

**RESOLUTION APPROVING A LONG-TERM LEASE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC FOR SPACE ON THE JOINTLY OWNED CITY-COUNTY RADIO TOWER LOCATED OFF OF FAIRLAWN DRIVE**

**WHEREAS**, in November 2000, the citizens of Winston-Salem approved an \$11.5 million bond referendum to fund the City of Winston-Salem's share of the cost of a new joint City-County 800 MHz public safety radio system; and

**WHEREAS**, in June 2002, the City and County approved an interlocal cooperation agreement that provided for the joint installation, operation, and maintenance of the system; and

**WHEREAS**, under the agreement, the County's Interagency Communications Department oversees the operation and maintenance of the system; and

**WHEREAS**, under the City/County Cooperative Governmental Services Funding Agreement, the net expenses for operating and maintaining the jointly owned property of the system are divided equally between the City and County after taking into account federal and state grants and any income generated by the system such as the lease of space on the radio towers; and

**WHEREAS**, in January 2014, the City and County jointly entered into a long-term site lease agreement with New Cingular Wireless PCS, LLC for a term of up to 25 years for the lease of space on the radio tower located off of Fairlawn Drive; and

**WHEREAS**, the annual rent for the space began at \$25,000 with a 3% annual increase; and

**WHEREAS**, New Cingular Wireless PCS, LLC wishes to lease additional space for \$3,600 per year, for a total annual rent payment of \$31,737.73 for the upcoming year; and

**WHEREAS**, the terms of the original lease and the proposed amendment have been advertised for the requisite 30 day period; and

**WHEREAS**, the Forsyth County Board of Commissioners has approved the new lease.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Winston-Salem that the City Council hereby approves the original lease agreement with New Cingular Wireless PCS, LLC and the lease of additional space for a total annual rent payment of \$31,737.73 for the upcoming year, with all other terms and conditions in the original lease remaining the same.

**BE IT FURTHER RESOLVED** that the Mayor and City Council authorizes the City Manager to execute these lease agreements on behalf of the City, with the City Attorney's approval as to form and legality.