

ORDINANCE 24-__

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING A LEASE AMENDMENT BETWEEN THE CITY OF PORT ST. LUCIE, FLORIDA, AND SPRINT SPECTRUM REALTY COMPANY, LLC, RELATED TO A PORTION OF PROPERTY LOCATED AT 121 SW PORT ST. LUCIE BLVD. FOR RELOCATION OF POWER UTILITY SERVICE AND EASEMENT AND CONTINUED 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; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie (“City”) owns and operates a cell tower facility located at 121 SW Port St. Lucie Blvd, Port St. Lucie, Florida; and

WHEREAS, the City has leased said portion of property to Sprint Spectrum Realty Company, LLC (“Sprint”) for use of the monopole communications tower; and

WHEREAS, due to the construction of the City’s Police Training Facility, the City requires the relocation of commercial power utility service and Sprint’s utility easement as described and incorporated herein as Exhibit “B”; and

WHEREAS, the City deems it to be in the best interest of the City to continue to lease said property to Sprint 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”; and

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 amendment 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 amendment and begin relocation of the commercial power utility services.

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.

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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.

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