



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Development Services, Real Estate

DCM: Cassandra Ogden

DATE: July 22, 2025

SUBJECT

Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute this Sixth Amendment to a Tower/Ground Lease Agreement with New Cingular Wireless PCS, LLC, successor in interest to AT&T Mobility Texas, LLC and to execute additional amendments as needed and within the limitations set out herein; providing for a severability clause; and providing for an effective date.

BACKGROUND

The City of Denton owns and leases unused space on its radio tower and adjacent ground space located in McKenna Park. For many years the City has leased space on the tower and tower grounds to various private wireless communications companies who provide services to the citizens of Denton. These companies utilize the leased space to host their communications equipment.

On June 18, 2002, the City entered into a Tower/Ground Lease Agreement with Cingular Wireless PCS, LLC (now d/b/a New Cingular Wireless PCS, LLC, successor in interest to AT&T Mobility Texas, LLC) ("New Cingular"), which allowed the placement of wireless facilities on the McKenna Park Tower, and on the ground adjacent to the tower ("Cingular Tower/Ground Lease"). Occasionally, technology changes drive the need to swap out equipment that may have become obsolete. The Cingular Tower/Ground Lease has been amended five times since 2002: January 6, 2009, July 15, 2014, and October 18, 2016, October 18, 2017, and August 6, 2019 to allow New Cingular to add or replace existing wireless equipment with newer equipment within the existing leased space. In 2017 the lease was also amended to add five 5-year automatic renewal options and annual 3% rent increases.

The currently proposed Sixth Amendment to Tower Ground Lease Agreement is consistent with prior approved amendments to add or update equipment within the existing leased space and provides for updated insurance coverages as recommended by Risk Management. The ordinance also includes delegation language to allow for City Manager authority to execute amendments that are needed due to changes in state law, city policies, and ministerial changes that do not affect the size of the leased area or decrease the rental payments thereunder.

OPTIONS

1. Approve proposed ordinance
2. Decline to approve proposed ordinance

RECOMMENDATION

Staff recommends approval of the ordinance.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

None.

FISCAL INFORMATION

N/A

EXHIBITS

Exhibit 1 – Agenda Information Sheet

Exhibit 2 – Location Map

Exhibit 3 – Ordinance

Exhibit 4 – “Exhibit A” Amendment

Respectfully submitted:
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Development Services-Real Estate

Prepared by:
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