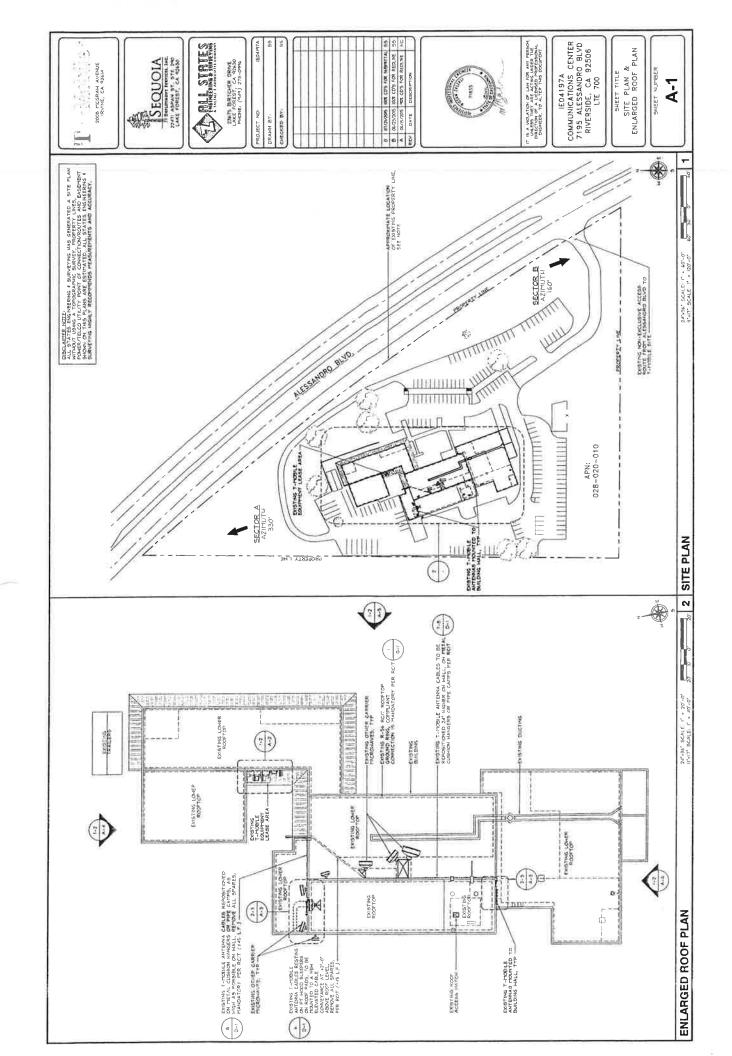
SITE NUMBER: RV178 – T-Mobile site N^o IE04197A SITE NAME: 7195 Alessandro T-Mobile

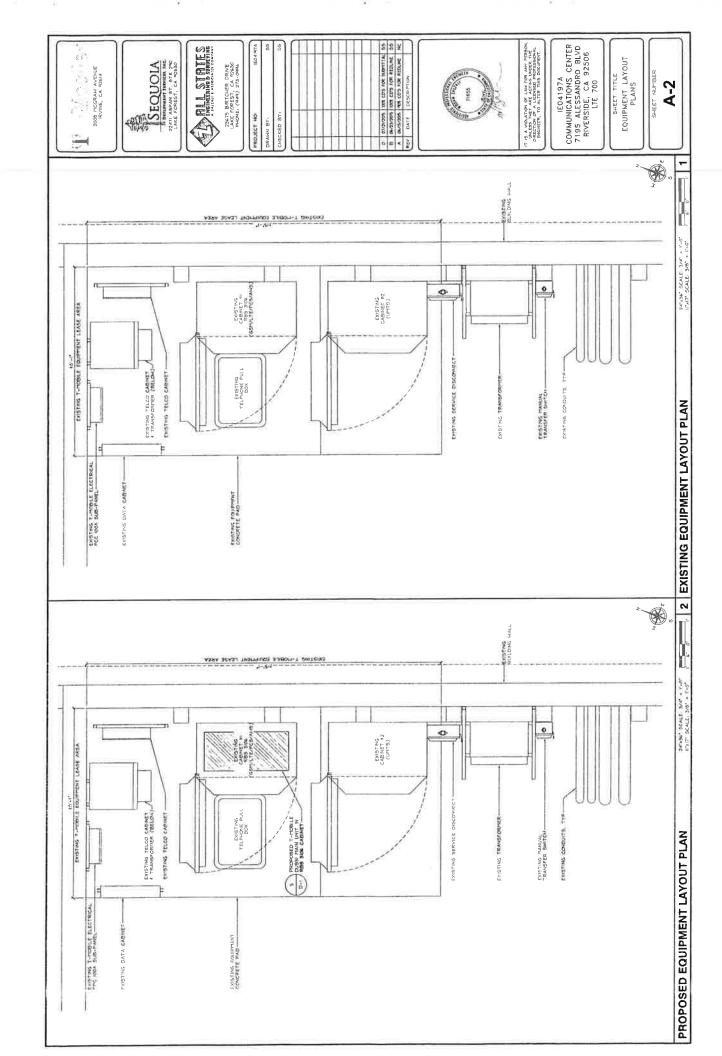
IN WITNESS WHEREOF, the Parties have executed this **First Amendment** as of the date first written above.

