

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

January 28, 2025

FROM

TERRY W. THOMPSON, Director, Real Estate Services Department

SUBJECT

Amendment to Revenue License Agreement with Los Angeles SMSA Limited Partnership dba Verizon Wireless for Land and Antenna in Apple Valley

RECOMMENDATION(S)

1. Find that approval of Amendment No. 2 to Revenue License Agreement No. 13-429 with Los Angeles SMSA Limited Partnership dba Verizon Wireless, for land and antenna space is an exempt project under the California Environmental Quality Act Guidelines Section 15301 – Existing Facilities (Class 1).
2. Approve **Amendment No. 2 to Revenue License Agreement No. 13-429** with Los Angeles SMSA Limited Partnership dba Verizon Wireless, to extend the term of the license for five years, commencing February 1, 2025, through January 31, 2030, following a permitted 15-month holdover period, expand the size of approximately 542 square feet of County-owned land in Apple Valley by approximately 130 square feet for a total of approximately 672 square feet of County-owned land in Apple Valley, allow for the co-location of Dish Network wireless communication equipment within the expanded non-exclusive approximately 672 square feet of County-owned land in Apple Valley, adjust the license fee, and amend certain provisions of the License, for revenue in the amount of \$233,948 for a total contract amount of \$460,587.
3. Direct the Real Estate Services Department to file the Notice of Exemption in accordance with the California Environmental Quality Act.
(Presenter: Terry W. Thompson, Director, 387-5000)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

FINANCIAL IMPACT

Approval of Amendment No. 2 (Amendment) to Revenue License Agreement No. 13-429 (License) will not result in the use of Discretionary General Funding (Net County Cost). The total revenue to be received by the County during this five-year amendment is \$233,948. Revenue will be deposited in the Real Estate Services Department (RES D) Rents budget (7810001000). Annual license revenue is as follows:

Year	Revenue
November 1, 2023, through January 31, 2025*	\$41,632
February 1, 2025, through June 30, 2025	\$11,101
July 1, 2025, through January 31, 2026	\$21,142
February 1, 2026, through January 31, 2027	\$37,694

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February 1, 2027, through January 31, 2028	\$39,202
February 1, 2028, through January 31, 2029	\$40,770
February 1, 2029, through January 31, 2030	\$42,407
Total Revenue	\$233,948

* Holdover Period

BACKGROUND INFORMATION

On June 25, 2013 (Item No. 83), the Board of Supervisors (Board) approved this License, with three five-year options to extend the term of the License, with Los Angeles SMSA Limited Partnership dba Verizon Wireless (Verizon) for the use of approximately 542 square feet of County-owned land located at 11873 Apple Valley Road in Apple Valley for the construction, operation and maintenance of a cellular communication site. In the 11 years since the License was originally approved, the Board approved one amendment on November 6, 2018 (Item No. 42) to extend the term and adjust standard license agreement language.

Prior to the expiration of the first extended term of the License, RESD contacted Verizon to determine if Verizon intended to exercise its option to extend the term of the License and was informed that American Tower Corporation had assumed administration of the site on Verizon's behalf. American Tower, on behalf of Verizon, proposed a deal to expand the premises by 130 square feet to allow for the collocation of Dish Network wireless communication equipment within the expanded non-exclusive Premises. During negotiations regarding the License fees for the renewal, the License went into holdover status on November 1, 2023. Verizon has continued to occupy the site and abide by the terms of the License on a month-to-month status.

This Amendment to the License extends the term of the License to February 1, 2025, through January 31, 2030, following a permitted 15-month holdover. It also expands the size of the Premises by approximately 130 square feet, allows for the collocation of Dish Network wireless communication equipment within the expanded non-exclusive Premises, adjusts the License fee, and amends certain provisions of the License. The License now covers approximately 672 square feet of County-owned land in Apple Valley. All other terms and conditions of the License remain unchanged.

The project to approve this Amendment to the License with Verizon was reviewed pursuant to the California Environmental Quality Act (CEQA) and determined to be categorically exempt under Guidelines Section 15301 – Existing Facilities (Class 1) because approval of a license amendment for existing facilities is an exempt activity under CEQA. There is no possibility that the licensing of the subject property will have a significant effect on the environment, therefore, the activity is exempt from the provisions of CEQA.

**Summary of License
Terms**

Licensee: Los Angeles SMSA, Limited Partnership, dba Verizon Wireless

Location: 11873 Apple Valley Road, Apple Valley

Size: Approximately 672 square feet of County-owned land

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Extended Term:	Five years, commencing February 1, 2025, through January 31, 2030
Options:	One five-year period
Rent:	Monthly: \$3,020 upon the completion of the improvements Annual: \$36,240 *High range for comparable facilities in the Apple Valley area per the competitive set analysis on file with RESD
Annual Increases:	4%
Improvement Costs:	None
Custodial:	None
Maintenance:	Provided by Licensee
Utilities:	Provided by Licensee
Insurance:	The Certificate of Liability Insurance, as required by the License, is on file with RESD
Holdover:	Upon the end of the term, if permitted by Licensor, the License shall continue on a month-to-month term upon the same terms and conditions which existed at the time of expiration, except the annual fee shall be one hundred fifty percent (150%) most recently payable prior to the date such holding over occurred
Right to Terminate:	The County has the right to terminate with 180-days' written notice; the Licensee has the right to terminate with 90-days' prior written notice in the event of loss of any permits required to operate the telecommunication facilities

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (John Tubbs II, Deputy County Counsel, 387-5455) on December 18, 2024; Purchasing (Ariel Gill, Supervising Buyer, 387-2070) on December 19, 2024; Finance (Ivan Ramirez, 387-4020, Administrative Analyst) on December 30, 2024; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on December 30, 2024.

(BR: 531-2674)

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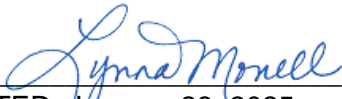
Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Curt Hagman Seconded: Joe Baca, Jr.
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY



DATED: January 28, 2025



cc: RESD - Thompson w/agree
Contractor - c/o RESD w/agree
File - w/agree
CCM 01/30/2025