



MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy Morales, City Manager

DATE: August 20, 2017

SUBJECT:

ADMINISTRATION RECOMMENDATION

Adopt the resolution.

BACKGROUND

Since 1987, the City of Miami Beach had had an agreement with Tower 41 Association Inc., for the use of certain room and roof areas for the continued use, storage and operation of Public Safety Communications equipment. This agreement was renewed annually however changes in the State telecommunications laws have permitted an increased number cellular telephone services created a demand for premium roof space for cellular and radio microwave communications equipment.

In 1996 acknowledgement of the importance of assuring continuous non-interference of the city's public safety communications system, to ensure the delivery of the services that provide for the health and safety to our citizens, visitors, and public safety employees, the city entered into a 20 year term agreement.

CURRENT STATUS

The radio equipment located in Tower 41 provides a vital microwave link to ensure continuous public safety radio communications between the northern and mid-beach areas with the primary and secondary dispatch centers.

Relocation of the equipment would require the City to apply to the Federal communications Commission (FCC) for new microwave frequencies and the certification that the frequencies would not interfere with the existing commercial licensees.

This agreement provides the City with the non-interference and guarantee required for the continuous operation of the public safety communications system. The lease payment consideration acknowledges the value of the roof area to commercial cellular telephone operators and prevents the City from possibly having to relocate its equipment.

The major terms of the agreement with Tower 41 are:

1. EFFECTIVE DATE – Retroactive to annual renewal date (January, 2017)
2. TERM – Seven (7) years beginning on the Effective date. City has the exclusive right to cancel by giving 360 day notice.
3. RENT – Tower 41 - \$20,000 annually. Annual increase of 3 % per year beginning the second year
4. ELECTRICITY – City has a sub meter and will reimburse costs for actual consumption
5. OTHER – Landlord shall not lease other roof space for other purposes, if such purposes will interfere with the operations of the City's public radio communications.

CONCLUSION

The Administration recommends that the Mayor and City Commission adopt the Resolution.

Attachments:

Lease Agreement with Tower 41

JLM/CT/CRF