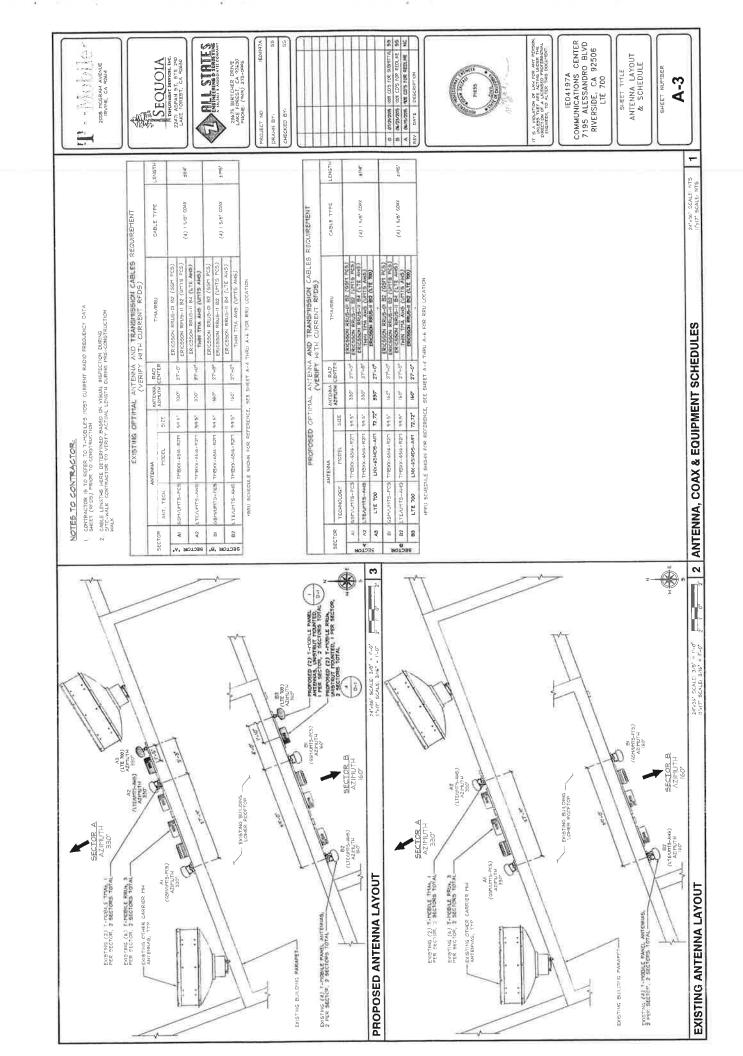
LESSOR:	LESSEE:
COUNTY OF RIVERSIDE, a political subdivision of the State of California	T-MOBILE WEST LLC, a Delaware limited liability company
By: Marion Ashley, Chairman Board of Supervisors	By:
ATTEST: Kecia Harper-Ihem Clerk of the Board	
By: Deputy	
APPROVED AS TO FORM: Gregory P. Priamos, County Counsel By: R. 7012 France	
Deputy County Counsel	

