



Legislation Details (With Text)

File #: 73935 **Version:** 1 **Name:** 5048 - Cingular Cell License Spaanem Water Tower
Type: Resolution **Status:** Passed
File created: 9/26/2022 **In control:** WATER UTILITY BOARD
On agenda: 11/1/2022 **Final action:** 11/1/2022
Enactment date: 11/4/2022 **Enactment #:** RES-22-00770

Title: Authorizing the execution of a License with New Cingular Wireless PCS, LLC for premises at the Spaanem Water Tower located at 4724 Spaanem Avenue. (15th AD)

Sponsors: Grant Foster

Indexes:

Code sections:

Attachments: 1. Item 2 - Memo - License Agreement with New Cellular.pdf, 2. Item 2 - Exhibit A - Property Layout.pdf, 3. Item 2 - Exhibit B - Draft License Agreement.pdf, 4. Item 2 - Exhibit C - Resolution File # 73935.pdf

| Date | Ver. | Action By | Action | Result |
|------------|------|-------------------------------|--|--------|
| 11/1/2022 | 1 | COMMON COUNCIL | Adopt | Pass |
| 10/31/2022 | 1 | FINANCE COMMITTEE | | |
| 10/26/2022 | 1 | WATER UTILITY BOARD | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER | Pass |
| 10/12/2022 | 1 | WATER UTILITY BOARD | Refer | |
| 10/11/2022 | 1 | COMMON COUNCIL | Refer | Pass |
| 9/26/2022 | 1 | Economic Development Division | Referred for Introduction | |

Fiscal Note

The revenues from this license will be deposited into a segregated Madison Water Utility revenue account (86547200-43522). The initial annual License Fee for license year one will be \$32,975.00. The License Fee schedule is included on page 22 of Exhibit B.

Title

Authorizing the execution of a License with New Cingular Wireless PCS, LLC for premises at the Spaanem Water Tower located at 4724 Spaanem Avenue. (15th AD)

Body

WHEREAS, the City is the owner of certain real property located at 4724 Spaanem Avenue, Madison, Wisconsin, and depicted on attached Exhibit A (“Property”); and

WHEREAS, the City and New Cingular Wireless PCS, LLC (“Licensee”) are parties to a license, dated March 26, 2002 (“2002 License”), pertaining to the placement by Licensee of telecommunications equipment (“Equipment”) on the City-owned Spaanem Water Tower (“Tower”) located at the Property as well as the placement of an equipment shelter (“Shelter”) for housing telecommunications equipment on land located near the base of the Tower; and

WHEREAS, the 2002 License expired on March 31, 2022, with no remaining options for renewal; and

WHEREAS, staff from the City’s Office of Real Estate Services and Licensee have negotiated terms and

conditions for a new license agreement allowing for continued use, operation and maintenance of the Equipment and Shelter at the Property.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Clerk are hereby authorized to execute the License, substantially on the terms and conditions detailed in the License, attached to this resolution as Exhibit B.

BE IT FURTHER RESOLVED, the Mayor and Clerk are authorized to execute any other documents as may be necessary to carry out the purposes of this resolution in a form approved by the City Attorney.