



Brownsville Independent School District

Agenda Category: General Function
Contracts/MOU Board of Education Meeting: 03/07/2023

Item Title: Verizon MD7 -Eastside X Action
(The BISD BLA Property) Information
BISD Lease and Agreement Discussion

BACKGROUND:

Brownsville Independent School District owns the property that is currently being used to store classroom portable buildings. The property is located adjacent to the west side of a fenced BISD property; that was once recognized as the BLA Campus and to the east of the BISD Warehouse. Verizon is interested in the installation of a communication facility including a 150' tower on certain real properties. The proposed leasehold area of 50' X 50' is within the 22.8 acres identified under parent parcel number 134201. The Business Term Agreement contains the basic terms outlined in the attached proposed Business Terms Agreement. The initial term of the agreement is for five years with a proposed \$700.00 rental to be paid monthly.

The following are the terms and conditions (See Attached)

1. The proposed principal terms are subject to the negotiations and execution of the lease agreement.
2. This business term sheet does not constitute a binding contract, and the parties do not intend to be legally bound until the lease agreement has been signed by the parties.
3. Recommend approval to allow leasing of site identifier: 2036599 Robindale Rd. Adjacent to 4350 Robindale Rd. to Verizon-MD7.

FISCAL IMPLICATIONS:

RECOMMENDATION:

Recommendation approval to allow the leasing of 2036599 Robindale Rd. Adjacent to 4350 Robindale Rd. to Verizon-MD7.

Manuel Hinojosa, FAIA
Submitted by: Principal/Program Adm.

Dr. Nellie Cantu 2/27/23
Recommended by: Asst. Supt./CFO

Miguel Salinas
Reviewed by: Staff Attorney

Dr. Nellie Cantu
Approved by: Deputy Superintendent

Approved for Submission to the Board of Education:

Dr. René Gutiérrez, Superintendent

When Necessary, Additional Background May Follow This.

Isela Vieyra

From: Priscilla Lozano <plozano@808West.com>
Sent: Monday, February 27, 2023 9:22 AM
To: Isela Vieyra
Cc: Miguel Salinas; Lea Ohrstrom; Minerva Almanza
Subject: Re: Verizon MD7 Eastside-BISD Lease and agreement

CAUTION: This email originated from outside of Brownsville ISD. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

It is approved to form.

Priscilla

ODC
O'HANLON, DEMERATH & CASTILLO
Attorneys and Counselors at Law

Priscilla A. Lozano

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Austin, Texas 78701
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www.808west.com

From: Isela Vieyra <jivieyra@bisd.us>
Sent: Monday, February 27, 2023 9:11 AM
To: Priscilla Lozano <plozano@808West.com>
Subject: FW: Verizon MD7 Eastside-BISD Lease and agreement

Good morning Ms. Lozano,

I am following up on this revised MOU.

Thank you, ma'am!

Isela Vieyra Rios | Legal Assistant to Miguel Salinas | Staff Attorney | Phone: 956.698.6379
Brownsville Independent School District | 1900 East Price Road | Brownsville, TX 78521

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From: Isela Vieyra

Sent: Wednesday, February 22, 2023 4:16 PM

To: Priscilla Lozano <plozano@808West.com>

Cc: Miguel Salinas <miguelsalinas@bisd.us>; Kevin O'Hanlon <kohanlon@808West.com>; Lea Ohrstrom <lohrstrom@808West.com>; Minerva Almanza <malmanza1@bisd.us>

Subject: RE: Verizon MD7 Eastside-BISD Lease and agreement

Good afternoon Ms. Lozano,

Attached you will find the revised MOU for your review and approval.

Thank you,

Isela Vieyra Rios | Legal Assistant to Miguel Salinas | Staff Attorney | Phone: 956.698.6379
Brownsville Independent School District | 1s900 East Price Road | Brownsville, TX 78521

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From: Priscilla Lozano <plozano@808West.com>

Sent: Friday, February 17, 2023 1:40 PM

To: Isela Vieyra <jivieyra@bisd.us>

Cc: Miguel Salinas <miguelsalinas@bisd.us>; Kevin O'Hanlon <kohanlon@808West.com>; Lea Ohrstrom <lohrstrom@808West.com>; Minerva Almanza <malmanza1@bisd.us>

Subject: Re: Verizon MD7 Eastside-BISD Lease and agreement

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Good afternoon,

The Confidentiality section should be deleted as shown on the attached. BISD is subject to the Texas Public Information Act (TPIA). Term Sheets and Lease Agreements are not excepted from release under the TPIA.

Sincerely,

Priscilla

————— **ODC** —————
O'HANLON, DEMERATH & CASTILLO
Attorneys and Counselors at Law

Priscilla A. Lozano

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Austin, Texas 78701
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From: Isela Vieyra <jivieyra@bisd.us>

Sent: Wednesday, February 15, 2023 2:48 PM

To: Priscilla Lozano <plozano@808West.com>

Cc: Miguel Salinas <miguelsalinas@bisd.us>; Kevin O'Hanlon <kohanlon@808West.com>; Lea Ohrstrom <lohrstrom@808West.com>; Minerva Almanza <malmanza1@bisd.us>

Subject: Verizon MD7 Eastside-BISD Lease and agreement

Good afternoon Ms. Lozano,

Please see the attached MOU/ Contract for your review and approval.

Thank you.



BUSINESS TERMS AGREEMENT

SITE IDENTIFIER: 2036599 Robindale Rd

Target: 3

Latitude: 25.960117°

Longitude: -97.451133°

Leasehold Area: 50x50 ft

Landlord Name: Brownsville ISD

Landlord Contact Phone: 956-792-6320

Email: : mhinojosa1@bisd.us

Offer Expiration Date: March 31, 2023

It's with great pleasure that I inform you that Verizon has chosen your property as one of our top 3 contenders for our new site. We certainly don't want to waste any of your time or any additional resources until we confirm your legitimate interest. Please review the details below and sign prior to the above expiration date. On the following page you will find an exhibit detailing the requested lease space.

This Business Terms Agreement (the "Term Sheet") contains the basic terms agreed to by Landlord and Tenant as identified below (collectively the "Parties") to be included in a future Option with Lease Agreement (the "Lease Agreement") for the installation of a communication facility including a tower on certain real property all as described below:

☐ Monthly Rent Proposed: \$700/mo

Initial Term: 5 years

Renewal Terms: Five, 5yr terms

Tower height 150', leased area 50'x50'

Other Terms:

The proposed principal terms above are subject to the negotiation and execution of the Lease Agreement. It is understood that this Business Term Sheet does not constitute a binding contract, and that the Parties do not intend to be legally bound, unless and until the Lease Agreement has been signed by the Parties.

Landlord:

Agent: Hailee Perucci – Project Manager

Signed: _____

Signed: *Hailee Perucci*

Date: _____

Date: 2/22/23

