

**Lease Agreement – Rogers Communications Inc.****Report Purpose**

To seek approval to enter into a long-term Lease Agreement between Strathcona County and Rogers Communications Inc. for the installation of radio equipment on the Hunter Heights tower located on Plan 7521417, Block 3, Lot R4 within the NE 29-52-22-W4.

**Recommendation**

THAT a long-term Lease Agreement with Rogers Communication Inc. to install radio equipment on the telecommunications tower located on Plan 7521417, Block 3, Lot R4 within the NE 29-52-22-W4 and known as the Hunter Heights tower, be approved.

**Our Prioritized Strategic Goals**

Goal 4 - Ensure effective stewardship of water, land, air and energy resources

**Report**

Rogers Communication Inc. has submitted a request to place new radio equipment on the Hunter Heights tower. Administration has entered into negotiations to complete a long-term lease agreement based on the County's standard form agreement.

The lease agreement being utilized is consistent with the approved form and includes the following general principles:

1. Market-value rent.
2. Defined renewal market-value rates based on the Consumer Price Index occurring at the start of each additional five-year term.
3. Term of lease equal to five years, with three additional five-year renewal options.
4. Termination notice of 30 days for a material breach, or 180 days.
5. Indemnity and insurance.
6. Uses permitted.
7. Tenant responsibilities.
8. Surrender of the site upon expiry of the term.

Administration supports entering into a long-term lease.

**Council and Committee History**

September 4, 2007 Council gave three readings to Bylaw 69-2007 to amend the zoning from RC Country Residential to PU Public Utility.

September 4, 2007 Council authorized Administration to proceed with the removal of the reserve designation from part of Plan 7521417, Block 3, Lot R4 in the NE 29-52-22-W4 (Hunter Heights) to allow for an amendment to the property boundary and to create a Public Utility Lot for the existing telecommunications tower.

**Other Impacts**

**Policy:** Land Management Policy SER-012-011. The term of a lease for County-owned land or facility shall not exceed five years unless approved by Council Resolution.

**Legislative/Legal:** The *Municipal Government Act* authorizes a municipality to dispose of property under certain conditions and restrictions. The agreement provides the necessary legal documentation to occur between the County and the tenant.

**Financial/Budget:** Rent revenue is based on industry standards and market value and is subject to review every five years.

**Interdepartmental:** n/a

**Master Plan/Framework:** n/a

**Enclosures**

- 1 Rural location map
- 2 Location map
- 3 Air photo