

Resolution #19-0516  
Resolution Book 1, Volume 1

**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 inter-local 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, with rent at \$25,000 the first year with a 3% annual increase; and

**WHEREAS**, in September 2017, the City and County jointly approved a request from New Cingular Wireless PCS, LLC to rent additional space on the Fairlawn Drive radio tower, with rent at \$3,600 the first year with a 3% annual increase; and

**WHEREAS**, New Cingular Wireless PCS, LLC has again requested to lease additional space on the Fairlawn Drive radio tower for \$1,800 the first year with a 3% annual increase; and

**WHEREAS**, the terms of the original lease, first amendment, and the proposed amendment will be advertised for the requisite 30 day period; and

**WHEREAS**, the Forsyth County Board of Commissioners will consider approval of this new lease in September.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Winston-Salem that the Mayor and City Council hereby approve the second amendment with New Cingular Wireless PCS, LLC and the lease of additional space as requested, with all other terms and conditions in the original lease remaining the same.

**BE IT FUTHER RESOLVED** that the Mayor and City Council authorize the City Manager to execute this agreement on behalf of the City, with the City Attorney's approval as to form and legality.