

CITY OF SANTA ROSA  
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL  
FROM: KEITH HINTON, TECHNICAL SERVICES DIVISION MANAGER  
POLICE DEPARTMENT  
SUBJECT: APPROVAL OF TWO ANTENNA SITE LEASE AGREEMENTS  
WITH SBA TOWERS V, LLC AND BETHLEHEM TOWER  
AFFORDABLE LP

AGENDA ACTION: RESOLUTION

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RECOMMENDATION

It is recommended by the Police Department that the Council, by two separate resolutions, approve and authorize the City Manager to execute, subject to approval as to form by the City Attorney: 1) an Antenna Site Agreement with SBA Towers V, LLC for a term of five (5) years with the option to automatically renew for four (4) additional terms of five (5) years at two thousand five hundred dollars (\$2,500.00) a month with a five percent (5%) yearly increase; and 2) an Antenna Site Lease Agreement with Bethlehem Towers Affordable LP for a term of sixty (60) calendar months with the option to automatically renew for one (60) calendar month term followed by an automatic month-to-month lease at two thousand five hundred dollars (\$2,500.00) a month with a five percent (5%) yearly increase.

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EXECUTIVE SUMMARY

Both the Mt. Barham radio tower and Bethlehem Towers site are essential for the build out and modernization of the Police 700 mhz simulcast TDMA radio system which aims to provide optimum coverage throughout the Santa Rosa metro area.

Mt. Barham, located at 2179 Calistoga Road, is the dominant peak on the eastern edge of Santa Rosa affording superior coverage to the east and northwest. Bethlehem Towers, located at 801 Tupper Street, is a dominant feature in downtown Santa Rosa providing long-range coverage of the Santa Rosa Plain. These will be combined with the water reservoir on Skyfarm Drive to create the TDMA simulcast infrastructure.

The Mt. Barham site will be replacing the obsolete Rockridge Road site and the Bethlehem Tower site will replace the existing Bethlehem Tower site.

# RADIO TOWER LEASE AGREEMENTS

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## BACKGROUND

The Police Department radio infrastructure is obsolete and presents enormous risks of system failure. The system dates back to 1988 and over 80% of the entire system, including field radios, have reached the end of the supported life or will at the end of the year. The current radio system is an all analog UHF system consisting of six radio frequencies. The system parts and components are outdated and are no longer manufactured.

The Police Department received approval from the City Manager in September 2016 for a five-year standard specification for the purchase of radio equipment from Motorola. It was determined that it was in the City's best interest to standardize on a single manufacturer to ensure secure radio communications, product uniformity and operation efficiencies.

## PRIOR CITY COUNCIL REVIEW

On December 10, 2019 Council approved the funding the for the 700 Mhz TDMA radio infrastructure which included the equipment for these sites. Both sites are additions to the radio infrastructure that are necessary to expand the coverage area.

## ANALYSIS

The City has committed to building a modern radio infrastructure to replace the obsolete the Police radio system. This presents an opportunity to maximize the coverage area providing complete coverage within the city boundaries, North to Windsor, South to Rohnert Park, East to Kenwood and West beyond the Laguna de Santa Rosa.

The system is fully interoperable fulfilling the 2025 FCC requirement for P25 compliancy. It also provides an opportunity for other City Departments as well as allied agencies to reside on the system with a single system management.

## FISCAL IMPACT

The cost for these leases is budgeted in the departments operating budget, and there will be no impact to the General Fund.

The SBA Communications towers site lease agreement for a term of five (5) years with the option to automatically renew for four (4) additional terms of five (5) years at two thousand five hundred dollars (\$2,500.00) a month with a five percent (5%) yearly increase totaling \$156,465 over the initial 5-year term of the site lease agreement.

The Bethlehem Towers site lease agreement for a term of five (5) years with the option to automatically renew for four (4) additional terms of five (5) years at two thousand five hundred dollars (\$2,500.00) a month with a five percent (5%) yearly increase totaling \$156,465 over the 5-year period of the site lease agreement.

In their current form, the site lease agreements include unfavorable provisions and lack many of the standard terms, conditions and protections the City typically insists upon in the City's standard contracts to best protect the City's interests. For instance, the site lease agreements include mutual indemnity provisions that require the City to indemnify the lessor and in one case overly broad confidentiality provisions. In addition, additional clarifications and administrative corrections may be necessary as staff finalizes the lease agreements in negotiation with each of the lessors. City staff will continue to negotiate the lease agreements, but believe that even in the current form, the benefits associated with the site lease agreements outweigh the legal risks.

#### ENVIRONMENTAL IMPACT

This action has been reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 3 exemption under CEQA Guidelines Section 15303, in that the proposed lease agreement would allow for the installation of new small structures.

#### BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not Applicable

#### NOTIFICATION

Not Applicable

#### ATTACHMENTS

- Resolution 1 / Exhibit A - Antenna Site Agreement with SBC Towers V, LP
- Resolution 2 / Exhibit A – Antenna Site Lease Agreement with Bethlehem Towers Affordable LP

#### CONTACT

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