



**City of Coral Gables  
CITY COMMISSION MEETING  
November 15, 2016**

**ITEM TITLE:**

Resolution Authorizing Entering Into A Second Amendment to Lease Agreement With New Cingular Wireless PCS, LLC With Regard to City Owned Property Located at 11911 Old Cutler Road, Coral Gables, Florida

**DEPARTMENT HEAD RECOMMENDATION:**

**Approval.**

**BRIEF HISTORY:**

The City entered into a Lease Agreement with Bellsouth Mobility, LLC dated March 25, 1993, for five (5) five-year terms (expiring 2018), as amended by that certain First Amendment to Lease Agreement dated August 21, 2012 (the "Agreement"), with respect to the City-owned Tower located at Fire Station No. 5 at 11911 Old Cutler Road, Coral Gables, FL ("Tower"). Effective December 31, 2004, Bellsouth Mobility was merged with and into New Cingular Wireless PCS, LLC ("Tenant"). Pursuant to the Agreement, Tenant has attached antennas and communications facilities ("Facilities") to the Tower.

Tenant has requested approval to change, modify or relocate its Facilities on the Tower and to modify the notice section of the Agreement. Tenant currently pays rent in the amount of \$23,248.20 per year. Tenant has agreed to increase the rent \$1,100 per month (\$13,200/year), as set forth in the proposed Second Amendment to Lease Agreement ("Second Amendment"). In addition, Tenant has agreed to a one-time reimbursement to the City for GrayRobinson's attorneys' fees and costs for negotiating and finalizing the Second Amendment, in the amount of \$7,250.00. In all other respects, the Agreement remains unchanged. The City's outside consultant conducted a structural analysis of the Tower and Tenant's proposed Facilities and determined that the Tower could accommodate the proposed Facilities. Tenant paid its share of the fees for such structural analysis.

**APPROVED BY:**

Department Director	City Attorney	Assistant City Manager	City Manager
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**EXHIBITS:**

- A. Draft Resolution
- B. Second Amendment to Lease Agreement