



## Legislation Text

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**File #:** 70107, **Version:** 1

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### **Fiscal Note**

As stated in the attached licensing agreement, the "Licensee" shall pay a \$2,500 one-time administrative fee and a base annual fee of \$30,000. Generated revenues from this license will be deposited into a segregated Madison Water Utility revenue account (86547200-43522). No additional City appropriation is required.

### **Title**

Authorizing the execution of a License with New Cingular Wireless PCS, LLC for premises at the High Crossing Water Tower located at 3518 Cross Hill Drive. (17th AD)

### **Body**

WHEREAS, the City is the owner of certain real property located at 3518 Cross Hill Drive, 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 December 5, 2001 ("2001 License"), pertaining to the placement by Licensee of telecommunications equipment ("Equipment") on the City-owned High Crossing Water Tower ("Tower") located at the Property as well as the placement of an equipment shelter ("Shelter") and a back-up gas generator within a fenced enclosure ("Generator") in the vicinity of the Shelter on land located near the base of the Tower; and

WHEREAS, the 2001 License expired on December 4, 2021, with no remaining options for renewal, and is currently in hold over status; 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, Shelter, and Generator 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.