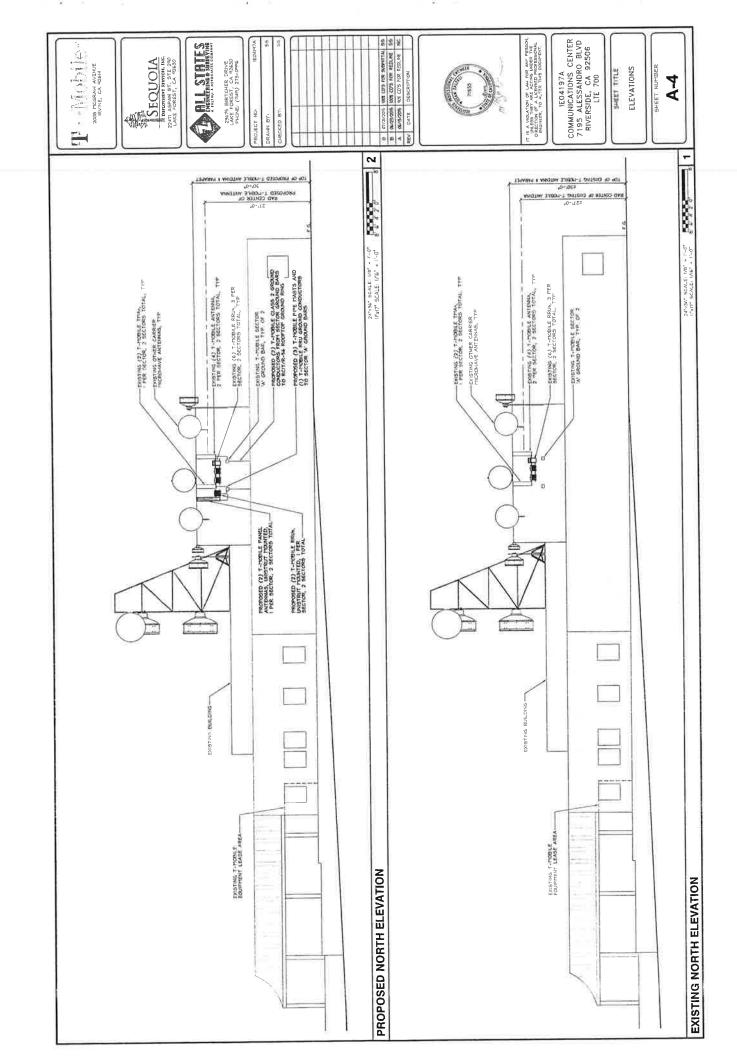
IN WITNESS WHEREOF, the Parties have executed this **First Amendment** as of the date first written above.

