

City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B 225-14

Department Source: City Manager

To: City Council

From: City Manager & Staff

Council Meeting Date: July 21, 2014

Re: Extension of a license agreement for a Cell on Wheels (COW) at Parks Management Center

Documents Included With This Agenda Item

Council memo, Resolution/Ordinance, Extension of License Agreement for Temporary Cell Tower

Supporting documentation includes: None

Executive Summary

Staff has prepared an extension of a license agreement with St. Charles Tower, Inc., that would allow them to keep the mobile unit, known as a Cell on Wheels (COW) at the Parks Management Center for a period not to exceed October 31, 2014.

Discussion

The tower is to be moved to a site at the Boone County Fire Protection District headquarters located on I-70 Drive Southwest; however the fiber optic cable has not yet been installed. As soon as it is ready, the COW will be moved by October 31, 2014 at the latest,

Parks staff have no objection to the extension of the lease to October 31, 2014.

Fiscal Impact

Short-Term Impact: City will receive additional rental at the rate of \$1,800 per month for five additional months.

Long-Term Impact: None.

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Not Applicable

Strategic Plan Impact: Not Applicable

Comprehensive Plan Impact: Not Applicable

Suggested Council Action

Should Council agree with the granting of an extension of the license for the purpose described, an affirmative vote would be in order.

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 225-14

AN ORDINANCE

authorizing an extension of the license agreement with St. Charles Tower, Inc. for a Cell on Wheels (COW) to be located on Parks Management Center property at 1507 Business Loop 70 West; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Manager is hereby authorized to execute an extension of the license agreement with St. Charles Tower, Inc. for a Cell on Wheels (COW) to be located on Parks Management Center property at 1507 Business Loop 70 West. The form and content of the license agreement shall be substantially in the same form as set forth in "Exhibit A" attached hereto.

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2014.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

EXTENSION OF LICENSE AGREEMENT FOR TEMPORARY CELL TOWER

This Extension Agreement made and entered into this ____ day of July, 2014 by and between City of Columbia, Missouri, a Municipal corporation (hereinafter "City") and St. Charles Tower, Inc., a Missouri corporation (hereinafter "Licensee").

Whereas the parties entered into a license agreement for the temporary location of a cell tower on wheels on June 4, 2013 for a one (1) year term to expire June 4, 2014, and

Whereas the parties desire to extend the license under the same terms and conditions for an additional five (5) months to end on October 31, 2014 unless terminated sooner by Licensee by removal of all tower and equipment,

Therefore, it is agreed between the parties that:

1. The license shall be extended for five (5) months ending October 31, 2014, unless Licensee terminates sooner by removing all tower and equipment from site.
2. Licensee shall pay One Thousand Four Hundred Dollars (\$1,400) to cover the balance due to June 4, 2014 and then One Thousand Eight Hundred Dollars (\$1,800) per month for June, July, August, September and October.
3. In the event Licensee terminates prior to that time, the rent shall be prorated for any partial month so long as all tower and equipment is removed from premises.
4. All other terms and conditions of the original License Agreement shall be in full force and effect.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties hereto have been duly authorized to execute this agreement as of the above-referenced date.

CITY OF COLUMBIA, MISSOURI

By: _____
Mike Matthes, City Manager

ATTEST:

Sheela Amin, City Clerk

APPROVED AS TO FORM:

Nancy, Thompson, City Counselor

STATE OF MISSOURI)
) ss
COUNTY OF BOONE)

On this day of _____, 2014, before me appeared Mike Matthes, to me personally known, who, being by me duly sworn, did say that he is the City Manager of the City of Columbia, Missouri, and that the seal affixed to the foregoing instrument is the corporate seal of the City and that this instrument was signed and sealed on behalf of the City by authority of its City Council and the City Manager acknowledged this instrument to be the free act and deed of the City.

IN TESTIMONY WHEREOF, I have hereunto set by hand and affixed my official seal, at my office in Columbia, Boone County, Missouri, the day and year first above written.

Notary Public

My commission expires:

ST. CHARLES TOWER, INC.

By:

[Handwritten Signature]

Title:

Corporate Secretary

ATTEST: (if corporation)

[Handwritten Signature]

Secretary

STATE OF Missouri)

COUNTY OF St. Louis) ss.

On this 9 day of July, 2014, before me, a notary public, appeared Chris Lucicelli, to me personally known, who being by me duly sworn did say that they are the Corp. Secretary of St. Charles Tower, Inc., a Corporation incorporated in the State of Missouri, and that this instrument was signed on behalf of said limited liability company and further acknowledged that they executed the same as their free act and deed for the purpose therein stated and that they have been duly granted the authority by said corporation to execute the same.

[Handwritten Signature]

Notary Public

My commission expires:

