



Legislation Details (With Text)

<b>File #:</b>	ORD 2022-021	<b>Name:</b>	1st Amendment to AT&T Lease at Winston Park
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed
<b>File created:</b>	9/1/2022	<b>In control:</b>	City Commission
<b>On agenda:</b>	10/13/2022	<b>Final action:</b>	10/13/2022

**Title:** AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE THE FIRST AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND NEW CINGULAR WIRELESS PCS, LLC, A WHOLLY OWNED SUBSIDIARY OF AT&T MOBILITY CORPORATION (“AT&T”), TO ADOPT A NEW ANTENNA LAYOUT AND THE CORRESPONDING INCREASE IN RENT FOR ADDITIONAL LOADING ON THE CITY’S TELECOMMUNICATIONS TOWER AT WINSTON PARK, SUBJECT TO ALL OTHER TERMS AND CONDITIONS PROVIDED THEREIN. (SECOND READING)(PUBLIC HEARING)

**Sponsors:**

**Indexes:** Agreement, Cell Towers, First Amendment, Lease, Ordinance

**Code sections:**

**Attachments:** 1. ORDINANCE 2022-021-AT&T Lease Agrmt at Winston Park First Amendment, 2. EXHIBIT 1-AT&T Lease Agrmt at Winston Park First Amendment, 3. BACKUP-Original AT&T Lease Agrmt at Winston Park

Date	Ver.	Action By	Action	Result
10/13/2022	1	City Commission		
9/22/2022	1	City Commission		

AGENDA ITEM REPORT

**TITLE:**

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE THE FIRST AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND NEW CINGULAR WIRELESS PCS, LLC, A WHOLLY OWNED SUBSIDIARY OF AT&T MOBILITY CORPORATION (“AT&T”), TO ADOPT A NEW ANTENNA LAYOUT AND THE CORRESPONDING INCREASE IN RENT FOR ADDITIONAL LOADING ON THE CITY’S TELECOMMUNICATIONS TOWER AT WINSTON PARK, SUBJECT TO ALL OTHER TERMS AND CONDITIONS PROVIDED THEREIN. (SECOND READING)(PUBLIC HEARING)

**BACKGROUND:**

**This item was approved on First Reading at the September 22, 2022, City Commission Meeting.**

The City owns the telecommunications tower (“Tower”) within the City’s Winton Park Nature Center, located at 5201 NW 49 Avenue, Coconut Creek, FL 33073, and leases space to several tenants via lease agreements. The parties desire to amend the Lease Agreement dated October 10, 2019, to grant AT&T the ability to use additional equipment at the site and increase the number of antennas

upon the Tower, resulting in an increase of its rent.

**DISCUSSION:**

Through this First Amendment, the parties clarify AT&T's obligation to preserve as many of the faux branches of the monopine structure as possible, maintain consistency with the existing concealment qualities of the Tower, and provide other assurances as stated in the First Amendment.

**RECOMMENDATION:**

Staff recommends approval of this ordinance.

**FISCAL IMPACT:**

**REVENUES:** \$ 40,658.94 annually

**EXPENDITURES:** \$ 0

**BUDGETED?** Yes

**NOTES:** Account Number 01-V36220 - Tower Leases. This amendment will generate an additional \$1,000 per year in revenues.