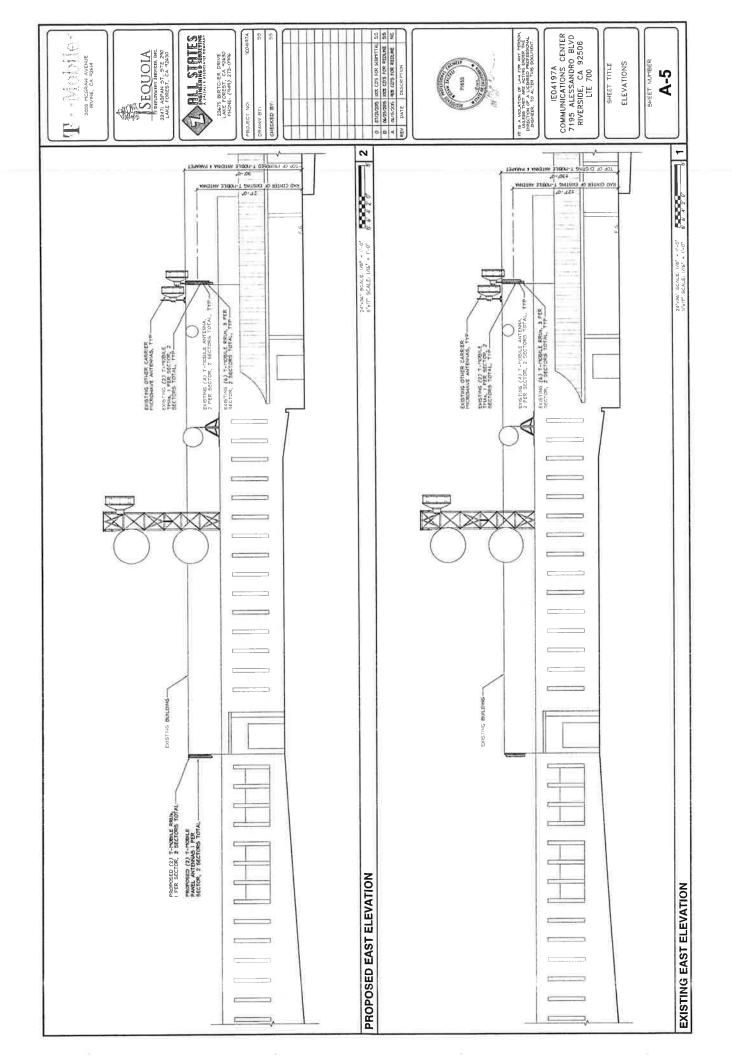
LESSOR:	LESSEE:
COUNTY OF RIVERSIDE, a political subdivision of the State of California By: Marion Ashley, Chairman Board of Supervisors	T-MOBILE WEST LLC, a Delaware limited liability company By: Print Name on Zumsteg Title: Senior Director, Network Engineeting & Operations, West Region
ATTEST: Kecia Harper-Ihem Clerk of the Board By:	The same
Deputy	
APPROVED AS TO FORM: Gregory P. Priamos, County Counsel	
Ву:	
Deputy County Counsel	

