

ORDINANCE 24-__

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE LEASE OF A PORTION OF PROPERTY LOCATED AT 281-TW ST. JAMES DRIVE (NORTHPORT CELL TOWER) TO DISH WIRELESS, LLC FOR USE OF A MONOPOLE COMMUNICATIONS TOWER; AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND ENTER INTO A CELL TOWER LEASE AGREEMENT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie owns and operates a cell tower facility located at 281-TW St. James Drive, Port St. Lucie, Florida; and

WHEREAS, the City deems it to be in the best interest of the City to lease said property to DISH Wireless, LLC (“DISH”) to provide City residents with improved cell tower service and reception and to provide reception service to the City’s police department and other emergency efforts; and

WHEREAS, the City desires to execute a lease amendment in substantially the same form as attached hereto and incorporated herein as Exhibit “A.”

NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. Ratification of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Ordinance.

Section 2. The City Manager, or his designees, are hereby authorized and directed to execute the Cell Tower Lease in substantially the same form as attached hereto as Exhibit “A” and to take any and all necessary actions required to effectuate the terms of the Cell Tower Lease.

Section 3. Conflict. If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

Section 4. Severability. The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 5. Effective Date. This Ordinance shall become effective ten (10) days after final adoption on second reading.

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this ____ day of _____, 2024.

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CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

Richard Berrios, City Attorney