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(ITEM) From the Director, Office of Emergency Management, requesting authorization to execute the First Amendment to an existing Utility Lease and Tower Lease Agreement with T10 MeITel LLC (formerly known as T10 Unison Site Management LLC) for a portion of 4311 East Oakwood Road in the City of Oak Creek for a term retroactively commencing December 1, 2014, and ending November 30, 2019, with the possibility of one five-year renewal term to implement the 800 Megahertz Public Safety Radio System (Build Out Ten Sites to Digital) project, by recommending adoption of the following:

A RESOLUTION

WHEREAS, the Milwaukee County Office of Emergency Management is requesting authorization to enter into the First Amendment of the Utility Lease and Tower Lease Agreement with T10 MeITel LLC (formerly known as T10 Unison Site Management LLC); and

WHEREAS, Milwaukee County Resolution File No. 13-886 authorized the execution of the Contract for Service with Motorola Solutions, Inc., not to exceed \$17,751,797 for the implementation of the 800 Megahertz Public Safety Radio System migration from analog to digital; and

WHEREAS, the original site owner, Television Station WJJA (TV-49, Inc.), and Milwaukee County entered into a Tower Lease Agreement dated November 23, 1999, for the purpose of installing, maintaining, and operating electrical and/or communications equipment; and

WHEREAS, the second site owner, or successor-in-interest to TV-49, Inc., and Milwaukee County entered into a Utility Lease Agreement dated June 13, 2005, for the purpose of installing, maintaining, and operating uninterruptible power supply equipment, an engine generator, and/or communications equipment; and

WHEREAS, pursuant to the Tower Lease and Utility Lease Agreements, Milwaukee County was granted the right to lease a portion of the property located at 4311 East Oakwood Road, Oak Creek, Wisconsin, together with utility cable space, a right of access, and a right to install utilities; and

WHEREAS, T10 MeITel LLC became the third and current site owner through a Master Bill of Sale and Corrective Warranty Deed recorded December 18, 2012, in the Office of the Milwaukee County Register of Deeds; and

WHEREAS, T10 MeITel LLC consents to the replacement of existing antennas and installation and operation of two additional microwave dishes and related equipment; and

47 WHEREAS, prior to commencement of installation of Milwaukee County's
48 additional equipment, Milwaukee County is required to make certain structural
49 modifications to the existing 500-foot guyed tower; and
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51 WHEREAS, T10 MeITel LLC shall make a one-time capital contribution toward
52 Milwaukee County's tower modification in an amount equal to \$4,000; and
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54 WHEREAS, the total monthly rent, retroactively as of December 1, 2014, will be
55 increased to \$1,800, an increase from the previous monthly rent of \$1,420; and
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57 WHEREAS, commencing December 1, 2015, and on the first day of each
58 December thereafter, the rent will escalate by an amount equal to 3% of the rent for the
59 previous year, a decrease from the previous escalator of 8%; and
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61 WHEREAS, the Utility Lease and Tower Lease Agreement shall have new terms
62 commencing retroactively as of December 1, 2014, and ending November 30, 2019,
63 which renewal shall be automatic unless Milwaukee County notifies T10 MeITel LLC in
64 writing of its intent not to renew no later than November 30, 2018; now, therefore,
65

66 BE IT RESOLVED, the Director of the Office of Emergency Management is
67 hereby authorized to enter into the First Amendment of the Utility Lease and Tower
68 Lease Agreement with T10 MeITel LLC (formerly known as T10 Unison Site
69 Management LLC) for the digital migration of the 800 Megahertz Public Safety Radio
70 System in order to implement 2010 Adopted Capital Project WO614, Build Out Ten
71 Sites to Digital.
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