

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Chris Kovanes, Programs Administrator / 797-1102

SUBJECT: Resolution

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH AMERICAN TOWER DELAWARE CORPORATION FOR THE ALLOWANCE OF SUBLEASING SPACE ON EXISTING COMMUNICATIONS MONOPOLE; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF: On November 19, 1997, a Lease Agreement had begun between the Town of Davie and Omnipoint Communication DEF Operation, Incorporated. Since then, American Tower Delaware Corporation has purchased Omnipoint.

This tower was designed to accommodate multiple communication carriers. However, if any carrier co-locates on this tower, the Town was to receive fifty percent (50%) of all leasing revenue from Omnipoint communication DEF Operation, Incorporated which American Tower is fully aware of and will be in full compliance of if this agreement is rendered.

This specific agreement grants permission for Metro PCS California/Florida, Inc. to co-locate on the existing monopole at Pine Island Park. This existing monopole is also currently being utilized as a light pole for a ball field and will continue to be utilized as this feature as well.

PREVIOUS ACTIONS: Not Applicable

CONCURRENCES: Not Applicable

FISCAL IMPACT: The Town will receive \$10,800 per year. This amount varies from the other co-locator dues owed to the Town because of the agreement that was executed by American Tower with Metro PCS California/Florida, Inc. which they have the sole authority over.

RECOMMENDATION(S): Motion to approve the resolution.

Attachment(s):

Resolution,
Agreement

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH AMERICAN TOWER DELAWARE CORPORATION FOR THE ALLOWANCE OF SUBLEASING SPACE ON EXISTING COMMUNICATIONS MONOPOLE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, LESSOR and OMNIPOINT entered into that certain Lease Agreement (“Agreement”) dated November 19, 1997, which by this reference is incorporated herein and made a part hereof, whereby LESSOR leased to OMNIPOINT that certain real property in Broward County, Florida, located at Parcel “A”, of the Pine Island Park, according to the Plat thereof, as recorded in Plat Book 139, page 28, of the Public Records of Broward County, Florida, more specifically described in and substantially shown as outlined on Exhibit “A” attached hereto and made a part hereof (“Property”); and

WHEREAS, LESSOR and TENANT previously amended the Agreement pursuant to the First Amendment to Lease Agreement dated the ____ day of _____, 2001 to allow for additional carriers to co-locate at the Tower site.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. That the recitals set forth above are true and correct and are made a part of this resolution.

SECTION 2. The Town Council of the Town of Davie hereby approves the aforementioned and authorizes the Mayor to execute the agreement , a copy of which is attached as Exhibit “A”.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____ , 2001.

ATTEST:

MAYOR/COUNCILMEMBER

TOWN CLERK
APPROVED THIS _____ DAY OF _____ , 2001