



## Legislation Text

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File #: 20-4226, Version: 1

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### ITEM: RESOLUTION NO. R2021-06 (LICENSE AGREEMENT WITH T-MOBILE SOUTH LLC)

**A RESOLUTION OF WELLINGTON FLORIDA'S COUNCIL AUTHORIZING THE MAYOR AND CLERK TO EXECUTE THE FIRST AMENDMENT TO THE LICENSE AGREEMENT WITH T-MOBILE SOUTH LLC FOR CERTAIN IMPROVEMENTS AND MODIFICATIONS TO THE LEASED PREMISES 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 with T-Mobile South LLC.

**EXPLANATION:** In 2002, the communications tower at the Water Plant was constructed by a third party cellular provider. The tower is owned by Wellington and maintained by the Utility. There are three cellular providers currently located on the tower including Verizon, T-Mobile and Sprint.

A 2002 Agreement with T-Mobile South, LLC provided for the installation and maintenance of their original equipment. Additionally, it provided unfettered access to the Water Plant site. The Tenant, currently T-Mobile South LLC, successor in interest to Omnipoint Holdings, Inc. d/b/a VoiceStream Wireless, desires to make certain improvements and modifications to the leased site. This Amendment permits the improvements and permits the Village, the landlord, to conduct background checks on all agents, licensees, invitees, employees, subcontractors, material workers, and suppliers entering the site. The Amendment also permits the landlord to disallow entrance to the plant site.

Staff recommends execution of the Amendment to the License Agreement with T-Mobile South LLC.

**BUDGET AMENDMENT REQUIRED:** NO

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

**FIRST READING:**                      **SECOND READING:**

**LEGAL SUFFICIENCY:** YES

**FISCAL IMPACT:** T-Mobile South LLC pays approximately \$58,991 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 with T-Mobile South LLC.