



BOARD OF SCHOOL TRUSTEES

KELLER INDEPENDENT SCHOOL DISTRICT

13L. Preview

Date: May 9, 2005

SUBJECT: CELL PHONE TOWER AGREEMENT REVISION

BOARD GOAL: Budget and Finance

FISCAL NOTE: Budgeted in General Fund

**ANTICIPATED
DATE FOR ACTION: May 23, 2005**

Background Information:

- On April 26, 2004, the Keller ISD Board of Trustees approved a lease agreement with T-Mobile for a cell phone tower. In this agreement, T-Mobile would replace one of the football stadium light standards at Fossil Ridge High School with a taller, structurally stronger pole that would support both the football lights and T-Mobile's GSM mobile telephone antennas.
- T-Mobile would replace its electronic equipment cabinets at the base of the new pole and an 8 foot tall masonry fence would be built to match the brick on the school building. The proposed bricked-in area would cover a ground area of twenty feet by thirty feet. The antennas would be placed on the new pole approximately twenty to twenty-five feet above the stadium lights.
- T-Mobile would, at its own expense, pay for the cost of bringing power, telephone facilities and access to the site, and for the continuing costs thereof. The light pole conversion under consideration would be the pole nearest Thompson Road on the west side of the football field. This would allow T-Mobile to pick up power and telephone service at Thompson Road and run it underground to the site with the least disruption to the school facilities.
- T-Mobile would also construct a hard-surface access road straight in from Thompson Road to the compound. Depending on the District's preference, the road would be constructed of either asphalt or concrete.
- The City of Fort Worth has already approved the necessary zoning of this site. T-Mobile has already applied for a building permit from the City of Fort Worth, but none has been issued at this time.

- The original lease had a 6-month option period to allow T-Mobile time for due diligence, zoning, and other government regulation compliance terms. Due to capital funding cutbacks within T-Mobile, this option period lapsed. This revised lease has been reduced to three months instead of the original six month option period. During this time, T-Mobile would compensate Keller ISD \$1,000.

Administrative Considerations:

- The revised agreement proposed by T-Mobile would be for a term of ten years with two five-year options, taking the lease term to a total of twenty years. Rental payments are proposed to start at \$1,500 per month (\$18,000 annually), with the first five years' rental of \$90,000 to be paid in advance. The remaining fifteen-year rentals would be increased by the greater of the CPI or 15% for each five-year period.
- Per terms of this agreement, T-Mobile has agreed to return the Keller ISD property to its original condition less any normal wear and tear costs incurred.
- Construction drawings and a simulation of the project will be available at the Board meeting. The attached, revised contract has been reviewed by legal counsel and has been accepted by T-Mobile.

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Respectfully submitted,

Denise Sullivan
Director of Purchasing