TOWN OF Herndon VIRGINIA

Town Council Regular Meeting
Agenda Item 5.a.

Agenda Item: **Ordinance 26-O-06 to approve and authorize the mayor to sign a Fifth Lease Amendment with New Cingular Wireless PCS, LLC (AT&T) for the Town's Alabama Drive Water Tower to add three 5-year renewal terms upon expiration of current term and to update notice information**

Meeting Date: March 24, 2026

Category: Public Hearings

Prepared by: Tammy Chastain, Deputy Director of Public Works

Description:
The proposed ordinance approves a lease amendment that will provide for renewal terms of the current lease and will update contact information for notices of both parties.

Background/Timing Impact:
The original lease agreement at the Alabama Drive Water Tower between the Town and New Cingular Wireless was dated December 6, 2000, and subsequently amended in July 2006, October 2015, January 2021, and most recently in March 2023. The current lease will expire on May 31, 2026.

The proposed 5th amendment will provide for three (3) additional renewal terms of five (5) years each upon expiration of the current term. Each renewal term shall renew automatically, on the same terms and conditions of the original Lease, unless the Lessee provides at least sixty (60) days prior written notice before the expiration of the then current term that the Lessee does not wish to exercise such renewal term. Town and New Cingular Wireless contact information for notices has also been updated.

Strategic Focus Area:
Good Governance
Secure and Interconnected Community

Fiscal Impact:
The total current monthly rent is $4,948.84. The amount will also remain subject to an annual 3% escalation provided for in the original Deed of Lease.

Legal Impact:
Virginia State Code requires town council action for all lease and franchise agreements on town property.

Staff Recommendation/Next Steps:
Staff recommends approval of the ordinance as proposed.

Attachments:
1. Ordinance (Proposed)
2. Lease Amendment - New Cingular Wireless
3. Legal Ad