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VIA E-MAIL - LCOHEN@WELLINGTONFL.GOV

Laurie Stilwell Cohen, Esq.
 Village Attorney
 Village of Wellington, Florida
 12300 Forest Hill Blvd
 Wellington, FL 33414-5785

Re: Request to Build New Cell Towers in the Village of Wellington

Dear Ms. Cohen:

The undersigned law firm represents Verizon, which hereby renews its: (i) objection to the pending unsolicited tower management proposal submitted by Arcadia Towers (the “**Unsolicited Proposal**”); and (ii) request, made through Communication Tower Group I LLC (“**CTG**”), to negotiate directly with the Village of Wellington to build the following new cell towers within the Village (the “**Committed Sites**”):

SPM Project Number	Parent Solution ID	Release Flag	Status	Latitude	Longitude	SR Name	SR Radius(miles)	Center Line(feet)	Scope
17058928	1251908	No		26.640048°	-80.287279°	GREENBRIAR PARK	0.1	120	New macro site in Wellington, Fl.
17058923	1251909	No		26.607514°	-80.223015°	HOMELAND CCI	0.1	120	Crown Castle BU#830470 Homeland Pole
17058898	1251902	No		26.653876°	-80.237543°	WELLINGTON COMM CTR	0.1	120	New macro site in Wellington, Fl.
17058914	1251903	No		26.651312°	-80.176593°	PALM BEACH CENTRAL HS	0.1	120	New macro site in Wellington, Fl.
17058902	1251904	No		26.630023°	-80.307952°	WELLINGTON PARK WEST	0.1	120	New macro site in Wellington, Fl.
17058919	1251905	No		26.681619°	-80.298497°	SOUTHERN FLYING COW RD	0.1	120	New macro site in Wellington, Fl.
17058910	1251907	No		26.648225°	-80.217088°	WELLINGTON GREEN PARK	0.1	120	New macro site in Wellington, Fl.
17058906	1251906	No		26.632866°	-80.244407°	VILLAGE PARK WEST	0.1	120	New macro site in Wellington, Fl.

The Committed Sites are fully approved and funded by Verizon and will be built by CTG within properties owned by the Village of Wellington or Acme (collectively, “**Village Properties**”). Verizon will serve as the anchor tenant, and all towers will accommodate multiple other wireless carriers, including AT&T, T-Mobile, and Dish Wireless. It is important to note that Verizon and CTG have existing relationships and development agreements with all these carriers, thereby streamlining the timeline and process of on-boarding additional carriers.

I. **Objection to Unsolicited Proposal:**

As detailed below, from July 2022 to February 2023, Verizon, through CTG, was continuously working with the Village in good faith to construct cell towers within Village Property and substantially increase much needed cellular coverage and capacity within the Village. During that protracted period of time, the Village did not advise Verizon or CTG of the Village's apparent longstanding negotiations with Arcadia Towers concerning its Unsolicited Proposal to maintain a monopoly to market and manage towers within Village Property.

In November 2022, Verizon and CTG provided the Village a detailed list of suggestions for revisions to the Village's zoning ordinance governing tower siting. At that time, Verizon and CTG were in frequent communications with Village staff and had no reason to check the Village's agenda items, and no reason to believe that the Village would not provide at least a courtesy notification to Verizon that it was considering waiving the requirements for a proper public-private-partnership in favor of the Unsolicited Proposal (which, if approved, would essentially derail all of the time and expense Verizon has invested in the Committed Sites).

From December, 2022 through January 2023, Verizon, CTG and the Village continued to discuss the zoning ordinance as well as Verizon's interest in eight sites within Village Property where Verizon was ready, willing, and able to develop towers. It was not until February, 2023, that the Village provided Verizon and CTG actual notice that it was "in negotiations with a firm to market and build wireless communications on various Village/ACME owned properties."

While the Village may have technically complied with the statutory notice requirements for its consideration of the Unsolicited Proposal, it certainly did not actively disclose such to Verizon or CTG during their months of interactions. Verizon is concerned that the Unsolicited Proposal jeopardizes the public benefit of pursuing full and fair competition for tower development services and weakens the Village's bargaining position by entering into negotiations with only one company, especially when another well-qualified company has expressed interest in constructing towers within Village Property and actively assisted the Village in revising its tower zoning ordinance to make such developments feasible.

By entering into the Unsolicited Proposal, the Village will not have the opportunity to evaluate and compare all interested tower developers' expertise in critical areas of tower development and ownership, including without limitation, site marketing, site development, site management, leasing, and the governmental approvals process. Further, Verizon is concerned that the Village's decision to enter into a long-term, third-party tower marketing and management agreement may have a significant chilling effect on carriers' ability and/or desire to select sites within Village Property because adding a "middle-man" manager to the process will overly complicate and delay the tower siting process and potentially increase costs beyond what is feasible. Such an effect will significantly delay the provision of increased cell coverage within the Village.

II. Public Benefit of Carving Out Committed Sites from any Future Tower Marketing and Management Services Contract:

Considering the amount of time and expense Verizon and CTG have invested in the Committed Sites, Verizon respectfully requests that these sites be excluded from any future tower marketing or management services contract the Village may execute. Verizon and CTG have already performed considerable due diligence with respect to the Committed Sites and are ready, willing and able to immediately move forward with the tower develop process. By permitting Verizon and CTG to build these sites now, the Village will ensure improved cellular coverage for its residents and guests in the shortest time-period and at no cost to the Village. Conversely, placing these sites on hold until the Village executes a tower marketing and management services contract will most certainly result in unnecessary and significant delays to the construction of towers within the Committed Sites and continue to stymie much needed cell coverage to Village residents. Aside from the contract execution process, significant time will be lost by the new manager becoming familiar with the Committed Sites as well as the multitude of engineering, legal and governmental related requirements associated with the tower development process at these sites. Further, the new manager will need to perform protracted due diligence for all sites and negotiate agreements and tower specifications with Verizon and all tower development vendors. All of these extra layers of work will significantly delay the construction of towers at the Committed Sites.

Based on the above, Verizon requests that, at a minimum, the Committed Sites be excluded from any marketing or management services contract, and that the Village reconsider its decision to enter into the Unsolicited Agreement without employing a full and fair competitive bidding process. Proceeding as the Village intends will jeopardize the timely and successful construction of additional cellular towers which are desperately needed to improve mobile connectivity within the Village of Wellington, and which is not in the best interests of Village residents.

Sincerely,

Shutts & Bowen LLP

A handwritten signature in blue ink that reads "Joseph M. Goldstein". The signature is written in a cursive style with a large, prominent "J" and "G".

Joseph M. Goldstein