CITY OF WEST DES MOINES
STAFF REPORT COMMUNICATION

Meeting Date: November 18, 2024

ITEM: T-Mobile Lease Amendment, 3421 Ashworth Road – Approval and Acceptance of 2nd Amendment to Tower and Ground Space Lease with Option –T-Mobile Central, LLC – MM-005574- 2022

Resolution: Approval and Acceptance of Second Amendment to Tower and Ground Space Lease with Option

Financial Impact: Annual rental payment of $19,890.06 to be received pursuant to agreement terms.

Background: In December 1996, the City entered into a lease agreement (Agreement) with Western PCS to place its cellular communications equipment and antenna on the monopole located at 3421 Ashworth. An amendment approved by the City Council on November 13, 2000 extended the Agreement by allowing six additional, five-year renewal terms for an ultimate termination date of December 31, 2030. The lessee was also changed at this time to VoiceStream PCS I, LLC, as a result of a change in ownership. In July 2002, VoiceStream changed its name to T-Mobile USA, Inc. The Agreement was assigned from T-Mobile to Iowa Wireless Services, LLC on April 1, 2013. Since then T-Mobile has acquired ownership of Iowa Wireless.

Project Summary: T-Mobile Central, LLC, a Delaware Limited Liability Company, applied for a Minor Modification to locate a generator on City-owned property at 3421 Ashworth Road. The proposed location is outside of the current lease area for T-Mobile. An amendment to the lease agreement has been drawn up to add the additional area where the generator will be located. This amendment covers terms necessary for the placement of the generator, including but not limited to, increased annual rental payment.

Staff Review & Comment: The requirement to provide the document(s) indicated above was reviewed by the City's Legal Department and found to be necessary based on the proposed impacts of the project. For policy and title purposes, formal acceptance by the City Council is required.

Outstanding Issues: There are no outstanding issues.

Recommendation: Approve and Accept Second Amendment to Tower and Ground Space Lease with Option

Lead Staff Member: Kara Tragesser

Approval Meeting Dates:

Plan and Zoning Commission	n/a
City Council	November 18, 2024

Staff Report Reviews:

City Council	☒ Director ☐ Appropriations/Finance	☒ Legal Department ☑ Agenda Acceptance

Publications (if applicable)

Published In:	Des Moines Register
Date(s) Published	N/A
Date(s) of Mailed Notices	

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning			
Date Reviewed	N/A			
Recommendation	Yes ☐	No ☐	Split ☐	No Discussion ☐

Prepared by: Kara Tragesser, City of West Des Moines Development Services Dept., PO Box 65320, West Des Moines, Iowa 50265-0320 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION APPROVING AND ACCEPTING SECOND AMENDMENT TO TOWER AND GROUND SPACE LEASE WITH OPTION WITH T-MOBILE CENTRAL, LLC FOR TOWER LOCATED AT 3421 ASHWORTH ROAD

WHEREAS, it is the policy of the City of West Des Moines, Iowa to approve and accept all Easements, Agreements and other Legal Documents entered into with the City; and

WHEREAS, the following document(s) has been presented to the City Council for approval;

The Second Amendment to Tower and Ground Space Lease with Option from T-Mobile Central, LLC for property legally described on the associated document;

and

WHEREAS, it is in the best interests of the citizens of the City to approve and accept the above-described document(s).

NOW, THEREFORE, the City Council does approve and accept the document(s) described above. Said document(s) shall be filed with the county recorder as appropriate.

PASSED AND ADOPTED on November 18, 2024.

_____
Russ Trimble, Mayor

ATTEST:

_____

Ryan Jacobson, City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on November 18, 2024, by the indicated vote.