



## Legislation Details (With Text)

**File #:** 160378 **Version:** 0

**Type:** Resolution **Status:** Passed

**File created:** 7/6/2016 **In control:** COMMON COUNCIL

**On agenda:** **Final action:** 7/26/2016

**Effective date:**

**Title:** Resolution approving a release and settlement agreement between New Cingular Wireless PCS, LLC, and the City of Milwaukee for the site at 4001 South 6th Street.

**Sponsors:** THE CHAIR

**Indexes:** AGREEMENTS, COMMUNICATIONS SYSTEMS, LEASES

**Attachments:** 1. Agreement

Date	Ver.	Action By	Action	Result	Tally
7/6/2016	0	COMMON COUNCIL	ASSIGNED TO		
7/8/2016	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
7/8/2016	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
7/13/2016	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
7/26/2016	0	COMMON COUNCIL	ADOPTED	Pass	15:0
8/3/2016	0	MAYOR	SIGNED		

160378  
ORIGINAL  
001015, 050897  
THE CHAIR

Resolution approving a release and settlement agreement between New Cingular Wireless PCS, LLC, and the City of Milwaukee for the site at 4001 South 6<sup>th</sup> Street.

This resolution approves a release and settlement agreement between the City and New Cingular Wireless PCS, LLC, described in the terms and conditions of the document attached to this file titled, "Release and Settlement Agreement" ("Release"), and consisting of 9 pages, including acknowledgments and exhibits, with an effective date to be inserted at p. 1 by parties authorized to execute the Release. The Release provides that New Cingular Wireless PCS, LLC seal and firestop the building exterior penetrations wherever New Cingular Wireless PCS, LLC cabling enters/exists the building, which is located at 4001 S. 6th Street.

Whereas, The Common Council adopted Resolution File Number 001015 on November 28, 2000, approving a lease agreement with Telecorp, Inc. for the placement of personal communication services antennas on City-owned property at 4001 S. 6th St.; and

Whereas, New Cingular Wireless PCS, LLC (Cingular) succeeded as tenant to the lease; and

Whereas, The lease agreement with Cingular was extended for a 5-year term authorized by Resolution File Number 050897, adopted November 15, 2005; and

Whereas, Cingular's antennas were removed from the building at 4001 S. 6th Street and temporary facilities

were put in place in the parking lot of the building, and

Whereas, The City, through the City Attorney's Office, negotiated a lease agreement with Cingular for the lease of a portion of the Howard Avenue Water Treatment Plant property at 3929 S. 6th Street, the construction of a 190-foot monopole, and the placement of personal communications services (PCS) antennas; and

Whereas, The Department of Administration has been working with the City Attorney's Office to negotiate the termination of the lease agreement with Cingular for 4001 S. 6th Street; and

Whereas, The proposed release agreement, attached to this file and incorporated by reference, provides that Cingular will seal and firestop the building exterior penetrations wherever New Cingular Wireless PCS, LLC cabling enters/exists the building, which is located at 4001 S. 6th Street; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Common Council approves the Release and Settlement Agreement negotiated between the City and Cingular within the terms of the above recitals and the documents attached to this file, and authorizes the proper City officials to execute the Release on behalf of the City of Milwaukee.

Department of Administration  
Richard T. Watt  
6/27/2016