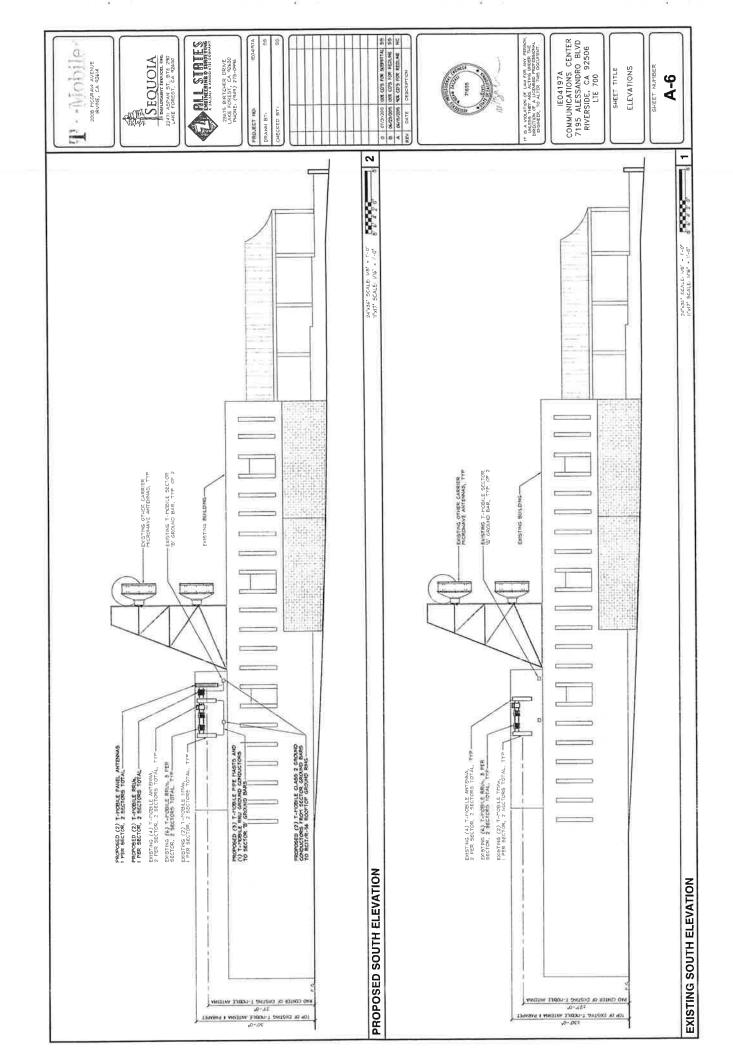


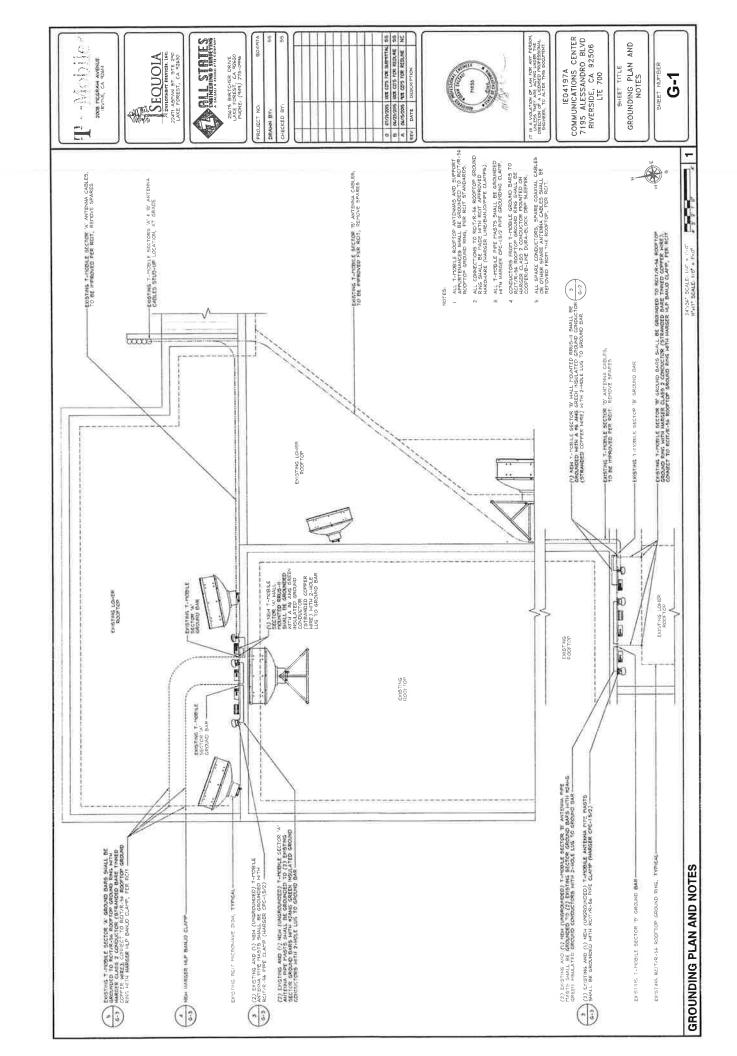












SITE NUMBER: RV178 - T-Mobile site No IE04197A

RETURN THIS APPLICATION AND FEES TO:

SITE NAME: 7195 Alessandro T-Mobile

EXHIBIT D TECHNICAL DATA SHEET

Riverside County Wireless Facility

Date Received:

