



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 11/25/2014

Agenda Placement: 6R

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors

FROM: Jon Gjestvang - Chief Information Officer
Information Technology Services

REPORT BY: Maiko Klieman, STAFF SERVICES MANAGER - 707-259-8665

SUBJECT: Approve Structure Lease Agreement with New Cingular Wireless at Calistoga Fairgrounds

RECOMMENDATION

Chief Information Officer requests approval of and authorization for the Chairman to sign a revenue Agreement with New Cingular Wireless PCS, LLC for a maximum of \$24,000 per year for the first five years, rate increasing 7 1/2 % every 5 years after that through the term of the agreement, for the term of November 25, 2014 through January 26, 2024 to lease a certain portion of the property at 1435 North Oak Street, Calistoga (the Napa County Fairgrounds) for the placement of a new cellular wireless communication facility.

EXECUTIVE SUMMARY

New Cingular Wireless PCS, LLC (hereafter "Cingular") (also known as the "new AT&T" since Cingular became wholly owned by AT&T in 2006) has requested to use a portion of the Calistoga Fairgrounds to construct and operate a wireless communications facility to improve the wireless communications network for the area. The County already has a similar agreement with T-Mobile (formerly Metro PCS) for their wireless communications facility at the Fairgrounds.

As in the case with the T-Mobile agreement, this new agreement with Cingular assigns the revenue for the lease to go to the Napa County Fair Association, Inc. (hereafter "Fair Association"). The Calistoga Fairgrounds property is currently leased to the Fair Association. This agreement will provide the revenue of \$2,000 per month to the Fair Association and will increase by 7 1/2 % every 5 years through the term of the agreement. This lease agreement has a term that coincides with the County's Agreement with the State of California, where the County committed to using the property to operate the Fair (Agreement No. 6243). In the event both Agreement No. 6243 and No. 8025 are extended beyond January 26, 2024, this agreement with Cingular includes a provision that will automatically renew for the same duration. , currently leased to the Napa County Fair Association, Inc. (hereafter "Fair Association"),

City of Calistoga's Planning Commission approved the use permit for this project at their November 13, 2013 meeting. Cingular is also working on submitting the building permit to the County's Planning department soon.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Cingular has requested to use a portion of the Calistoga Fairgrounds, Assessor's Parcel Number 001-140-007, located at 1435 North Oak Street, Calistoga, CA, to construct and operate a cellular wireless communications facility to improve the wireless communications network for the area. The County already has a similar agreement with T-Mobile Agreement No. 6625-1) for their wireless communications facility at the Fairgrounds. The County has an agreement with the State of California (Agreement No. 6243), committing the property for Fair purposes, and also has an agreement with the Fair Association (Agreement No. 8025) to conduct the Fair.

As in the case with the T-Mobile agreement, this new agreement with Cingular assigns the revenue for the lease to go to the Fair Association. The Calistoga Fairgrounds property is currently leased to the Fair Association. This agreement will provide the revenue of \$2,000 per month to the Fair Association and will increase by 7 1/2 % every 5 years through the term of the agreement. This lease agreement has a term that coincides with the County's Agreement with the State of California, where the County committed to using the property to operate the Fair (Agreement No. 6243). In the event both Agreement No. 6243 and No. 8025 are extended beyond January 26, 2024, this agreement with Cingular includes a provision that will automatically renew for the same duration.

The City of Calistoga's Planning Commission approved the use permit for this project at their November 13, 2013 meeting. Cingular is also working on submitting the building permit to the County's Planning department soon.

County staff has been working closely with the Fair Association and they are in support of this agreement. The construction schedule will be coordinated between Cingular and the Fair Association so that it does not interfere with any of the events that are scheduled at the Fairgrounds. Staff continues to work with other wireless providers who may want to enter into similar agreements and will return at a later date with those agreements.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Helene Franchi