

1 Introduced April 26, 2022, by Councilwoman
2 Denham, seconded by Councilman Dunham,
3 (by request of Administration)

4 **Item No. 22-04-3423**

5 **ORDINANCE NO. 4081**

6
7 An ordinance authorizing the City of Slidell, acting through its Mayor, to enter
8 into a Cell Site Lease and Operating Agreement with Tower Strategies Consulting Group,
9 LLC with respect to certain real property approximately 40'x70' in size, and the
10 improvements thereon, and a right of passage thereto, such property being located in
11 Section 10, Township 9 South, Range 14 East, in front of the City of Slidell Public
12 Operations Facility at 1325 Bayou Lane in Slidell, Louisiana.

13 WHEREAS, the City owns certain real property (as identified on Exhibit 1), and the
14 improvements thereon, in front of the City of Slidell Public Operations Facility at 1325
15 Bayou Lane in Slidell, Louisiana, sufficient for the operations of a telecommunications
16 facility, and such property is not currently being utilized; and
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19 WHEREAS, the referenced site has not been under any operational lease or other
20 use since approximately May 30, 2017; and
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23 WHEREAS, the City has received a proposal from Tower Strategies Consulting
24 Group, LLC to lease and operate the referenced site subject to the following minimum
25 material terms:
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- 28 A. \$750.00 monthly base rent, with a 2% yearly escalator to base rent on
29 each lease anniversary date, plus 10% of the monthly revenue produced
30 from sub-leases by lessee;
31 B. A five (5) year initial term and up to five (5) renewal terms of five (5) years
32 each, with each party having the option not to renew upon timely,
33 advance written notice;
34 C. Lessee to secure and maintain CGL insurance of at least \$1,000,000
35 related to its operations on site and name City as additional insured;
36 D. Lessee to assume all responsibility, to the exclusion of Lessor, for the
37 condition and maintenance of all buildings, structures, and fixtures on the
38 leased premises, including the tower, compound, and all fencing around
39 site, and repair or replacement (as applicable) of same as a result of
damage from whatever cause, and compliance with all regulatory and

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4 safety standards; lessee to undertake maintenance of tower, compound,
5 and site (generally) as to technical and aesthetic standards, to include
6 painting, signage, and landscaping;

7 E. Lessee to be responsible for payment of all utilities; and

8 F. Lessee to decommission any remaining equipment currently mounted
and return to City for reuse or recycling;

9 G. Lessee to be responsible for all marketing of the site and managing sub-
10 lessees; lessee not to market or lease site to tenants currently operating
11 on any other City cell tower site without the permission of the City;

12 H. Lessee to conduct its operations and require all sub-lessees to conduct
their operations in accordance with all applicable local, state, and federal
13 laws and requirements;

14 I. Lessee to copy City on all structural and engineering data for site
15 including results of federally mandated routine inspections.

16 WHEREAS, under La. R.S. 33:4712, and other applicable law, the City is
17
18 authorized to enter into such a lease and operating agreement, as the space proposed to
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20 be leased is not needed by the City for a public municipal purpose; and

21 WHEREAS, La. Const. Art. VII, Sec. 14(C) also authorizes public entities to
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23 engage in cooperative endeavors with private businesses; and

24 WHEREAS, the City believes the proposed lease will provide for an
25
26 appropriate use of the space which will inure to the benefit of the citizens of Slidell in the
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28 form of improved telecommunications access and efficiencies.

29 NOW THEREFORE BE IT ORDAINED by the Slidell City Council that it does
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31 hereby authorize the City of Slidell, acting through its Mayor, to enter into a Cell Site Lease
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33 and Operating Agreement with Tower Strategies Consulting Group, LLC for the lease of
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35 real property approximately 40'x70' in size (as identified on Exhibit 1), and the
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37 improvements thereon, and a right of passage thereto, located in Section 10, Township 9
38
39 South, Range 14 East, in front of the City of Slidell Public Operations Facility at 1325

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4 Bayou Lane in Slidell, Louisiana under the minimum material terms set forth above and
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6 such other additional ancillary terms the Mayor deems advisable.

