



## Legislation Details (With Text)

|                       |   |                      |                                  |              |                                    |
|-----------------------|---|----------------------|----------------------------------|--------------|------------------------------------|
| <b>File #:</b>        | 17-0342   | <b>Version:</b>      | 1                                | <b>Name:</b> | Crown Communication LLC 2017 Lease |
| <b>Type:</b>          | Resolution  | <b>Status:</b>       | Passed                           |              |                                    |
| <b>File created:</b>  | 10/25/2017  | <b>In control:</b>   | City Council Legislative Session |              |                                    |
| <b>On agenda:</b>     | 11/8/2017   | <b>Final action:</b> | 11/8/2017                        |              |                                    |
| <b>Title:</b>         | Resolution Authorizing the Execution of a Lease for a 3,160 sq. ft. Portion of Land Over City Owned Property Located at 1590 Briarfield Road, LRSN: 1000275 to Crown Communication LLC, for a Power Equipment Compound and Cell Tower |                      |                                  |              |                                    |
| <b>Sponsors:</b>      |   |                      |                                  |              |                                    |
| <b>Indexes:</b>       | Information Technology  |                      |                                  |              |                                    |
| <b>Code sections:</b> | Virginia Code Section 15.2-1813 - Notice when public hearing required   |                      |                                  |              |                                    |
| <b>Attachments:</b>   | 1. Lease Agreement  |                      |                                  |              |                                    |

| Date      | Ver. | Action By                        | Action   | Result |
|-----------|------|----------------------------------|----------|--------|
| 11/8/2017 | 1    | City Council Legislative Session | approved | Pass   |

Resolution Authorizing the Execution of a Lease for a 3,160 sq. ft. Portion of Land Over City Owned Property Located at 1590 Briarfield Road, LRSN: 1000275 to Crown Communication LLC, for a Power Equipment Compound and Cell Tower

### **PURPOSE/BACKGROUND:**

Crown Communication LLC ("Crown") entered into a lease with the City on December 10, 2012 for the operation of a cell tower and a power equipment compound on a portion of city owned property located at 1590 Briarfield Road, LRSN: 1000275. The lease expires December 9, 2017 and Crown has negotiated a new lease.

The attached lease is for five years with an effective commencement date of December 10, 2017. Rent for the first year is \$22,258.01 annually payable in advance with a 3% escalation. Crown will pay the City 30% of any rents obtained from subtenants (co-locators) on the cell tower.

City staff recommends approval of the Resolution. This matter was advertised pursuant to Va. Code §15.2-1813.

### **Discussion:**

See Purpose/Background above.

### **Impact:**

See Purpose/Background above.

**Recommendation:**

Conduct public hearing and approve the Resolution.

WHEREAS, the City of Hampton owns a parcel of land at 1590 Briarfield Road (the "Property");

WHEREAS, on December 10, 2012 the City entered into a lease for a 3,160 sq. ft. portion of the Property (the "Premises") with Crown Communication, LLC ("Crown") for a power equipment compound and a cell tower (the "2012 Lease");

WHEREAS, the 2012 Lease expires on December 9, 2017 and Crown has negotiated a new five-year lease for the Premises; and

WHEREAS, the lease of the Premises is deemed fair and reasonable, and the terms of the Lease Agreement, a copy of which is attached to this Resolution, is reasonable and acceptable.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hampton, Virginia, as follows:

1. That the lease of a 3,160 sq. ft. portion of the City owned property located at 1590 Briarfield Road is hereby approved; and
2. That the City Manager or her designee is hereby authorized and directed to execute the Lease Agreement between the City of Hampton and Crown Communication LLC, a Delaware limited liability corporation, as set forth in this Resolution.