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(ITEM ) From the Director, Office of Emergency Management, requesting authorization to enter into a First Amendment of the Sublease Agreement with CCATT LLC (“Crown”) in order to replace five existing antennas and to install three microwave dishes on the 250-foot tower at the Greenfield Police Department 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 Director, Office of Emergency Management, is requesting authorization to enter into a First Amendment to the Sublease Agreement with CCATT LLC (“Crown”); and

WHEREAS, File No. 13-886 authorized the execution of the Contract for Service with Motorola Solutions, Inc., in an amount 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, Milwaukee SMSA Limited Partnership (SMSA), entered into an Antenna Site Location Agreement with the City of Greenfield, Wisconsin, to lease land at the location of 5300 West Layton Avenue, Greenfield, Wisconsin, 53220, for the purposes of construction and operation of a 250-foot radio tower; and

WHEREAS, SMSA was subsequently acquired by New Cingular Wireless PCS, LLC, and thereby the latter was assigned the rights of the Antenna Site Location Agreement; and

WHEREAS, New Cingular Wireless PCS, LLC, (“Sublessor”) and Milwaukee County (“Sublessee”) entered into a Sublease Agreement dated February 28, 2011, for the purpose of installing, maintaining, and operating electrical and/or communications equipment on the 250-foot radio tower located at 5300 West Layton Avenue, Greenfield, Wisconsin, 53220; and

WHEREAS, the initial term of that Sublease Agreement is for five years from its execution on February 28, 2011, with renewal terms for four additional five-year terms unless Milwaukee County provides written notice of its intention to not renew the Sublease no later than three months prior to the expiration of the initial term or of the current renewal term; and

WHEREAS, New Cingular Wireless PCS, LLC, subsequently transferred its interest in the Sublease Agreement to Crown, thereby assigning the rights in the Sublease Agreement to Crown; and

47 WHEREAS, Crown consents to Milwaukee County's replacement of five existing  
48 antennas and the installation and operation of three additional microwave dishes and  
49 related equipment (as described in Attachments A and C to the First Amendment); and  
50

51 WHEREAS, there is a one-time cost of \$2,500 for an engineering study to  
52 confirm the structural integrity of the tower which has been adopted in the 2015  
53 Milwaukee County Budget as Capital Project WO614 - Build Out Ten Sites to Digital;  
54 and  
55

56 WHEREAS, the monthly rent, effective as of the earlier of (i) the first day of the  
57 month following Crown's issuance of written notice to proceed with the modification of  
58 customer's equipment at the site or (ii) April 1, 2015, shall increase to a monthly rate of  
59 \$2,028.34; and  
60

61 WHEREAS, commencing January 1, 2016, and on the first day of each January  
62 thereafter, the rent will escalate by an amount equal to 4% of the monthly rent for the  
63 previous year; and  
64

65 WHEREAS, the annual cost, therefore, this current year is \$21,940 and in  
66 subsequent years it is \$25,070 with an escalator of 4% each year, based on the monthly  
67 rate; and  
68

69 WHEREAS, the annual cost increase for the current year is \$6,400, and for  
70 subsequent years the annual cost increase is \$9,740 with an escalator of 4% each year,  
71 based on the monthly rate; and  
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73 WHEREAS, the new amount for the monthly rent is commensurate with industry  
74 standards for a tower of this height (250 feet) in urban areas, as well as competitive  
75 market pressures as this tower is sought by commercial carriers such as AT&T and  
76 Verizon; and  
77

78 WHEREAS, the terms of the Sublease Agreement shall remain in full force and  
79 effect and are incorporated and restated in the First Amendment; now, therefore,  
80

81 BE IT RESOLVED, the Director of the Office of Emergency Management is  
82 hereby authorized to enter into a First Amendment of the Sublease Agreement with  
83 CCATT LLC ("Crown") for the digital migration of the 800 Megahertz Public Safety  
84 Radio System in order to implement Capital Project WO614 - Build Out Ten Sites to  
85 Digital.  
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