



## Legislation Text

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File #: ORD 2018-042, Version: 1

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## AGENDA ITEM REPORT

### TITLE:

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE THE THIRD AMENDMENT TO THE SPACE LEASE AGREEMENT WITH T-MOBILE SOUTH, LLC TO PROVIDE FOR THE CONTINUED LEASING OF CITY LAND FOR A COMMUNICATIONS TOWER AT THE CITY'S LAKESIDE PARK AND A MODIFICATION TO REMOVE THE EXISTING GENERATOR AND INSTALL A NEW 25 KILOWATT GENERATOR WITHIN THE EXISTING SPACE. (SECOND READING)(PUBLIC HEARING)

### BACKGROUND:

**This item was approved on First Reading at the December 13, 2018, City Commission Meeting.**

On December 9, 2004, the City Commission authorized the Mayor to execute the original Space Lease Agreement ("Agreement") with T-Mobile South, LLC ("T-Mobile") for the purpose of contracting and maintaining a communications tower ("Tower") and related equipment at the City's Lakeside Park, 5555 Regency Boulevard, Coconut Creek, Florida. The Agreement provides for a term of ten (10) years from the effective date with four (4) automatic five (5) year renewals (unless T-Mobile advises the City of its intent not to renew at least six (6) months prior to the end of the current term). On April 24, 2008, the City Commission authorized the Mayor to execute the First Amendment to the Agreement ("First Amendment"), which provided for modification of the existing equipment and an increase in monthly rent in the amount of Two Hundred Sixty-two Dollars and 50/100 (\$262.50) for a total annual rent payment in the amount of Thirty-Five Thousand Eight Hundred Fourteen Dollars and 00/100 (\$35,814.00). On February 26, 2015, the City Commission authorized the Mayor to execute the Second Amendment to the Agreement ("Second Amendment"), which provided for a modification for removal and replacement of T-Mobile equipment on the Tower.

### DISCUSSION:

Currently, T-Mobile desires to amend the Agreement a third time ("Third Amendment") to remove the existing generator and install a new 25 kilowatt generator within the existing space.

### RECOMMENDATION:

Staff recommends approval of this ordinance.

**FISCAL IMPACT:** N/A