

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED SECOND AMENDMENT TO TOWER SITING AGREEMENT, BETWEEN METROPCS FLORIDA, LLC, AND THE CITY OF HOLLYWOOD, FOR A WIRELESS COMMUNICATIONS SYSTEM AT 2600 HOLLYWOOD BOULEVARD.

WHEREAS, Resolution No. R-2004-350, approved on October 20, 2004, authorized the execution of a Tower Siting Agreement ("Agreement") between MetroPCS California / Florida, Inc. and the City of Hollywood for location of a wireless communications system on the roof top of City Hall at 2600 Hollywood Blvd.; and

WHEREAS, Resolution No. R-2012-219, approved on July 18, 2012, authorized the execution of a First amendment To Tower Siting Agreement between MetroPCS Florida, LLC, successor in interest by assignment from MetroPCS California/Florida, Inc., providing for an increase from three to six antennae; and

WHEREAS, pursuant to paragraph 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, in order to provide enhanced coverage and keep up with technological improvements, MetroPCS has requested the addition of six additional antennae; and

WHEREAS, pursuant to the attached Second Amendment to Tower Siting Agreement, Paragraph 1. *Premises and Use* is amended to provide for twelve roof top antennae as shown in Exhibit "A" to the Second Amendment which replaces the former Exhibit "A" in its entirety; and

WHEREAS, the IT Department and City Engineer have reviewed the requested changes and recommend approval;

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

Section 1: That it hereby approves and authorizes the execution, by the appropriate City Officials, of the attached Second Amendment to Tower Siting Agreement, between MetroPCS Florida, LLC and the City of Hollywood, together with such non-material changes as may subsequently be agreed to by the City Manager and approved as to form and legality by the City Attorney.

RESOLUTION: SECOND AMENDMENT TO TOWER SITING AGREEMENT

Section 2: That this resolution shall be in full and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2014.

PETER BOBER, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGALITY
For the use and reliance of the
City of Hollywood, Florida, only.

JEFFREY P. SHEFFEL, CITY ATTORNEY