7
8 **ADOPTED** this 24th day of May, 2022.

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11 Leslie Denham
12 President of the Council
13 Councilwoman, District A

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16 Greg Cromer
17 Mayor

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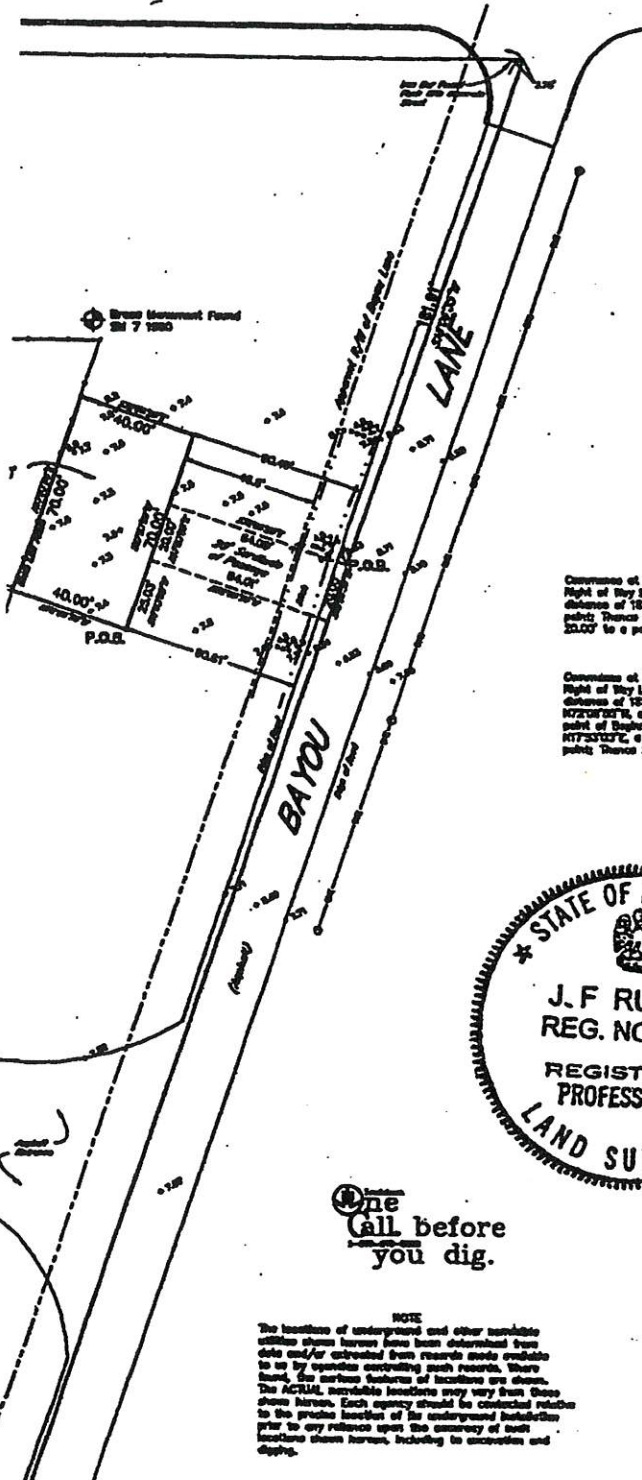
20 Melissa Mendoza
21 Council Executive Assistant

DELIVERED	5/26/22
8:00 am to the Mayor	
RECEIVED	5/27/22
1:30 pm from the Mayor	

EXHIBIT 1



VICINITY MAP



LEGAL DESCRIPTION OF SERVICE OF PASSAGE

Commence at the intersection of the Eastern Right of Way Line of West Hill Avenue and the Western Right of Way Line of Bayou Lane; Thence S18°05'35\"E, along the above said Right of Way Line, a distance of 161.91' to the Point of Beginning (P.O.B.); Thence S18°05'35\"E, a distance of 20.00' to a point; Thence N72°05'05\"E, a distance of 84.00' to a point; Thence N77°05'05\"E, a distance of 20.00' to a point; Thence S72°05'05\"E, a distance of 84.00' to the Point of Beginning.

