



**DATE:** January 25, 2017

**TO:** Waste Management Authority

**FROM:** Wendy Sommer, Executive Director

**BY:** Brian Mathews, Senior Program Manager

**SUBJECT:** ACWMA Property Lease: Sprint, AT&T, T-Mobile, and Others

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### **SUMMARY**

At its January 12, 2017 meeting, the Programs and Administration Committee approved and forwarded to the Waste Management Authority for consideration changes to the Sprint electrical power-line trench lease on Authority property near Altamont Pass. The changes include modifications to allow for two or more sub-leases to be added to the lease. The changes are now before the Authority for approval.

### **DISCUSSION**

In 2015 the WMA approved renewal of an electrical power-line trench lease, which services Sprint antenna facilities on property neighboring our own. Details of the lease modifications are detailed in the Programs and Administration Committee memo, available here:

[http://www.stopwaste.org/sites/default/files/meeting/Property%20-Trench%20leases-P%26A-1-12-17\\_0.pdf](http://www.stopwaste.org/sites/default/files/meeting/Property%20-Trench%20leases-P%26A-1-12-17_0.pdf)

### **RECOMMENDATION**

Adopt Resolution #2017-02 to authorize the Executive Director to:

- Amend the Sprint electrical trench lease to reduce the rent by the terms described herein if and when new tenants sub-lease the electrical power-line trench; and
- Enter into a lease agreement based on the terms described herein with AT&T for use of the electrical power-line trench operated by Sprint; and
- Enter into a lease agreement based on the terms described herein with T-Mobile for use of the electrical power-line trench operated by Sprint; and
- Enter into a lease agreement(s) based on the terms described herein with tenant(s) as may be identified in the future for use of the electrical power-line trench operated by Sprint.

**ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY  
RESOLUTION #WMA 2017 – 02  
MOVED:  
SECONDED:  
AT THE MEETING HELD JANUARY 25, 2017**

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND THE ELECTRICAL POWER TRENCH  
LEASE WITH SPRINT APPROVED JUNE 25, 2015**

**WHEREAS**, the Alameda County Waste Management Authority (“Authority”), owns 1,600 acres of real property in eastern Alameda County; and

**WHEREAS**, the Authority put out to bid to lease said real property for the purpose of establishing an electrical power-line trench to traverse Authority property to supply power to cellular sites on property neighboring the Authority’s property; and

**WHEREAS**, Sprint responded to said bid and entered into a lease agreement, signed September 2016, with the Authority; and

**WHEREAS**, subsequent to executing the lease agreement with Sprint, the Authority was approached by both AT&T and T-Mobile to sub-lease the electrical power-line trench;

**NOW THEREFORE, BE IT RESOLVED THAT:**

The Authority authorizes the Executive Director to amend the lease agreement with Sprint, such that:

- If one new tenant subleases the electrical trench, the Authority will reduce the original rent to Sprint (primary tenant) by 25%, and charge the new tenant 75% of the original lease;
- If two new tenants sublease the electrical trench, the Authority will reduce the original rent to Sprint by 33%, and charge each of the new tenants 66% of the original lease;
- Additional tenants would reduce the original rent to Sprint by 37.5%, and all subleasing tenants would pay 62.5% of the original rent; and,
- Authorize the Executive Director to enter into new lease(s) with AT&T and/or T-Mobile and/or other tenants as may be identified in the future for use of the electrical power-line trench according to the above terms and as approved to form by Authority Counsel.

**ADOPTED this 25th day of January 2017, by the following votes:**

**AYES:**

**NOES:**

**ABSTAINING:**

**ABSENT:**

I certify that under the penalty of perjury that the foregoing is a full, true and correct copy of Resolution #WMA 2017 - 02

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WENDY SOMMER  
Executive Director