Legislation Text

File #: 26-0957, **Version:** 1

TO: Mayor and Commissioners
FROM: Jeffrey L. Oris, CEcD, Assistant City Manager
THROUGH: Terrence R. Moore, ICMA-CM
DATE: August 18, 2026

..Title
MOTION TO APPROVE THE FOURTH AMENDMENT TO LEASE AGREEMENT WITH CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS FOR ANTENNA AND GROUND SPACE AT 300 W. ATLANTIC AVENUE

..Body
Recommended Action:
..Recommendation
Consider a motion to approve the fourth amendment to the lease agreement between the City of Delray Beach and Cellco Partnership d/b/a Verizon Wireless for antenna and ground space at 300 W. Atlantic Avenue .

..Body
Background:

As they City has embarked on preparations for a new police headquarters at the current Police Department site at 300 W. Atlantic Ave., the location and availability of space on any communications tower that may continue to be located on the site cannot be guaranteed. Given this, when the subject lease agreement came to expiration on September 30, 2025, the City could not consider a lengthy extension nor could it guarantee space on this tower or any new tower that may be constructed at this site as the City does not know if the existing tower will remain or a new or relocated tower will be located on the site.

Verizon began an effort to find a new site for a cell tower in the City's downtown area. Though they worked with City staff, they could not readily find a site that would accommodate their needs and come close (or at least substantially close) to meeting the City's Land Development Regulations. They have been asked to work with the other tenants with equipment located on this site as they seek an alternative location.

In order to provide Verizon additional time to seek a new site, this Amendment 4 to the Lease Agreement has been prepared to allow them an additional year before expiration to seek alternatives. As construction of the new police facility is still under design, the additional year will not interfere with the City's timeline.

It should be noted that previous amendments to this agreement were to add or modify equipment to the site.

Staff will continue to work with Verizon during their efforts to locate a new downtown tower site.

Attachments:
1. Legal Review Checklist
2. Vendor Signed Amendment No. 4 Lease Agreement
3. Amendment No. 1 Lease Agreement
4. Amendment No. 2 Lease Agreement
5. Amendment No. 3 Lease Agreement

City Attorney Review:
Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

Verizon will pay the City $3,200 per month

Timing of Request:
The original agreement expired on October 30, 2025

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