Application Form

County of Riverside Department of Facilities Manager	nent.	Attn: Jim Force		Revision Da	ates			
3133 Mission Inn Ave:	e-mail:	JRForce@rc-facili	ties.org	1				
Riverside, CA 92507	Office:	9			Ales	Alessandro Communications Center		
	ſax:	951-955-4837		Site Numbe	r: RV1	78		
CONTRACTOR AND A SECOND	THE CONTRACTOR	APPLICAN	T INFORM.	ATION	a renewal	CANA THE WATER STREET		
Applicant (Carrier):	T-Mobile			Contact Name:	Ken W	eingartner		
Applicant Site Name:	Commun	ication Center	Company		T-Mobi			
Applicant Site Number:	IE04197/			Contact Numbe	er 949-310	949-310-1582		
	3)			Contact Fax:	949-753			
Proposed Installation Date:		12/30/1996	- 1		-			
Proposed ON AIR Date: Applicant Entity Name on Lease TMO CA/N		12/30/1996						
		CA/NV LLC fka	Primary (Primary Contact Address:		22471 Aspan Street, Ste 290 Lake Forest, CA 92630		
		Bell Wireless						
Notice Address for Lease:		SE 38 th Street, rue, WA 98006	-					
Billing Address:		33,	Primary (Primary Contact Email:		ken.weingartner@sequoia-ds.com		
医红毛状态 计研究中		ADDITIONAL C				N. 146. 41. 45. 15. 15. 16.		
Leasing Contact Name/Numb		Ken Weingartner,				-ds.com		
RF Contact Name/Number:		Bi Shijie, 951-231						
Legal Review Contact Name		Γania Dao, 714-21						
Zoning Contact Name/Numb		Paul Gerst 949-29	0-0602, paul.g	gerst@sequoia-	-ds.com			
Construction Contact Name/I		ΓBD						
Emergency Contact Name/No	umber:							
All the Sound of the law and	era di ireli		G INFORM		10 4 10			
Latitude:		33.9211		Structure Typ		Steel Frame and stucco		
Longitude:		-117.3354						
Site Address: 7197 Alessa	ndro	County: Riverside		A	Zır	o: 92506		
			NTENNAS		November 1	A TRANSPORT OF THE PARTY OF THE		
Sector		Sector 1	Sector 2	Sector 3	Sector 4	Micro Wave / GPS		
Desired Rad Center (ft AGL))	27	27					
Antenna Quantity		Garmagana .	Commissions					
Antenna Manufacturer	CI ····	Commscope	Commscope					
Antenna Model (Attach Spec	Sheet)	(1)LNX- 6514DS-	(1)LNX- 6514DS-	1				
		AIM/(2)T	AIM/(2)T	1				
		MBXX—	MBXX—					
		6516-	6516-	ŀ				
		R2M	R2M					
Weight (lbs per antenna)		(1)31,3lbs	(1)31.3lbs					
		(2)18.8	(2)18.8lbs					
Antenna Dimensions (HxWx	(In)	(1)72.7x	(1)72.7x					
		11.9x7,1	11.9x7.1					
		in.(2)51x1	in.(2)51x1	1				
		3x3.5 in	3x3.5 in.					
ERP (watts)		250	250					
Antenna Gain (dB)		(1)15.7	(1)15,7					
O dentation / A dentation		(2)17.5	(2)17.5					
Orientation/Azimuth (Degree	es)	330	160					
Mechanical Tilt		4	4					
Channels		4	4					

(Exhibit D Continued on next page)

SITE NUMBER: RV178 - T-Mobile site No IE04197A

SITE NAME: 7195 Alessandro T-Mobile

(Exhibit D Continued)

Riverside County Wireless Facility
Application Form

				2		
Mount Mfg and Model (Attach Spec Sheet)	(1)Comms	(1)Comms				
_	cope	cope				
	DB5083D	DB5083D	l			
	(2) N/A	(2) N/A				
Tower Mount Mounting Height (On Tower)	30	30				
Transmit Frequency (MHz)	731	731				
Receive Frequency (MHz)	701	701				
Number of Coax Cables (PER ANTENNA)	2	2				
Diameter of Coax Cables (in)	7/8	7/8				
Type of Service (i.e CDMA, GSM, TDMA,	GSM & Umts					
PAGING):						
MANAGEMENT AND THE PARTY OF THE		m . or mmor	THE PARTY	A TELEPINATE OF CHARLES	reservation to the state of the	WI THE WILL AND THE

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None
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and the Riverside County Facility Management team.

