



RESOLUTION

concerning

LEASE OF A PORTION OF JENNINGS HALL
AT
SOUTHERN CONNECTICUT STATE UNIVERSITY
TO
AT&T WIRELESS PCS LLC

November 7, 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, AT&T Wireless PCS LLC has requested permission from Southern Connecticut State University to lease approximately 143 square feet in the penthouse of Jennings Hall for installation of antennas and related equipment, and

WHEREAS, It has been determined by Southern that the space is not needed for use by the university, and

WHEREAS, The Treasurer of the State of Connecticut has determined that the agreement does not affect the status of any tax-exempt obligations issued by the State of Connecticut, 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 lease of space to AT&T Wireless PCS LLC at Southern Connecticut State University's Jennings Hall for the installation of communications equipment.

A Certified True Copy:

William J. Cibes, Jr.
Chancellor

ITEM

Lease of a portion of Jennings Hall at Southern Connecticut State University to AT&T Wireless PCS LLC

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

AT&T Wireless PCS LLC (“AT&T”) has requested permission from management at Southern Connecticut State University to lease approximately 143 square feet in the penthouse of Jennings Hall. AT&T would like to lease this space for the installation and maintenance of wires, cable, conduits and pipes associated with antenna structures as well as the antenna itself. All improvements and alterations made to the space as part of the installation of the antennas will be at AT&T’s expense and subject to approval by Southern.

The lease agreement stipulates that AT&T’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 been reviewed by the Office of the State Treasurer to ensure that it does not affect the State’s tax-exempt status. In addition, the CSU Assistant Attorney General has also reviewed it.

The initial term of the lease is for ten (10) years with an annual rent of \$18,000 increasing 3% per annum. The agreement can be automatically extended for two (2) additional six-year terms and one (1) three-year term for a total of 25 years, unless terminated by either the lessee or lessor by giving written notice of at least twelve (12) months. Upon termination the lessee will remove all equipment and restore the penthouse to its original condition within 90 days.

CHANCELLOR’S RECOMMENDATION

Approve the lease of space in Jennings Hall at Southern Connecticut State University to AT&T Wireless PCS LLC.