



Legislation Details (With Text)

File #:	20-0289	Version:	1	Name:	Vogue Tower Partners I, LLC (as assignee of National Wireless Ventures, LLC)
Type:	License Amendment	Status:			Approved
File created:	7/2/2020	In control:			FPD Board of Commissioners
On agenda:	7/28/2020	Final action:			7/28/2020
Title:	PROPOSED LICENSE AMENDMENT REQUEST				

Request: Requesting authorization for the Forest Preserve District of Cook County (the "Forest Preserves"), as Licensor to continue to grant a License, with certain modifications, to Vogue Tower Partners I, LLC (as assignee of National Wireless Ventures, LLC), Grantee, to locate, operate and maintain a communications tower near the intersection of 31st Street and Prairie Avenue. The location of the communications tower is upon a distressed maintenance area of the Brookfield Zoo, not open to the public. Grantee will continue to be solely responsible for compliance with all the Forest Preserves and Cook County ordinances and permit requirements related to construction, operation and removal of communication towers.

Reason. The Forest Preserves Board of Commissioners approved the original License on March 22, 2016 (Agenda No. 16-0042). The Forest Preserves now seeks to amend the License. The Grantee discovered fiber optic cables at the site. The proposed amendment allows the Grantee to offset a portion of the cost to relocate the cables through a one-year abatement of the License Fee and reduction in Additional Compensation.

Original Term: (see proposed change directly below): Five (5) years with four (4) additional five-year extension terms.

Proposed Amended Term: Five (5) years with three (3) additional five-year extension terms and one (1) additional seven-year extension term.

Original License Fee: (see proposed change directly below): \$30,000.00 Base Fee annually beginning upon the Construction Start Date. Additionally, after the first sublicense, a Sublicense Fee of \$9,750.00 annually for each additional sublicense added to the communication tower. Both the Base Fee and Sublicense Fee shall increase by 3% annually. These fees are to be collected monthly.

Proposed Amended License Fee. \$0 Base Fee for the first twelve (12) months after the Construction Start Date. \$30,000.00 Base Fee annually beginning on the first anniversary of the Construction Start Date. Additionally, after the first sublicense, Grantee shall pay a Sublicense Fee of \$9,750.00 annually for each additional sublicense added to the communication tower. Both the Base Fee and Sublicense Fee shall increase by 3% annually. These fees are to be collected monthly.

License Application Fee: N/A

YELAR Fee: N/A

Original Additional Compensation (see proposed change directly below): Total one-time upfront fee of \$12,000.00 (payable at time of execution of the License) in further additional compensation is due to the Forest Preserves from the Grantee for the term of the License.

Proposed Amended Additional Compensation: \$0

Tree Mitigation Fee: N/A

The area of the License is: 1650 sq. ft.

Concurrence(s):

The Chief Financial Officer has approved this item. Final license amendment is subject to legal review and approval.

Sponsors:

Indexes: (Inactive) ARNOLD RANDALL, General Superintendent

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
7/28/2020	1	FPD Board of Commissioners	approve	Pass

PROPOSED LICENSE AMENDMENT REQUEST

Request: Requesting authorization for the Forest Preserve District of Cook County (the “Forest Preserves”), as Licensor to continue to grant a License, with certain modifications, to Vogue Tower Partners I, LLC (as assignee of National Wireless Ventures, LLC), Grantee, to locate, operate and maintain a communications tower near the intersection of 31st Street and Prairie Avenue. The location of the communications tower is upon a distressed maintenance area of the Brookfield Zoo, not open to the public. Grantee will continue to be solely responsible for compliance with all the Forest Preserves and Cook County ordinances and permit requirements related to construction, operation and removal of communication towers.

Reason. The Forest Preserves Board of Commissioners approved the original License on March 22, 2016 (Agenda No. 16-0042). The Forest Preserves now seeks to amend the License. The Grantee discovered fiber optic cables at the site. The proposed amendment allows the Grantee to offset a portion of the cost to relocate the cables through a one-year abatement of the License Fee and reduction in Additional Compensation.

Original Term: (see proposed change directly below): Five (5) years with four (4) additional five-year extension terms.

Proposed Amended Term: Five (5) years with three (3) additional five-year extension terms and one (1) additional seven-year extension term.

Original License Fee: (see proposed change directly below): \$30,000.00 Base Fee annually beginning upon the Construction Start Date. Additionally, after the first sublicense, a Sublicense Fee of \$9,750.00 annually for each additional sublicense added to the communication tower. Both the Base Fee and Sublicense Fee shall increase by 3% annually. These fees are to be collected monthly.

Proposed Amended License Fee. \$0 Base Fee for the first twelve (12) months after the Construction Start Date. \$30,000.00 Base Fee annually beginning on the first anniversary of the Construction Start Date. Additionally, after the first sublicense, Grantee shall pay a Sublicense Fee of \$9,750.00 annually for each additional sublicense added to the communication tower. Both the Base Fee and Sublicense Fee shall increase by 3% annually. These fees are to be collected monthly.

License Application Fee: N/A

YELAR Fee: N/A

Original Additional Compensation (see proposed change directly below): Total one-time upfront fee of \$12,000.00 (payable at time of execution of the License) in further additional compensation is due to the Forest Preserves from the Grantee for the term of the License.

Proposed Amended Additional Compensation: \$0

Tree Mitigation Fee: N/A

The area of the License is: 1650 sq. ft.

Concurrence(s):

The Chief Financial Officer has approved this item. Final license amendment is subject to legal review and approval.