



RESOLUTION

concerning

LEASE OF A PORTION OF THE COMMUNICATIONS TOWER
AT
EASTERN CONNECTICUT STATE UNIVERSITY
TO
SPRINT SPECTRUM L.P.

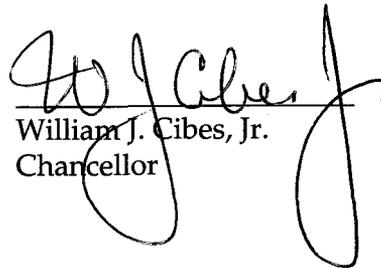
July 12, 2002

- WHEREAS, Section 4b-38 of the Connecticut General Statutes provides that the Board of Trustees may lease land or buildings, and facilities under their control and supervision, and
- WHEREAS, Sprint Spectrum L.P. proposes to lease space on Eastern Connecticut State University's communication tower for the installation and maintenance of wires, cable, conduits and pipes associated with antenna structures, and
- WHEREAS, It has been determined that the existing communications tower at Eastern Connecticut State University is structurally inadequate for its intended purpose, and
- WHEREAS, Sprint Spectrum, L.P. has proposed to install a new tower structurally capable of supporting the typical antenna loading of four carriers as well as any and all equipment required by the university for the CPTV antenna, the WECS stand-by antenna, and an antenna apparatus for wireless intranet campus service, together with a 650 square foot fenced tower compound, a 720 square foot equipment shelter, telephone and power conduits, landscaping and related site improvements, and
- WHEREAS, Upon completion, Sprint Spectrum L.P. will remove the existing tower and relocate all equipment to the new tower, and
- WHEREAS Upon completion of construction, Sprint will turn ownership of the tower and building over to the State, and

WHEREAS, The lease agreement stipulates that use of the property is contingent upon meeting all policies, regulations and laws of local, state and federal agencies, therefore be it

RESOLVED, That the Board of Trustees for the Connecticut State University System approve the agreement with Sprint Spectrum L.P. to lease space at Eastern Connecticut State University's communication tower for the installation of communications equipment.

A Certified True Copy:


William J. Cibes, Jr.
Chancellor

ITEM

Lease of a portion of the communications tower at Eastern Connecticut State University to Sprint Spectrum L.P.

BACKGROUND

The Board of Trustees under its statutory authority – Section 4b-38 – “...may lease land or buildings, or both, and facilities under the control and supervision of such board when such land, buildings or facilities are otherwise not used or needed for use by the constituent unit and such action seems desirable to produce income or is otherwise in the public interest, provided the treasurer has determined that such action will not affect the status of any tax-exempt obligations issued or to be issued by the State of Connecticut....”

ANALYSIS

The current communications tower at Eastern Connecticut State University (ECSU) consists of one 174-foot-tall monopole secured by anchor bolts to a concrete foundation extending 20-25 feet into the ground. The university intended to lease a portion of this communications tower to four communications companies, including Sprint Spectrum L.P. (“Sprint”), for the installation and maintenance of wires, cable, conduits and pipes associated with antenna structures. However, after structural analysis, it was determined that the pole stress load and foundation capacity of the existing tower were inadequate to accommodate four antenna structures, and that the pole needed a larger foundation and stronger anchor bolts. Further investigation determined that remediation of these shortcomings would be too difficult and expensive. As a result, Sprint proposes to install a new tower structurally capable of supporting the typical antenna loading of four carriers as well as any and all equipment required by ECSU for the CPTV antenna, the WECS stand-by antenna, and an antenna apparatus for wireless intranet campus service. Construction will include a 650 square foot fenced tower compound, a 720 square foot equipment shelter, telephone and power conduits, landscaping and related site improvements. The tower and related improvements will be located immediately south of the Media Building, adjacent to the existing site. The equipment shelter will have a brick façade to match the Media Building’s brick veneer. Upon completion, Sprint will remove the existing tower and relocate all equipment to the new tower. Any salvage value of the existing tower will be provided to ECSU net of all expense for removal. Upon completion of construction, Sprint will turn ownership of the tower and building over to the State.

All development costs for these improvements and removal of the existing tower will be borne by Sprint. The university will provide Sprint with the necessary site drawings, utility drawings and a comprehensive list of the its antenna/microwave system requirements in order that they be integrated into the new tower and foundation design, and will review and approve the plans for the proposed tower improvements.

The lease agreement stipulates that Sprint’s ability to use the property is contingent upon meeting all obligations of compliance with any and all environmental laws, including permits, regulations, guidelines, standards, or policies of all local, state and federal agencies.

The agreement has already been reviewed by the CSU Assistant Attorney General. The agreement is in the process of being reviewed by the Office of the State Treasurer to ensure that it does not affect the State's tax-exempt status. Once it has received approval from the Treasurer, it will be approved as to form by the Office of the Attorney General.

The initial term of the lease is for twenty-five (25) years commencing upon the start of installation of the communication equipment, with a initial yearly rental rate of \$21,600, to increase 3% annually. However, Sprint will be allowed to abate rental payments until it has recouped 100% of the documented development costs incurred associated with the proposal. This includes design, engineering, permitting, and construction of the equipment shelter, tower, and related improvements, the dismantling and removing of the existing tower, and the relocation of ECSU's equipment.

CHANCELLOR'S RECOMMENDATION

Approve the lease of space at Eastern Connecticut State University to Sprint Spectrum L.P.