



## Legislation Text

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**File #:** 111667, **Version:** 1

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111667  
Version  
SUBSTITUTE 1

### THE CHAIR

Substitute resolution approving a lease agreement with New Cingular Wireless PCS, LLC for the placement of personal communications services antennas and ancillary equipment at the Linnwood Water Treatment Facility at 3000 N. Lincoln Memorial Drive.

This resolution authorizes City officials to enter into a lease agreement with New Cingular Wireless PCS, LLC for the placement of utility lines and cables, equipment shelter, antennas and appurtenances at the Linnwood Water Purification Plant at 3000 North Lincoln Memorial Drive in the City. The agreement also provides for vehicular ingress and egress by New Cingular Wireless PCS, LLC to access its equipment.

The term of this new lease is 15 years effective September 1, 2010. The agreement provides options to extend the lease for up to 3 additional 5-year periods.

The lease provides for an initial rent payment of \$27,000 for the first year with rents increasing by 5% each additional year.

Whereas, The Common Council has previously adopted resolutions approving placement of communications equipment on the site of the Linnwood Water Purification Plant at 3000 N. Lincoln Memorial Drive in the City; and

Whereas, The Department of Administration, working with the Water Works Division and the City Attorney's Office, has negotiated a proposed lease agreement with New Cingular Wireless PCS, LLC for a term of 15 years commencing September 1, 2010, with options for 3 additional 5-year lease periods; and

Whereas, The lease agreement with New Cingular Wireless PCS, LLC provides for the placement of utility lines and cables, equipment shelter, antennas and appurtenances on the property of the Linnwood Water Purification Plant at 3000 North Lincoln Memorial Drive in the City; and

Whereas; The agreement addresses important security and safety concerns reflected in Addendum D entitled, "Security and Safety Requirement"; and

Whereas, The lease agreement provides for rental payments to the City beginning with a payment of \$27,000 for the first year of the agreement and for annual payments increased by 5% each year payable within 5 days of each anniversary of the commencement date; and

Whereas, The lease agreement offers a fair market value to the City, protects other City interests, and is acceptable to all City participants; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Common Council approves the lease agreement, identified as the " Lease Agreement," between the City of Milwaukee and New Cingular Wireless PCS, LLC for the placement of utility lines and cables, equipment shelter, antennas and appurtenances, a copy of which is attached to this file, to expire September 1, 2025, subject to 3 renewal periods of 5 years each, and authorizes the proper City officials to enter into this lease agreement on behalf of the City of Milwaukee.

Department of Administration

LRB138909-2.1

Richard L. Withers

5/4/2012