

**LEGISLATIVE REFERENCE BUREAU FISCAL ANALYSIS**

**PUBLIC WORKS COMMITTEE**

**ITEM 9, FILE #081245**

**JANUARY 28, 2009**

**AMY E. HEFTER**

File Number 081245 a resolution approving a release agreement between New Cingular Wireless PCS, LLC, and the City of Milwaukee for the site at 3000 North Lincoln Memorial Drive (Linwood Water Treatment Facility).

**Background**

1. Common Council Resolution Number 001014, passed on December 8, 2000, approved a 5-year lease for Telecorp, Inc. to place personnel communication services antennas at 3000 North Lincoln Memorial Drive, also known as the Linwood Water Treatment Facility.
2. The original agreement was extended on December 15, 2005 for a term of 5 years by New Cingular Wireless PCS, LLC, a successor-in-interest to Telcorp, Inc.
3. In the interim, New Cingular Wireless PCS, LLC merged with AT&T Wireless PCS, Inc. AT&T Wireless PCS, Inc. also has personnel communication services antennas located at the Linwood Water Treatment Facility necessitating the termination of the agreement between the City and New Cingular Wireless PCS, LLC.

**Discussion**

1. The Department of Administration working with the Department of Public Works – Water Works and the City Attorney’s Office has negotiated the termination of the lease agreement with New Cingular Wireless PCS, LLC, successor-in-interest to AT&T Wireless PCS, Inc.
2. The release provides a \$12,000 termination fee and a \$10,050.75 future rent fee, both to be paid to the City of Milwaukee by New Cingular Wireless PCS, LLC to terminate the agreement for use of City-owned property at 3000 North Lincoln Memorial Drive for wireless services.

**Fiscal Impact**

1. This resolution results in revenues to the City of Milwaukee totaling \$22,050.75.

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