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From the Interim Executive Director of Milwaukee of County Parks, requesting authorization to grant MCImetro Access Transmission Services a ten-year easement with two (2) ten-year renewals for an underground telecommunication system within Lincoln Memorial Drive, by recommending adoption of the following:

A RESOLUTION

WHEREAS, MCImetro Access Transmision Services, Inc. (MCImetro), is requesting a 10-year easement, with two, 10-year renewals, on parkland to place an underground telecommunications system (fiber optic cable, conduit, and ducts), and surface line location markers, within Lincoln Memorial Drive (LMD), to increase the reliability of telecommunications systems; and

WHEREAS, under Federal and State of Wisconsin (the State) law, local governments cannot adopt regulations or take actions that prohibit or have the effect of prohibiting wireless or wireline telecommunication services; and

WHEREAS, this requested easement is related to Small Wireless Facilities (SWFs) on LMD that have been approved under the State regulatory framework; and

WHEREAS, MCImetro has requested that Milwaukee County grant a 10-year easement, with two, 10-year renewals, to allow for the construction, operation, and maintenance, of the underground telecommunication system, and is offering an annual fee of \$5,000 for the first mile, and \$1.66 per each additional lineal foot, which fees will increase by 10 percent upon renewal, as compensation; and

WHEREAS, the Interim Director, Department of Parks, Recreation, and Culture, has reviewed this request, and based on the requirements of Federal and State law related to SWFs, recommends that MCImetro be granted a 10-year easement, with two, 10-year renewals, for the construction, operation, and maintenance, of an underground telecommunication system and related improvements within LMD; and

WHEREAS, the Committee on Parks, Energy, and Environment, at its meeting of September 11, 2020, recommended adoption of File No. 20-331 (vote 3-2); now, therefore,

BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby authorizes the Department of Parks, Recreation, and Culture (DPRC), the Department of Administrative Services, the Register of Deeds, Corporation Counsel, and Risk Management, to prepare, review, approve, execute, and record all documents, and take all actions as required to grant MCImetro Access Transmission Services, Inc. (MCImetro), the 10-year easement, with two, 10 year-renewals, for the construction, operation, and maintenance, of the attached underground telecommunication system and related improvements within Lincoln Memorial Drive; and

48 BE IT FURTHER RESOLVED, MCI metro will pay an annual fee of \$5,000 for the
49 first mile, and \$1.66 per each additional lineal foot, which fees will increase by 10
50 percent upon renewal, as compensation for the easement; and

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52 BE IT FURTHER RESOLVED, DPRC is authorized to split the annual fee equally
53 between the Trail Maintenance Trust Fund and the Playground Equipment Trust Fund;
54 and

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56 BE IT FURTHER RESOLVED, the County Executive and County Clerk are
57 authorized to execute the easement and other required documents.

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