

RESOLUTION NO. 2017-30069

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE, IN THE FORM ATTACHED TO THIS RESOLUTION, A LEASE AGREEMENT BETWEEN THE CITY (TENANT) AND TOWER FORTY ONE ASSOCIATION, INC. (LANDLORD), FOR A TERM OF SEVEN (7) YEARS, COMMENCING RETROACTIVELY ON JANUARY 1, 2017, FOR THE USE OF AN EQUIPMENT ROOM AND CERTAIN ROOFTOP AREAS AT A BUILDING LOCATED AT 4101 PINE TREE DRIVE, IN CONNECTION WITH THE CONTINUED USE AND OPERATION OF PUBLIC SAFETY COMMUNICATIONS EQUIPMENT.

WHEREAS, since 1987, the City, as Tenant, has entered into lease agreements with Tower 41 Associations, Inc., as Landlord, for the use of an equipment room and certain rooftop areas for the placement and operations of certain public safety communications equipment; and

WHEREAS, said Agreement was extended through automatic annual renewals; and

WHEREAS, pursuant to said lease agreement, the City operates a Communications Facility, which includes an equipment room (the Equipment Room Space) with radio communications equipment, such as transmitter, receiver, and other accessories; areas on the rooftop (the Rooftop Spaces) containing equipment and improvements such as transmitters, antennas, UPS system, UPS batteries, battery chargers and microwaves dishes; and flexible coaxial transmission lines between the Rooftop Space and the Equipment Room Space; and

WHEREAS, changes in the State telecommunications laws have permitted an increased number of cellular telephones services which increased the demand for premium roof space for locating necessary microwave antennae; and

WHEREAS, in 1996, the City entered into a twenty (20) year term agreement which has expired; and

WHEREAS, ensuring the continuity of the City's public safety communications system is vital for the health and safety to our citizens, visitors, and public safety employees; and

WHEREAS, the Administration recommends that the City execute a similar lease agreement, in the form attached to this Resolution as Exhibit "1", in order to prevent any interruption of services, which includes the following material terms:

- A. Term: Seven (7) years, commencing retroactively on January 1, 2017; and
- B. Rent/Electricity: \$20,000 annually, subject to three percent (3%) annual increases; payment of electricity consumption through sub meter.

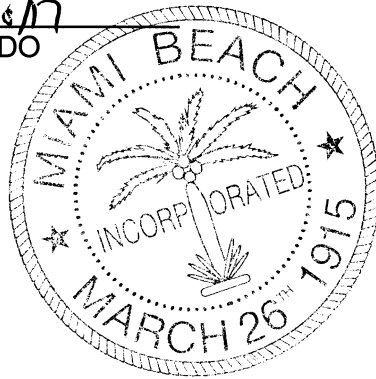
NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby authorize the Mayor and City Clerk to execute, in the form attached to this Resolution, a lease agreement between the City (Tenant) and Tower Forty One Association, Inc. (Landlord), for a term of seven (7) years, commencing retroactively on January 1, 2017, for the use of an equipment room and certain rooftop areas at a building located at 4101 Pine Tree Drive, in connection with the use and operation of public safety communications equipment.

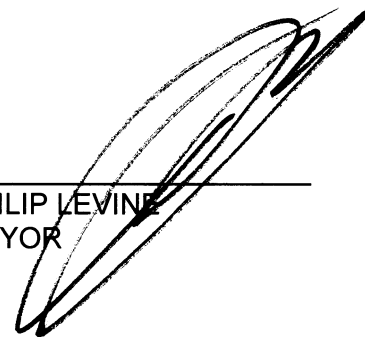
PASSED AND ADOPTED this 8 day of October 2017.

ATTEST:



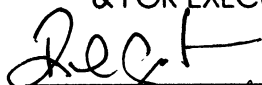
RAFAEL E. GRANADO
CITY CLERK






PHILIP LEVINE
MAYOR

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney  10-9-17
Date