



**GOVERNING BOARD AGENDA ITEM**  
**AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10**

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**DATE OF MEETING:**           **May 22, 2012**

**TITLE:**     **Approval of Amendment to Existing Lease Agreement with AT&T/New Cingular Wireless PCS, LLC, for Operation of Cellular Phone Antenna at Canyon Del Oro High School**

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**BACKGROUND:** Several years ago, the Governing Board approved the concept of leasing space to cellular phone carriers for placement and operation of cell phone system antennas on District premises. This is a growing practice among school districts, because such leases provide one of the few avenues districts have to augment their funding through rental receipts.

The Amphitheater Governing Board did set some strict protocols for operation of cell towers. Among these were requirements that any facilities constructed on school grounds by the carriers had to be completely isolated to protect against student contact and also had to be studied for electromagnetic impact.

Following the Board's protocol, an easement agreement was entered into with New Cingular Wireless PCS, L.L.C. ("Cingular"), in February 2005, for operation of a cell tower at Canyon Del Oro High School. This existing antenna, in place since 2005, is located on one of the existing football field light poles at the school, well above the school site below. On the ground, below the pole, a fenced in area contains electronic and electric equipment that operates the antenna. Cingular has approached the District with a request to modify the existing antenna array on the light pole. The change in type of antenna will help Cingular meet increased needs for high speed transmissions. This new equipment will also require expansion of the fenced in equipment area below (located adjacent to the south bleachers on the field).

Cingular, consistent with the Governing Board protocol for new antenna installations, commissioned an electromagnetic study to assess the impact, if any, of the proposed changes to humans in the vicinity. A copy of the study is attached. The study indicates that there is no risk to humans; all levels are well below FCC limits.

An attached form of amendment for the current lease agreement is attached. It provides for a modification of the antenna array, an increase in the footprint of the fenced equipment area, an increase to the current and future rent per month, and a \$5,000.00 fee for disruption of the site. The additional rent will generate approximately \$7,500 annually. Existing rent for this antenna site, which began at \$1,200 per month, is currently at \$1,380 per month, after the first rent increase trigger. The new monthly rent will be \$2,007 per month, inclusive of the additional rent derived from the presented amendment.

While the work to be done is relatively minor, the scope of the improvements to be made by Cingular will take approximately 4 weeks to complete during the upcoming summer months and should be completely compatible with the planned bond improvements to the field and other facilities.

Counsel has reviewed the attached form of amendment and finds it to be in proper form and within Governing Board authority.

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**RECOMMENDATION:**

The Administration recommends approval of this item.

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**INITIATED BY:**



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Todd A. Jaeger, Associate to the Superintendent

Date: May 15, 2012



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Vicki Balentine, Ph.D., Superintendent