



GOVERNING BOARD AGENDA ITEM AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10

DATE OF MEETING: **December 5, 2017**

TITLE: **Review and Approve Agreements with Verizon Wireless for the Placement of a Cell Phone Tower at Ironwood Ridge High School, including a “Land and Building and Rooftop Lease Agreement,” “Site Access Agreement,” and “Memorandum of Land and Building and Rooftop Lease Agreement.”**

BACKGROUND:

The Governing Board has previously authorized the leasing of space on school grounds to third parties for the purpose of constructing and operating cellular phone antennae. This Board Agenda Item permits the Governing Board to consider another proposal of this nature for the Ironwood Ridge High School campus.

Verizon Wireless has contacted the Administration to request a “Site Access Agreement,” “Land and Building and Rooftop Lease Agreement,” and a “Memorandum of Land and Building and Rooftop Lease Agreement” (collectively, “Verizon Agreements”). Copies of the proposed Verizon Agreements are attached to this Board Agenda Item for review and consideration.

The proposed “Site Access Agreement” would permit Verizon to investigate the viability of constructing, operating and maintaining a communications array on the roof of Ironwood Ridge High School in virtually the same location that a previous cell phone antennae existed. If it is feasible, the parties would then enter into a lease agreement to permit Verizon to construct, operate and maintain the cellular phone antennae.

The proposed “Land and Building and Rooftop Lease Agreement” would lease ground space measuring approximately eighteen-feet seventeen-inches (18’-17”) by ten-feet eight-inches (10’-8”) located on the grounds of Ironwood Ridge High School to Verizon for the installation, operation and maintenance of communications equipment. It would also lease additional space on the roof for the installation, operation and maintenance of antennae, screens and related equipment as well as space for the installation, operation and maintenance of wires, cables, conduits and pipes associated with the antennae.

The proposed lease agreement is for five (5) years. The annual rent for the first year is \$18,000.00 which would be paid in equal monthly installments. The rental amount would increase by three percent (3.0%) annually throughout the term of the lease. Unless terminated by the District or Verizon, the lease agreement would extend automatically for three (3) additional five (5) year terms with the option of additional extensions.

The proposed “Memorandum of Land and Building and “Rooftop Lease Agreement” would be recorded with the County Recorder to evidence the existence of the lease.

The proposed Verizon Agreements specifically require Verizon to minimize noise or distractions during the site investigation, as well as throughout the term of the lease, so as not to disrupt the educational process. It also requires that no installation, construction, repair, maintenance, testing or other activity outside of the day-to-day operation of the communications equipment occur during the times that any AzMERIT or other state-mandated test, Advance Placement test, PSAT/SAT/ACT test and/or other similar college ready test is being administered on at Ironwood Ridge High School.

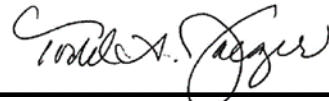
RECOMMENDATION:

The Administration recommends approval of the "Site Access Agreement," "Land and Building and Rooftop Lease Agreement," and "Memorandum of Land and Building and Rooftop Lease Agreement" on the terms described above, with authorization of the Administration to negotiate and execute necessary documentation as needed.

INITIATED BY:

Michelle H. Tong, J.D.,
Associate to the Superintendent and General Counsel

Date: December 4, 2017



Todd A. Jaeger, J.D., Superintendent