

**TOWN OF PRESCOTT VALLEY
REQUEST FOR COUNCIL ACTION
Date: March 26, 2015**

SUBJECT: Verizon Telecommunications Facility – ViewPoint Park

SUBMITTING DEPARTMENT: Executive Management

PREPARED BY: Larry Tarkowski, Town Manager

AGENDA LOCATION: Comments/Communications , Consent , Work/Study ,
New Business , Public Hearing , Second Reading

ATTACHMENTS: a) Town Lease w/ Allynx, b) Plans and Site Photos, c) Allynx Sublease w/ Verizon,
and d) Neighborhood Meeting Sign-In Sheet

SUMMARY/BACKGROUND: The Town of Prescott Valley has previously entered into an agreement dated December 19, 1999 granting a right-of-first-refusal to Allynx Corp. (an entity with considerable experience in the location of wireless telecommunications facilities who originally assisted Prescott Valley, Prescott, Chino Valley, and Yavapai County develop a joint telecommunications plan) to lease Town property for purposes of entering into subleases with wireless telecommunications companies to install wireless telecommunications facilities. The location of such facilities is based on the joint telecommunications plan, which encourages such facilities to be located on various public structures such as water tanks, light poles, etc.

Verizon customers in the ViewPoint/Pronghorn Ranch area have complained for some time that their service coverage is inadequate. Several years ago, Verizon proposed that a facility be constructed in ViewPoint Park. However, opposition from residents neighboring the Park caused



Verizon to consider other options. Unfortunately, none of the other options were viable and, in June 2014 Verizon again proposed a facility in ViewPoint Park. Verizon held a neighborhood meeting at the park on June 3, 2014 after notifying residents located within 1,000 feet of the park. The Parks and Recreation Commission also held a public hearing on the proposal on June 10, 2014 to discuss location of the facility within the park. That Board subsequently proposed locating the facility on the northeastern corner of the park. As a result of those meetings, the facility has been designed as a 60' monopole. Efforts to disguise the pole as a tree would not work well at this location due to the absence of any mature pine trees and existing deciduous trees losing their leaves each fall..

The proposed Lease between the Town and Allynx is for an initial term of 5 years, with four extension options of 5 years apiece if Allynx and Verizon are not in default. Language has been added which does not require Verizon to pay Allynx (or for Allynx to pay the Town) until the facility is actually constructed (and considerable additional time has been given to Verizon to decide if and when it will construct the facility). Once payments begin, they are subject to increase over time.

OPTIONS ANALYSIS: The Council may approve the attached Lease with Allynx (related to the Sublease between Allynx and Verizon), OR decline to approve the Lease with Allynx as currently drafted.

ACTION OPTION: Motion to approve the Antenna Site Lease with Allynx (related to the Site Sublease between Allynx and Verizon) for a telecommunications facility at ViewPoint Park, **OR** Motion not to approve the Lease with Allynx and Sublease with Verizon. **VOTE.**

RECOMMENDATION: Staff recommends approval of the Lease with Allynx (related to the Sublease with Verizon) for the telecommunications facility at ViewPoint Park.

FISCAL ANALYSIS: The rent payment from Verizon to Allynx would be \$1,750 per month. In turn, Allynx will pay the Town rent in the amount of \$1,420 per month. At each 5-year renewal, the rent increases by 15%. Verizon and Allynx are responsible to maintain the property during the lease term.

REVIEWED BY:

Management Services Director _____

Town Clerk _____

Town Attorney _____

Town Manager _____

COUNCIL ACTION:

Approved Denied Tabled/Deferred Assigned to _____