LEGAL DESCRIPTION OF LEASE AREA

Commence at the intersection of the Eastern Right of Way Line of West Hill Avenue and the Western Right of Way Line of Bayou Lane; Thence S18°05'35\"E, along the above said Right of Way Line, a distance of 161.91' to a point; Thence S18°05'35\"E, a distance of 20.00' to a point; Thence N72°05'05\"E, a distance of 84.00' to a point; Thence S17°05'05\"E, a distance of 20.00' to a point; Thence N77°05'05\"E, a distance of 20.00' to a point; Thence S72°05'05\"E, a distance of 84.00' to a point; Thence S17°05'05\"E, a distance of 70.00' to the point of Beginning.



One
Call before
you dig.

NOTE
The locations of underground and other subsurface utilities shown herein have been determined from data and/or extracted from records made available to us by agencies controlling such records. There being, the surface features of locations are shown. The ACTUAL subsurface locations may vary from those shown herein. Each agency should be contacted relative to the precise location of its underground installation prior to any reliance upon the accuracy of such locations shown herein, including its excavation and depth.

LEGEND

- | | |
|----------------------|-------------------------|
| ○ SEWER MANHOLE | ○ GAS MANHOLE |
| ⊕ SEWER CLEANOUT | ○ GAS METER |
| — SEWER LINE | ⊕ GAS VALVE |
| ○ DRAIN MANHOLE | — GAS LINE |
| ○ DRAIN INLET ROUND | ○ TELEPHONE MANHOLE |
| ■ DRAIN INLET SQUARE | — TELEPHONE PEDestal |
| ⊕ DRAIN CLEANOUT | — UNDERGROUND TELEPHONE |
| — CATCH BASIN | — OVERHEAD TELEPHONE |
| — DRAIN LINE | ○ ELECTRIC MANHOLE |
| ○ WATER MANHOLE | ○ WOOD POLE |
| ⊕ WATER METER | — OVERHEAD ELECTRIC |
| ⊕ WATER VALVE | — UNDERGROUND ELECTRIC |
| ⊕ FIRE HYDRANT | ⊕ LIGHT STANDARD |
| — WATER LINE | ○ SIGN |
| | ○ TREE |

There is no representation that all applicable ordinances and/or restrictions have been shown herein. Any ordinance and/or restrictions shown on this plot are limited to those set forth in the description and/or information furnished the undersigned. A title or public record search for such information was not made by the undersigned in compiling the data for this survey.

I certify that this plot represents an actual ground survey made by me, or by those under my direction, that no fictitious measurements were made, and that the survey was made in accordance with the standards and practices of the Louisiana Surveyors Association for a Class C Survey.

- (1) ALL CORNERS NOT STAKED AS PER CLIENTS REQUEST
- (2) ALL IMPROVEMENTS NOT SHOWN HEREON
- (3) THIS IS A SITE LEASE SURVEY

J.F. Ruello
PROFESSIONAL LAND SURVEYOR

I HAVE CONSULTED THE F.L.A. FLOOD HAZARD BOUNDARY MAP NO. 220204 0010 C DATED APRIL 21, 1999 AND FOUND THIS PROPERTY IS IN A F.L.A. ZONE A-E BASE FLOOD ELEVATION ON SAID MAP IS 9.5 ALL ELEVATIONS REFER TO NAVD 88 REFERENCE BENCHMARK: 15 A, Elevation 9.52 NAVD 88

BEARINGS REFER TO L.A. GRID SOUTH ZONE BASED UPON GPS OBSERVATIONS



DATE: July 10, 1999
SCALE: 1" = 30'

JOB NO. 990363

DRAWING NO. EE 3093