



Connecticut State University System

Developing a State of Minds

BR#02-63



RESOLUTION

concerning

LEASE OF A PORTION OF BARROWS HALL
AT
CENTRAL CONNECTICUT STATE UNIVERSITY
TO
SOUTHWESTERN BELL MOBILE SYSTEMS, LLC

December 13, 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, Southwestern Bell Mobile Systems, LLC has requested permission from Central Connecticut State University to lease 450 square feet of Barrows Hall for installation of antennas and related equipment, and
WHEREAS, It has been determined by Central 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 Southwestern Bell Mobile Systems, LLC at Central Connecticut State University's Barrows Hall for the installation of communications equipment.

A Certified True Copy:

Handwritten signature of William J. Cibes, Jr.
William J. Cibes, Jr., Chancellor

ITEM

Lease of a portion of Barrows Hall at Central Connecticut State University to Southwestern Bell Mobile Systems, 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

Southwestern Bell Mobile Systems, LLC (SBMS) (a.k.a. Cingular Wireless) has requested permission from management at Central Connecticut State University to lease 450 square feet in the attic of Barrows Hall. They would like to lease this space for the installation and maintenance of wires, cable, conduits and pipes associated with antenna structures. All improvements and alterations made to the space, as part of the installation of the antennas will be at SBMS’s expense and subject to approval by Central.

The lease agreement stipulates that SBMS’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 five (5) years with an annual rental of \$40,000, thereafter increasing by 5% per annum. The agreement will be automatically extended for four (4) five-year terms for a total of 25 years unless terminated by the lessee by giving written notice of at least 180 days, with the annual rental continuing to increase by 5% per annum. Thereafter, the agreement shall continue for annual terms unless terminated by the lessee or lessor by giving written notice of at least 180 days. Monthly rental during such annual term will equal the rent paid for the last month of the fourth (4th) extended term, and will not escalate further. In addition, there will be a one-time payment of \$40,000 due within sixty days of lease commencement. Upon termination the lessee will remove all equipment and restore the attic to its original condition within 90 days.

CHANCELLOR’S RECOMMENDATION

Approve the lease of space in Barrows Hall at Central Connecticut State University to Southwestern Bell Mobile Systems, LLC.