

# City of Palm Coast, Florida Agenda Item

Agenda Date : June 21, 2022

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|--|---|------------------|
| <b>Department</b>  | Information Technology  | <b>Amount</b>    |
| <b>Division</b>  | Information Technology  | <b>Account #</b> |
| <b>Subject</b>   | RESOLUTION 2022-XX APPROVING AN OPTION AND GROUND LEASE AGREEMENT WITH DIAMOND TOWERS V LLC FOR CONSTRUCTION OF A TELECOMMUNICATIONS TOWER AT CLUBHOUSE DRIVE UTILITY SITE FL 162 |                  |
| <b>Presenter : Doug Akins, Director of Information Technology</b>  |   |                  |
| <b>Background :</b><br><b><u>UPDATE FROM JUNE 14, 2022 WORKSHOP</u></b><br>This item was heard by City Council together with the Option and Ground Lease Agreement for the Royal Palms FL 297 and requested to consider the two lease agreements separately. This item is for Council's consideration of a wireless facility on Clubhouse Drive Utility Site FL 162.<br><br><b><u>ORIGINAL BACKGROUND FROM THE JUNE 14, 2022 WORKSHOP</u></b><br>On May 1, 2017, City Council approved a contract with Diamond Towers for Telecommunications consulting to improve wireless coverage throughout the City of Palm Coast. While that contract expired in May of 2022, a couple of sites were already under planning before its expiration, including the Clubhouse Drive Utility Site FL162 location.<br><br>Since it's still the City's goal to continue to improve wireless coverage throughout the City, staff recommends entering into this ground lease under the same terms that were negotiated under the previous contract, which are present in this lease agreement.<br><br>Diamond Towers V LLC has requested to lease City property located at Clubhouse Drive Utility Site FL162 (20 Palm Harbor Drive) for the purpose of constructing a 150-foot high, telecommunications facility (structure). The tower will be a monopole style tower with a full antennae array. This facility will have the capacity to accommodate at least four (4) carriers.<br><br>This specific site is not identified in the approved Wireless Master Plan, however it is located in an area that was identified as needing additional coverage. City staff approached Diamond with the possibility of building a tower on this site knowing that Diamond had a carrier interested in expanding in this area. Because the site is not specifically identified in the Wireless Master Plan, it will need to go through the Special Exception process with the Planning and Land Development Regulation Board. This ground lease is contingent upon successfully obtaining all required government approvals.<br><br>The terms of the lease agreement are consistent with what they had been under the City Council approved contract with Diamond Towers. Some of the highlights are as follows:<br><br><ol style="list-style-type: none"><li>1. Initial term will be five years with the option to extend for nine, five-year periods.</li><li>2. A Site Development Fee of \$25,000 shall be paid to the City upon the commencement of construction of the tower.</li></ol> |   |                  |

3. The City will receive 40% of any new recurring revenue generated by the new tower.
4. Diamond Towers V LLC will have access to the land to build a 150-foot structure and house ground equipment on the site.

**Recommended Action :**

**APPROVE RESOLUTION 2022-XX APPROVING AN OPTION AND GROUND LEASE AGREEMENT WITH DIAMOND TOWERS V LLC FOR CONSTRUCTION OF A TELECOMMUNICATIONS TOWER AT CLUBHOUSE DRIVE UTILITY SITE FL 162**