



CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE 7/25/06

SUBJECT: Authorization for the City Attorney to retain the services of an attorney specializing in the area of telecommunications.

DEPARTMENT: City Attorney

RECOMMENDED MOTION:

To authorize the City to secure the services of attorney Gary Resnick of the law firm Gray Robinson, P.A. to assist the city with legal issues pertaining to its new cell tower construction, ordinance update, and projects (Riverwalk) pertaining to telecommunications.

SUMMARY:

The city is submitting a site development plan application for the upcoming submittal for the construction of a monopole communications tower. There are considerable legal issues, both state and federal, that need to be considered. In addition, due to changes in telecommunications law, a review of the city ordinances pertaining to telecommunications, the location of towers, and other issues should be reviewed.

This area of the law is complex and rapidly changing. Attorney Resnick is a specialist that is highly regarded in this area. He has reduced his hourly rate considerably to offer the city his services at \$225.00 per hour. Therefore, the city attorney's office is requesting authority to retain Mr. Resnick at \$225.00 per hour for the cell tower siting, and such other projects as determined by the city manager and city attorney.

ATTACHMENTS: Ordinance Resolution Budget Resolution

Other Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT HEAD NA Date

FINANCE DEPARTMENT NA Date

Act CITY ATTORNEY *A. Emery* Approved as to Form and Legality Date *7/17/06*

CITY MANAGER *Yee* Approved Agenda Item For:

COUNCIL ACTION: Approved as Recommended Disapproved Tabled Indefinitely
 Continued to Date Certain Approved with Modification