

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED FOURTH AMENDMENT TO THE TOWER SITING LICENSE AGREEMENT WITH T-MOBILE SOUTH, LLC. FOR A WIRELESS COMMUNICATIONS SYSTEM AT/ON THE HOLLYWOOD WATER TOWER – WEST AT 2900 SHERIDAN STREET.

WHEREAS, on July 23, 1997, the City and Omnipoint Communications Enterprises, Inc. (“Licensee”) entered into a 25 year Tower Siting License Agreement (“Agreement”) for location of a wireless communications system at/on the Hollywood Water Tower - West at 2900 Sheridan Street; and

WHEREAS, on October 6, 2008, the City and T-Mobile South LLC, as successor in interest to the Licensee, entered into an Amendment to the Agreement providing for 150 square feet of additional ground space for location of a generator; and

WHEREAS, on June 24, 2009, the City and Licensee entered into a Second Amendment to the Agreement adding ground space to the licensed premises for installation of additional equipment; and

WHEREAS, on December 19, 2012, the City and Licensee entered into a Third Amendment to the Agreement providing the right to modify its Antenna Facilities; and

WHEREAS, in order to upgrade its system, Licensee has requested City’s authorization to modify its Premises; and

WHEREAS, pursuant to Section 5 of the Agreement, the company may make such improvements as it deems necessary consistent with the operation of a wireless antenna system and / or its routine maintenance and repairs; and

WHEREAS, pursuant to the attached Fourth Amendment to the Tower Siting License Agreement, Licensee’s Premises as defined in the Agreement will be revised as shown in Exhibit “A” to the Fourth Amendment, which replaces all previous Exhibits to the Agreement as previously amended; and

WHEREAS, the Information Technology Department has reviewed the requested changes and recommends approval.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA.

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That it approves and authorizes the execution, by the appropriate City officials, of the attached amendment to the agreement with T-Mobile South, LLC., together with such non-material changes as may be acceptable to the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
JOSH LEVY, MAYOR

ATTEST:

\_\_\_\_\_  
PATRICIA A. CERNY, MMC  
CITY CLERK

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY for the use and reliance  
of the City of Hollywood, Florida, only

\_\_\_\_\_  
DOUGLAS R. GONZALES  
CITY ATTORNEY