

**VILLAGE OF FOREST VIEW
COOK COUNTY, ILLINOIS**

ORDINANCE NO. 20-08

**AN ORDINANCE AUTHORIZING THE FIRST AMENDMENT TO THE
WATER TOWER LEASE AGREEMENT WITH CHICAGO SMSA LIMITED
PARTNERSHIP D/B/A VERIZON WIRELESS**

**PASSED AND APPROVED BY
THE PRESIDENT AND BOARD
OF TRUSTEES OF THE
VILLAGE OF FOREST VIEW,
COOK COUNTY, ILLINOIS, this
27th day of October, 2020.**

**Published in pamphlet form
by authority of the President
and Board of Trustees of the
Village of Forest View, Cook
County, Illinois, this 27th
day of October, 2020.**

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WHEREAS, the corporate authorities of the Village of Forest View have authorized a Water Tower Lease Agreement with Chicago SMSA Limited Partnership d/b/a Verizon Wireless (hereinafter designated “LESSEE”) with the adoption of Ordinance No. 19-07 on March 12, 2019 for an initial term of five (5) years with options for LESSEE to renew said lease for up to two (2) additional five (5) year terms as provided therein; and

WHEREAS, LESSEE has submitted a letter dated September 24, 2020 (a copy of which is attached hereto and made a part hereof as Exhibit 1) requesting that all Verizon Wireless Contractors and subcontractors performing work at the Property (hereinafter designated “Third Party Contractors”) shall carry commercial general liability insurance with limits of \$2,000,000 per occurrence for bodily injury (including death) and for damage or destruction to property. Verizon Wireless will continue to maintain commercial general liability insurance with limits of \$3,000,000 per occurrence, the level required under paragraph 7 of the Lease Agreement; and

WHEREAS, the Village of Forest View is a home rule unit of local government pursuant to the provisions of Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, the Village of Forest View has authority as a home rule unit under the Illinois Constitution of 1970 and under Division 75 of the Illinois Municipal Code (65 ILCS 5/11-75-1. *et seq.*) to lease space above and around buildings located on Village property that is not needed for the public purposes of the Village for terms up to ninety-nine (99) years; and

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF FOREST VIEW, COOK COUNTY, ILLINOIS IN THE EXERCISE OF THE VILLAGE’S HOME RULE POWERS, as follows:

SECTION 1: That the President of the Village of Forest View be authorized and directed to respectively execute and attest the letter dated September 24, 2020, attached hereto and made a part hereof as Exhibit 1.

SECTION 2: This ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the Village of Forest View that to the extent that the terms of this ordinance should be inconsistent with any non-preemptive state law, that this ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED BY THE FOLLOWING ROLL CALL VOTE this 27th day of October, 2020.

AYES: Trustees Grossi, Sudkamp, Hubacek, Miller, Stimach, Kirchgatterer

NAYS: None

ABSENT: None

APPROVED this 27th day of October, 2020.

Lawrence Powell
Village President

ATTEST:

Joy M. Conklin
Village Clerk

EXHIBIT 1

FIRST AMENDMENT TO THE WATER TOWER LEASE AGREEMENT