- This Application is subject to Riverside County's Communication, Engineering and Facilities Management approval.
- Modifications to the building are subject to local zoning approval.
- Applicant must attach manufacturer's equipment specifications for antennas, mounts, cabinets, shelters, cables etc.

Exhibit "R"

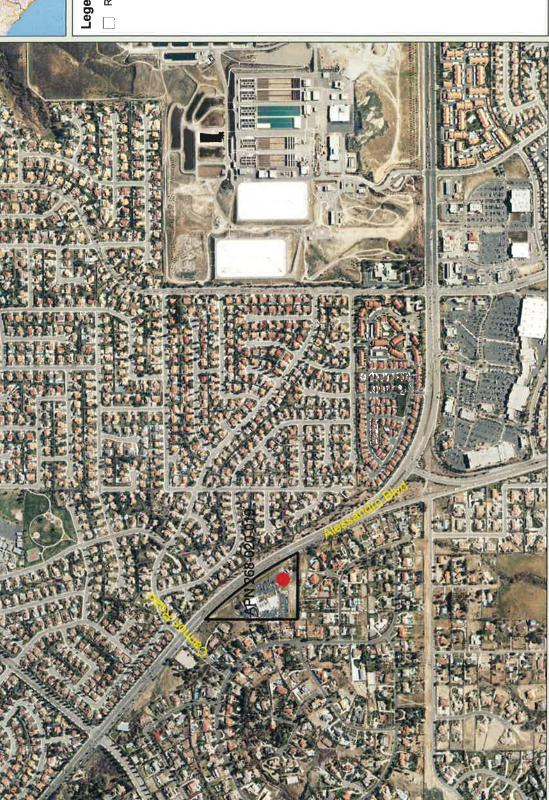
Communication Site Lease - Alessandro Blvd

T-Mobile West



Legend

RCLIS Parcels



1,125

HC

"IMPORTANT" Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

Notes APN 268-020-019

2,249 Feet

(3)

REPORT PRINTED ON... 10/28/2015 2:11:26 PM

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NOTICE OF EXEMPTION

November 13, 2015

Project Name: County of Riverside, Economic Development Agency (EDA) First Amendment to Communication Site

Lease, Riverside County RCIT

Project Number: FM047611017800

Project Location: 7195 Alessandro Boulevard, southeast of Canyon Crest Drive, Riverside, California 92506; APN 268-

020-019; (See Attached Exhibit)

Description of Project: The County of Riverside (County) is the owner of real property at 7195 Alessandro Blvd, where the Riverside County Communication Center is located. This First Amendment represents a new five-year renewal term with the option of three additional five-year periods and allows the T-Mobile West Corporation (Lessee) to improve operational equipment at the site. The facility continues to provide public safety communications for the benefit of residents and businesses in Riverside and surrounding communities. The Amendment to the Lease and improvements to on-site operational equipment is identified as the proposed Project under the California Environmental Quality Act (CEQA). No expansion of an existing use will occur. The operation of the facility will continue to provide public safety communications services and will result in a negligible expansion or no expansion of existing use. No additional direct or indirect physical environmental impacts are anticipated.

Name of Public Agency Approving Project: County of Riverside, Economic Development Agency

Name of Person or Agency Carrying Out Project: County of Riverside, Economic Development Agency

Exempt Status: State CEQA Guidelines, Section 15301, Class 1, Existing Facilities Exemption; Section 15061(b) (3), General Rule or "Common Sense" Exemption, Codified under Title 14, Articles 5 and 19, Sections 15061 and 15300 to 15301.

Reasons Why Project is Exempt: The proposed Project is categorically exempt from the provisions of CEQA specifically by the State CEQA Guidelines as identified below. The Project will not result in any specific or general exceptions to the use of the categorical exemption as detailed under State CEQA Guidelines Section 15300.2. The Project will not cause an impact to an environmental resource of hazardous or critical concern nor would the Project include a reasonable possibility of having a significant effect on the environment due to unusual circumstances. The Project would not result in impacts to scenic highways, hazardous waste sites, historic resources, or other sensitive natural environments, or have a cumulative effect to the environment. No significant environmental impacts are anticipated to occur with the Amendment to the Lease and improvements to the existing on-site equipment.

