

ORDINANCE NO. 2020- 2360

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN  
THE VILLAGE OF WESTCHESTER AND CHICAGO SMSA  
LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS

PASSED AND APPROVED BY THE  
PRESIDENT AND BOARD OF TRUSTEES  
THIS 11<sup>th</sup> DAY OF AUGUST, 2020

Published in pamphlet form by  
Authority of the Corporate  
Authorities of Westchester, Illinois  
the 11<sup>th</sup> day of August, 2020

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BETWEEN THE VILLAGE OF WESTCHESTER AND CHICAGO SMSA  
LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS**

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**WHEREAS**, the Village of Westchester, Cook County, Illinois (the "*Village*") Cook County, Illinois is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

**WHEREAS**, the Village and Chicago SMSA Limited Partnership d/b/a Verizon Wireless ("*Verizon*") desire to execute a master pole attachment agreement relating to the installation, maintenance, and operation of small wireless facilities within the Village, a copy of which is attached hereto and made a part hereof as Exhibit A (the "*Agreement*"); and

**WHEREAS**, the Village President and Board of Trustees of the Village of Westchester, Cook County, Illinois (the "*Corporate Authorities*") deem it advisable and in the best interest of the health, safety and welfare of the residents of the Village to enter into the Agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Village President and Board of Trustees of the Village of Westchester, Cook County, Illinois as follows:

**Section 1.** That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

**Section 2.** The Agreement, a copy of which are attached hereto and made a part hereof as Exhibit A, is hereby approved substantially in the form presented, with such necessary changes, as determined by the Village President, with such changes and revisions therein contained being approved by execution and delivery of such Agreement by the Village President to Verizon.

**Section 3.** The Village President, Village Clerk and Village Attorney are hereby authorized and directed to execute and deliver the Agreements and any and all other documents necessary to implement the provisions, terms and conditions thereof, as therein described.

**Section 4.** The officials, officers and employees of the Village are hereby authorized to take such further actions as are necessary to carry out the intent and purpose of this Resolution and the Agreement.

**Section 5.** If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity thereof shall not affect any other provision of this Resolution.

Section 6. All ordinances, resolutions, motions or orders in conflict with this Resolution are hereby repealed to the extent of such conflict.

Section 7. This Resolution shall be in full force and effect upon its passage, approval and publication as provided by law.

**ADOPTED** this 11th day of August 2020, pursuant to a roll call vote as follows:

|                    |                  |                |                  |
|--------------------|------------------|----------------|------------------|
| Angelo A. Calcagno | <u>    —    </u> | Robert Morales | <u>    A    </u> |
| Cathy Kuratko      | <u>    A    </u> | Frank Perry    | <u>    A    </u> |
| Tracy Harv Markey  | <u>    A    </u> | Nick Steker    | <u>    —    </u> |

President Gattuso     A    

**APPROVED** this 11<sup>th</sup> day of August 2020

  
\_\_\_\_\_  
Paul Gattuso, Village President

ATTEST:

  
\_\_\_\_\_  
Stanley V. Kolodziej, Village Clerk

**Exhibit A**

Agreement