

ORDINANCE 2024-O-005

AUTHORIZING THE CITY MANAGER TO EXECUTE A FIRST AMENDMENT TO THE GROUND LEASE BETWEEN THE CITY OF LAREDO LAREDO (“LANDLORD”) AND NCWPCS MPL 30 – YEAR SITES TOWER HOLDINGS LLC, A DELAWARE LIMITED LIABILITY COMPANY, BY AND THROUGH CCATT LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS ATTORNEY IN FACT, (“TENANT”) FOR GROUND SPACE AT 1501 EAST LYONS ST., LAREDO, WEBB COUNTY, TEXAS, FOR THE CONTINUED MAINTENANCE AND OPERATION OF A 80 FT. HIGH SELF-SUPPORTING TOWER AND RELATED GROUND FACILITIES.

TERM OF THE AMENDMENT IS FOR (3) CONSECUTIVE RENEWAL TERMS OF FIVE (5 YEARS); EFFECTIVE OCTOBER 21, 2027. THE ANNUAL RENT WILL INCREASE FROM \$19,141.00 TO \$45,000.00 WITH A FOUR PERCENT (4%) ANNUAL ESCALATOR. THE CITY WILL ALSO RECEIVE A CONDITIONAL SIGNING BONUS OF \$25,000.00.

WHEREAS, staff recommends that the City Council approve the proposed First Amendment to the Ground Lease between the City of Laredo (“Landlord”) and NCWPCS MPL 30 – Year Sites Tower Holdings, LLC, a Delaware limited liability company, by and through its Attorney in Fact, (“Tenant”), for ground space at 1501 East Lyon Street, Laredo, Webb County, Texas, for the continued maintenance and operation of an 80 ft. high self-supporting type tower and related ground facilities for use in their communications business.

WHEREAS, the City of Laredo entered into an agreement dated October 21, 2002, with Tenant wherein Landlord leased to Tenant on a non-exclusive basis, ground space at 1501 East Lyon Street, Laredo, Webb County, Texas.

WHEREAS, said agreement will expire October 20, 2027; 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 the City of Laredo (“Landlord”) and NCWPCS MPL 30 – Year Sites Tower Holdings LLC, a Delaware limited liability company, by and through CCATT LLC, a Delaware limited liability company, its attorney in fact, (“Tenant”) for ground space at 1501 East Lyons St., Laredo, Webb County, Texas, for the continued maintenance and operation of a 80 ft. high self-supporting tower and related ground facilities.

Section 2. Term of the Amendment is for (3) consecutive renewal terms of five (5 years); effective October 21, 2027. The annual rent will increase from \$19,141.00 to \$45,000.00 with a four percent (4%) annual escalator. The city will also receive a Conditional Signing Bonus of \$25,000.00.

Section 3. This Ordinance shall become effective upon passage hereof.

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

Dr. Victor D. Trevino
MAYOR

ATTEST:

JOSE A. VALDEZ, JR.
CITY SECRETARY

APPROVED AS TO FORM:

Doanh “Zone” T. Nguyen
CITY ATTORNEY

BY: Xavier A. Charles
ASSISTANT CITY ATTORNEY

