

ORDINANCE 2024-O-

AUTHORIZING THE CITY MANAGER TO EXECUTE A FIRST AMENDMENT TO THE GROUND LEASE BETWEEN TOWERCO SPECIAL, LLC, DELAWARE LIMITED LIABILITY COMPANY (“LICENSOR”), AND THE CITY OF LAREDO (“LICENSEE”), FOR SPACE ON THE TOWER LOCATED AT 1313 WEST CALTON ROAD FOR THE INSTALLATION AND OPERATION OF THE 800 MHZ PUBLIC SAFETY SYSTEM ANTENNAS AND RELATED GROUND EQUIPMENT. TERM OF THE AMENDMENT IS ONE (1) INITIAL TERM OF FIVE (5) YEARS COMMENCING JANUARY 23, 2026 AND ENDING JANUARY 22, 2031, WITH FIVE (5) ADDITIONAL FIVE (5) YEAR RENEWAL OPTIONS. THE ANNUAL FEE WILL REMAIN AT THE THEN CURRENT RATE WITH A CPI ANNUAL ESCALATOR.

WHEREAS, staff recommends that the City Council approve the proposed First Amendment to the Ground Lease between TowerCo Special, LLC, Delaware limited liability company (“Licensor”), and the City of Laredo (“Licensee”), for space on the tower located at 1313 West Calton Road for the installation and operation of the 800 MHz Public Safety System antennas and related ground equipment. Term of the Amendment is one (1) initial term of five (5) years commencing January 23, 2026 and ending January 22, 2031, with five (5) additional five (5) year renewal options. The annual fee will remain at the then current rate with a CPI annual escalator.

WHEREAS, the City of Laredo entered into an agreement dated January 23, 2006, with Licensor, wherein Licensor leased to Licensee on a non-exclusive basis, space on the tower located at 1313 West Calton Road, Laredo, Webb County, Texas and related ground equipment;

WHEREAS, said agreement will expire January 23, 2026; therefore, this Agreement will replace current agreement upon expiration.

WHEREAS, the Information Services and Telecommunications Department finds that said agreement is in the best interest of the City of Laredo; and

WHEREAS, the City Council of the City of Laredo is of the same opinion.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1. Authorizing the City Manager to execute a First Amendment to the Ground Lease between TowerCo Special, LLC, Delaware limited liability company (“Licensor”), and the City of Laredo (“Licensee”), for space on the tower located at 1313 West Calton Road for the installation and operation of the 800 MHz Public Safety System antennas and related ground equipment. Term of the Amendment is one (1) initial term of five (5) years commencing January 23, 2026 and ending January 22, 2031, with five (5) additional five (5) year renewal options. The annual fee will remain at the then current rate with a CPI annual escalator.

Section 2. This Ordinance shall become effective upon passage hereof.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON
THIS THE ____ DAY OF AUGUST 2024.

Dr. Victor D. Trevino
MAYOR

ATTEST:

Mario Maldonado, Jr.
CITY SECRETARY

APPROVED AS TO FORM:

Doanh “Zone” T. Nguyen
CITY ATTORNEY

BY: Rodolfo Morales, III
ASSISTANT CITY ATTORNEY