

RESOLUTION NO. 700

A RESOLUTION DECLARING THE ADVISABILITY FOR AMENDING THE LEASE AGREEMENT WITH EIP HOLDINGS II, LLC, FOR USE OF CERTAIN WATER TOWERS OWNED BY THE CITY OF ROSE HILL AND AUTHORIZING ROSE HILL OFFICIALS TO EXECUTE DOCUMENTS AS REQUIRED FOR THE LEASE AGREEMENT.

WHEREAS, the governing body acknowledges the value of owning water towers for municipal purposes; and

WHEREAS, the City of Rose Hill has two water towers to operate in an efficient and effective manner; and

WHEREAS, there is a considerable cost to build, operate and maintain the water towers with the cost ultimately borne by water customers; and

WHEREAS, the City entered into a Lease Agreement on October 5, 1999 for the use of the water towers for the purpose of installing and operating communication antennae or dishes, along with associated equipment and facilities, on said sites either directly or by sublease, together with the rights and easements described therein; and

WHEREAS, the water tower lease in effect is set to expire and EIP Holdings II, LLC, desires to amend the lease to add five additional options to extend the existing lease for communication equipment and potential expansion; and

WHEREAS, K.S.A. 12-101 authorizes the City to make, negotiate, and amend all contracts in relation to the property of the City of Rose Hill for the purpose of serving the public interest; and

WHEREAS EIP Holdings II, LLC, is willing to provide additional compensation for the extension of additional extensions.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ROSE HILL, KANSAS;

SECTION 1. The governing body hereby declares it to be in the public interest to extend the lease for water tower location for communication devices to financially lower cost of water tower operations borne directly by the water customers.

SECTION 2. The governing body hereby authorizes the extension of options for five (5) additional five (5) year extension terms and the Lessee shall pay to the City \$1,000.00 for each extension exercised in addition to the rental payments for use of the towers for communication device location.

SECTION 3. The governing body hereby authorizes the Mayor or Council President to execute the Second Amendment to Lease Agreement with EIP Holdings II, LLC of Pittsburgh, PA, and authorizes city staff members to execute any and all documents necessary execute the Second Amendment to Lease Agreement.

SECTION 4. That this Resolution shall take effect and be in force from and after its passage.

PASSED by the Rose Hill City Council this 4th day of August, 2025.



ATTEST:


Kelly Mendoza, City Clerk


Jeanine Schantz, Council President
Pursuant to K.S.A. 15-311

Approved as to form:


Richard A. Samaniego, City Attorney