



December 13, 2023

Governing Board Communication

Agenda Item B-2

**TO: MERA Governing Board**

**FROM: Heather Plamondon, Executive Officer**

**SUBJECT: Third Amendment to Emergency Communications Site Lease between MERA and EIP Holdings II, LLC for the Mt. Tamalpias Site**

Recommended Action:

1. Review and Approve the Third Amendment to the Emergency Communications Site Lease with EIP Holdings II, LLC, for the Mt. Tamalpias Site. To Amend Exhibit B1 with B2 to depict the correct Tower Drawing for the Record.

Background:

In August 2022, this Board approved a Licenses Agreement between Marin Municipal Water District and MERA for use of a portion of property on Mt Tamalpias for Emergency Communications Equipment, this property management responsibility was transferred from American Tower to EIP Holdings II, LLC ., which was the First Amendment to the Master Lease formally held by American Tower Corp. In February of 2023, MERA agreed to additional terms and conditions of this agreement associated with the Next Gen equipment installation. Before the Board today is the Third Amendment to the lease agreement to document engineering changes that are required for the installation of the Next Gen Equipment at the Mt Tamalpias Site. This Amendment simply replaces a new Exhibit B-2 for the old Exhibit B-1.

MERA Counsel has reviewed this agreement and finds no substantive changes other than the new Exhibit.

Attachment:

Communications Site Lease Agreement, Third Amendment; EIP Holdings II, LLC