

# FORSYTH COUNTY

## BOARD OF COMMISSIONERS

MEETING DATE: DECEMBER 16, 2013 AGENDA ITEM NUMBER: 8


**SUBJECT: RESOLUTION ACCEPTING THE OFFER BY NEW CINGULAR WIRELESS PCS, LLC TO ENTER INTO A LONG-TERM LEASE OF COUNTY-CITY OWNED PROPERTY LOCATED ON A PORTION OF LOT 308, BLOCK 2254 ON LAKE BLVD FOR THE LOCATION AND CONSTRUCTION OF A COMMUNICATIONS FACILITY AND RELATED ANTENNA EQUIPMENT PURSUANT TO THE NEGOTIATED OFFER, ADVERTISEMENT, AND UPSET BIDS PROCEDURE (INTERAGENCY COMMUNICATIONS DEPARTMENT)**

**COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:** Recommend Approval

**SUMMARY OF INFORMATION:**

See attached

ATTACHMENTS:  YES  NO

SIGNATURE:  DATE: December 12, 2013  
COUNTY MANAGER

**RESOLUTION ACCEPTING THE OFFER BY NEW CINGULAR WIRELESS PCS, LLC TO ENTER INTO A LONG-TERM LEASE OF COUNTY-CITY OWNED PROPERTY LOCATED ON A PORTION OF LOT 308, BLOCK 2254 ON LAKE BLVD FOR THE LOCATION AND CONSTRUCTION OF A COMMUNICATIONS FACILITY AND RELATED ANTENNA EQUIPMENT PURSUANT TO THE NEGOTIATED OFFER, ADVERTISEMENT, AND UPSET BIDS PROCEDURE (INTERAGENCY COMMUNICATIONS DEPARTMENT)**

**WHEREAS**, Forsyth County received an offer from New Cingular Wireless PCS, LLC to lease County-City owned real property described herein for a term of up to twenty-five years for the construction, operation, maintenance, and location of a communications facility and related antenna equipment on a County-City owned tower, located on a portion of Lot 308, Block 2254 on Lake Blvd for consideration of rent in the amount of \$25,000 per year, with a three percent (3%) annual increase during the term of the lease, and in further consideration of fees outlined in the agreement; and

**WHEREAS**, as authorized by resolution adopted by the Forsyth County Board of Commissioners at its November 25, 2013 meeting, a Notice Of Offer To Lease Real Property Owned By Forsyth County And Request For Increased/Upset Bids was advertised as required by N.C.G.S. 160A-272 and 160A-269 relating to the above-described property; and

**WHEREAS**, after due advertisement of the said offer, no upset bids have been received within the time allowed by law; and

**WHEREAS**, County staff is of the opinion that the proposed leased premises will not be needed by the County for County purposes during the proposed lease term and it is recommended that the Board of County Commissioners authorize execution of a long-term lease with New Cingular Wireless PCS, LLC, for the construction, operation, maintenance, and location of a communications facility and related antenna equipment on the above-described property.

**NOW, THEREFORE, BE IT RESOLVED** that the Forsyth County Board of Commissioners hereby accepts the offer made by New Cingular Wireless PCS, LLC to lease the above identified County-City owned real property for a term of up to twenty-five years at the consideration of rent in the amount of \$25,000 per year, with a three percent (3%) annual increase during the term of the lease and further consideration of fees outlined in the agreement.

**BE IT FURTHER RESOLVED** that the Chairman or County Manager and Clerk to the Board are hereby authorized to execute the necessary documents to complete the lease of the above described property consistent with the terms outlined herein, subject to a pre-audit certificate by the Chief Financial Officer, if applicable, and approval as to form and legality by the County Attorney.

Adopted this the 16<sup>th</sup> day of December 2013.