



RESOLUTION # 2012-02

**RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF WEST MIAMI AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENTS TO THE EXISTING AGREEMENTS WITH CROWN CASTLE FOR CELLULAR TOWER SITES LOCATED AT 1500 SW 57<sup>TH</sup> COURT AND 1811 SW 67<sup>TH</sup> AVENUE.**

**WHEREAS**, on January 17<sup>th</sup>, 1992 the City of West Miami entered into an agreement with Bellsouth Mobility whereby the City leased approximately 2100 square feet located on 1500 SW 57<sup>th</sup> Court, West Miami, FL; and

**WHEREAS**, the terms of said lease was for the initial term of five (5) years with an option to extend said lease for four (4) additional five year terms; and

**WHEREAS**, New Cingular Wireless PCS, LLC. Successor in interest of Bellsouth Mobility have expressed an intent to amend the 1992 agreement for an additional twenty five (25) years term to expire April 8<sup>th</sup>, 2042 and on the terms and conditions of that certain amendment are attached hereto and made part hereof; and

**WHEREAS**, as consideration and inducement to the City of West Miami extending said lease tenant agrees to pay the City a one time amount of ten thousand dollars (\$10,000.00) in addition to the regular monthly payment due to the City pursuant to the original lease agreement as amended; and

**WHEREAS**, On December 9, 1997 the City of West Miami entered into a certain agreement with PCS and a first amendment of said agreement on June 11<sup>th</sup>, 2008 whereby the City of West Miami leased approximately 973 square feet located at 1811 SW 67<sup>th</sup> AVE, West Miami, FL; and

**WHEREAS**, STC Five, LLC successor in interest of Sprint Spectrum L.P. by Global Signal Acquisition III, LLC. have expressed an interest to enter into a second amendment to the said agreement by renewing the terms of the original agreement renewing for nine (9) additional terms of five (5) years each ending December 8<sup>th</sup>, 2047. Terms and conditions of that certain second amendment attached hereof and made part hereby; and

**WHEREAS**, in consideration and inducement to the City of West Miami extending said lease, tenant agrees to pay the City a one time amount of ten thousand dollars (\$10,000.00) in addition to the regular payment received by the City; and

**WHEREAS**, the Commission believes it is advantageous for the City receiving an additional amount of ten thousand dollars (\$10,000.00).

**NOW, THERETOFORE BE IT RESOLVED** by the Mayor and the City Commission of the City of West Miami as follows:

**Section 1.** That the City Commission of the City of West Miami approves both amendments and the terms and conditions set forth in the attached amendments to both lease agreements.

**Section 2.** That the City Commission of the City of West Miami approves the memorandums of both amendments to lease agreements attached herein.

**Section 3.** That the City Commission instructs and authorizes the City Manager to execute the aforesaid attached amendments.

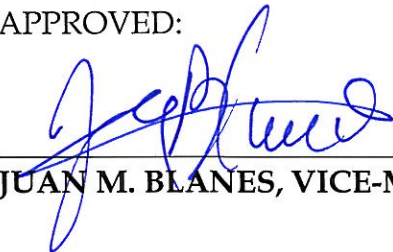
**Section 4.** This Resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** this 18<sup>th</sup> day of January, 2012.

ATTEST:

  
\_\_\_\_\_  
ANNERY GONZALEZ, CITY CLERK

APPROVED:

  
\_\_\_\_\_  
JUAN M. BLANES, VICE-MAYOR

APPROVED AS TO FORM AND SUFFICIENCY:

  
\_\_\_\_\_  
JOSE A. VILLALOBOS, CITY ATTORNEY

ROLL CALL VOTE:

MAYOR EDUARDO H. MUHIÑA	<u>ABSENT</u>
VICE -MAYOR JUAN M. BLANES	<u>Y</u>
COMMISSIONER CANDIDA BLANCA	<u>Y</u>
COMMISSIONER LUCIANO L. SUAREZ	<u>Y</u>
COMMISSIONER ELSA J. VAZQUEZ	<u>Y</u>