- Section 15301 Class 1 Existing Facilities Exemption: This categorical exemption includes the operation, repair, maintenance, leasing, or minor alteration of existing public or private structures or facilities, provided the exemption only involves negligible or no expansion of the previous site's use. The Project, as proposed, is limited to the Amendment to the Lease and improvements to existing on-site equipment. The proposed improvements consist of minor improvements to existing on-site equipment to improve and maintain the efficiency of public safety communications infrastructure. The improvements to in-site equipment would be consistent with the land use, would occur on a developed area and would not require any expansion of public services and facilities; therefore, the Project is exempt as the Project meets the scope and intent of the Class 1 Exemption identified in Section 15301, Article 19, Categorical Exemptions of the CEQA Guidelines.
- Section 15061 (b) (3) "Common Sense" Exemption: In accordance with CEQA, the use of the Common Sense Exemption is based on the "general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment." State CEQA Guidelines, Section 15061(b) (3). The use of this exemption is appropriate if "it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment." Ibid. This determination is an issue of fact and if sufficient evidence exists in the record that the activity cannot have a significant effect on the environment, then the exemption applies and no further evaluation under CEQA is required. See No Oil, Inc. v. City of Los Angeles (1974) 13 Cal. 3d 68. The ruling in this case stated that if a project falls within a category exempt by administrative regulation or 'it can be seen with certainty that the activity in question will not have a significant effect on the environment', no further agency evaluation is required. With certainty, there is no possibility that the Project may have a significant effect on the environment. The proposed Amendment to the Lease and improvements to on-site equipment will not result in any direct or indirect physical environmental impacts. The use and operation of the facility will be substantially similar to the existing use and will not create any new environmental impacts to the surrounding area. No alterations and no impacts beyond the ongoing, existing use of the site would occur. Therefore, in no way, would the Project as proposed have the potential to cause a significant environmental impact and the Project is exempt from further CEQA analysis.

Based upon the identified exemptions above, the County of Riverside, Economic Development Agency hereby concludes that no physical environmental impacts are anticipated to occur and the Project as proposed is exempt under CEQA. No further environmental analysis is warranted.

Date: ////3//5

Signed:

Mike Sullivan, Senior Environmental Planner

County of Riverside, Economic Development Agency

RIVERSIDE COUNTY CLERK & RECORDER

AUTHORIZATION TO BILL BY JOURNAL VOUCHER

Project Name:	First Amendment to Communication Site Lease-RCIT
Accounting String:	524830-47220-7200400000- FM047611017800
	27 - 1 - 10 - 001 5
DATE:	November 13, 2015
AGENCY:	Riverside County Economic Development Agency
	THE COUNTY CLERK & RECORDER TO BILL FOR FILING AND OR THE ACCOMPANYING DOCUMENT(S).
NUMBER OF DOCU	JMENTS INCLUDED: One (1)
AUTHORIZED BY:	Mike Sullivan, Senior Environmental Planner, Economic Development
Signature:	That Go
PRESENTED BY:	Tracy Kaiser, Development Specialist III, Economic Development Agency
	-TO BE FILLED IN BY COUNTY CLERK-
ACCEPTED BY:	
DATE:	—,
RECEIPT # (S)	



Date:

November 13, 2015

To:

Mary Ann Meyer, Office of the County Clerk

From:

Mike Sullivan, Senior Environmental Planner, Project Management Office

Subject:

County of Riverside Economic Development Agency Project # FM047611017800

First Amendment to Communication Site Lease-RCIT

The Riverside County's Economic Development Agency's Project Management Office is requesting that you post the attached Notice of Exemption. Attached you will find an authorization to bill by journal voucher for your posting fee.

After posting, please return the document to:

Mail Stop #1330

Attention: Mike Sullivan, Senior Environmental Planner,

Economic Development Agency,

3403 10th Street, Suite 400, Riverside, CA 92501

If you have any questions, please contact Mike Sullivan at 955-8009.

Attachment

cc: file