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Memorandum

CAPA COUNCIL MEMO NO. 8

DATE: MAY 3, 2007

TO: MAYOR AND CITY COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER
PAT MCDERMOTT, ASST. CITY MANAGER
NACHIE MARQUEZ, CAPA DIRECTOR NM

FROM: MARGARET COULTER, COMMUNICATIONS MANAGER M

SUBJECT: WITHDRAWAL OF ORDINANCE NO. 3917, AMENDING A WIRELESS TELECOMMUNICATIONS USE AGREEMENT BETWEEN VERIZON WIRELESS, LLC, DBA VERIZON WIRELESS AND THE CITY OF CHANDLER AT SNEDIGAR SPORTSPLEX

City Council tentatively approved Ordinance No. 3917 at its April 26, 2007 meeting, which would have amended the Wireless Telecommunication Use Agreement between City of Chandler, Arizona and Verizon Wireless at the Snedigar Sportsplex and extended it for an additional five years. Verizon Wireless' Legal Department has requested that this ordinance be withdrawn in order to make some additional clarifications to the language before later being reintroduced for Council approval.

ORDINANCE NO. 3917

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE FIRST AMENDMENT TO THE AGREEMENT BETWEEN VERIZON AND THE CITY OF CHANDLER FOR WIRELESS TELECOMMUNICATIONS FACILITIES AT THE SNEDIGAR SPORTSPLEX

WHEREAS, the City of Chandler and Verizon Wireless (VAW) LLC, dba Verizon Wireless (hereinafter "Verizon") entered into an Agreement authorized pursuant to Ordinance No. 3353 which was a wireless telecommunications use agreement; and

WHEREAS, the parties have agreed to amend the terms of the agreement to provide for a larger antenna to be used by Verizon pursuant to the terms of this agreement and for Verizon to pay the City pursuant to an amended fee structure;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AS FOLLOWS:

SECTION I: That the Mayor of the City of Chandler is herewith authorized to execute Amendment No. 1 to Agreement authorized pursuant to Ordinance No. 3353, a wireless telecommunications use agreement between Verizon and the City of Chandler.

SECTION II: That the various City officers and employees be and they are hereby authorized and directed to perform all acts necessary to give effect to this Ordinance.

SECTION III: This Ordinance shall become effective thirty days from and after its final adoption: provided, however, that the agreement hereby granted shall not become effective unless and until Verizon has accepted said agreement as provided herein and has carried out such other terms and conditions as may be required before said agreement shall become effective.

INTRODUCED AND TENTATIVELY ADOPTED by the City Council of the City of Chandler, Maricopa County, Arizona, this ___ day of _____, 2007.

ATTEST:

MAYOR:

CITY CLERK

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this ___ day of _____, 2007.

ATTEST:

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 3917 was duly passed and adopted by the City Council of the City of Chandler, at a regular meeting held on the ___ day of _____, 2007 and that a quorum was present thereat.

City Clerk

Published:

APPROVED AS TO FORM:

MDH