



Legislation Details (With Text)

File #: 19-3368 **Name:** RESOLUTION NO. R2019-70 (LICENSE AGREEMENT WITH VERIZON WIRELESS)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE MAYOR AND CLERK TO EXECUTE THE FIRST AMENDMENT TO THE LICENSE AGREEMENT AND THE AMENDED MEMORANDUM OF THE LICENSE AGREEMENT

Type: Purchasing/Contract **In control:** Village Council

On agenda: 12/10/2019 **Final action:**

Title: RESOLUTION NO. R2019-70 (LICENSE AGREEMENT WITH VERIZON WIRELESS)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE MAYOR AND CLERK TO EXECUTE THE FIRST AMENDMENT TO THE LICENSE AGREEMENT AND THE AMENDED MEMORANDUM OF THE LICENSE AGREEMENT WITH CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS ALLOWING FOR THE INSTALLATION OF NEW EQUIPMENT, REPLACEMENT AND ABANDONMENT OF THE PREVIOUS EASEMENT AND ENHANCEMENTS TO SECURITY AND ENTRY PROVISIONS CONTAINED IN THE PREVIOUS AGREEMENTS FOR THE TELECOMMUNICATIONS TOWER LOCATED AT 1100 WELLINGTON TRACE, WELLINGTON, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

Code sections:

Attachments: 1. 1. Resolution R2019-70 (License Agreement with Verizon Wireless), 2. 2. First Amendment to License Agreement, 3. 3. Verizon Amended Memorandum of Lease, 4. 4. R2001-145 Telecommunication Tower - Verizon Lease

Date	Ver.	Action By	Action	Result
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ITEM: RESOLUTION NO. R2019-70 (LICENSE AGREEMENT WITH VERIZON WIRELESS)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE MAYOR AND CLERK TO EXECUTE THE FIRST AMENDMENT TO THE LICENSE AGREEMENT AND THE AMENDED MEMORANDUM OF THE LICENSE AGREEMENT WITH CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS ALLOWING FOR THE INSTALLATION OF NEW EQUIPMENT, REPLACEMENT AND ABANDONMENT OF THE PREVIOUS EASEMENT AND ENHANCEMENTS TO SECURITY AND ENTRY PROVISIONS CONTAINED IN THE PREVIOUS AGREEMENTS FOR THE TELECOMMUNICATIONS TOWER LOCATED AT 1100 WELLINGTON TRACE, WELLINGTON, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

REQUEST: Authorization to execute the First Amendment to the License Agreement and the Amended Memorandum of the License Agreement with Cellco Partnership d/b/a Verizon Wireless.

EXPLANATION: In 2001, through Resolution No. R2001-145 (attached), Council authorized execution of the License Agreement with Verizon Wireless, which provided for the construction of a new 265 foot communication tower on the water plant site at 1100 Wellington Trace. The tower is owned by Wellington and maintained by the Utility.

The 2001 Agreement also permitted Verizon to install, maintain and access equipment within the water plant site and on the tower. The Amended Lease provides for the installation of new equipment, replaces and abandons the previous easement, and enhances security and entry provisions contained within the original License Agreement. All other terms and provisions of the License Agreement not expressly amended remain in full force and effect.

Staff recommends 1) Execution of the First Amendment to the License Agreement with Cellco Partnership d/b/a Verizon Wireless; and 2) Execution of the Amended Memorandum of License Agreement with Cellco Partnership d/b/a Verizon Wireless.

BUDGET AMENDMENT REQUIRED: NO

PUBLIC HEARING: NO **QUASI-JUDICIAL:**

FIRST READING: **SECOND READING:**

LEGAL SUFFICIENCY: YES

FISCAL IMPACT: Verizon Wireless pays approximately \$29,000 annually in lease payments in accordance with the License Agreement.

WELLINGTON FUNDAMENTAL: Responsive Government

RECOMMENDATION: Authorization to execute the First Amendment to the License Agreement and the Amended Memorandum of the License Agreement with Cellco Partnership d/b/a Verizon Wireless.