



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION RATIFYING AND APPROVING A FIRST AMENDMENT TO A LAND LEASE AGREEMENT BETWEEN NEVADA COUNTY AND SACRAMENTO-VALLEY LIMITED PARTNERSHIP, D/B/A VERIZON WIRELESS, FOR A COMMUNICATIONS TOWER SITE (SITE US-CA-5593) ON COUNTY AIRPORT PROPERTY, UPDATING RENT TO \$1,850 PER MONTH, WITH 2% ANNUAL INCREASES, ESTABLISHING A FIVE-YEAR RENT GUARANTEE, AND ADDING TWO FIVE-YEAR RENEWAL OPTIONS

WHEREAS, the County of Nevada owns real property in Nevada County, California, a portion of which is leased for a communications tower and related equipment to support wireless telecommunications services; and

WHEREAS, on May 13, 2015, Nevada County (“County”) entered into a Land Lease Agreement (“Agreement”) with Sacramento-Valley Limited Partnership, d/b/a Verizon Wireless (“Lessee”), as documented by a Memorandum of Land Lease Agreement recorded on June 11, 2015, as Instrument No. 20150013413; and

WHEREAS, the Agreement allows the Lessee to operate and maintain communications facilities on the site, including the right to sublease. The County and Lessee now desire to amend the Agreement, to update rent, certain administrative, and business terms while leaving all other provisions unchanged; and

WHEREAS, the Agreement provides for the exclusive use of the Premises by Lessee for erecting, installing, operating, reconstructing, and maintaining radio and communications towers, buildings, and equipment, with rights to sublease or sublicense the Premises, including any communications tower located thereon; and

WHEREAS, the proposed First Amendment to Land Lease Agreement (“Amendment”) sets the monthly rent to \$1,850, with annual 2% increases; requires the Lessee to guarantee rent payments for the first five years, regardless of assignment or sublease; adds two automatic five-year renewal options, unless the lessee provides at least 30 days’ notice of non-renewal; updates notice addresses; adds confidentiality provisions, standard representations and warranties, and indemnification; and allows execution by counterparts and electronic signatures; and

WHEREAS, although the Amendment slightly decreases County revenue, it locks in a long-term agreement with the Tower Alliance and provides revenue certainty and site stability for up to 15 additional years through a five-year rent guarantee and two five-year renewal options. The lessee remains responsible for all operating costs, with no additional financial obligations for the County, while supporting continued wireless and public safety communications.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Nevada that:

1. The Board of Supervisors ratifies the execution by the Facilities Director of, and approves, the First Amendment to Land Lease Agreement between the County of Nevada and Sacramento-Valley Limited Partnership, d/b/a Verizon Wireless, for Site US-CA-5593.
2. The Facilities Director is further authorized to sign any related documents necessary to implement the lease agreement amendment, provided there is no additional financial impact to the County.