# File No. 20-

# (Journal, )

(ITEM NO. ) From the Interim Executive Director of Milwaukee of County Parks, requesting authorization to grant MCImetro Access Transmission Services a twenty-five-year easement with one (1) ten-year renewal for an underground telecommunication system within the Milwaukee River Parkway, by recommending adoption of the following:

## **A RESOLUTION**

WHEREAS, MCImetro is requesting a twenty-five-year easement with one (1) ten-year renewal on parkland to place an underground telecommunications system (fiber optic cable, conduit, and ducts) and surface line location markers within the Milwaukee River Parkway, to increase the reliability of telecommunications systems; and

WHEREAS, under Federal and 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 on Milwaukee River Parkway that have been approved under the state regulatory framework; and

WHEREAS, MCImetro has requested that Milwaukee County grant a twenty-five-year easement with one (1) ten-year renewal to allow for the construction, operation, and maintenance of the underground telecommunication system and is offering an annual fee of $5.00 per lineal foot, which will increase by three percent annually as compensation; and

WHEREAS, the estimated linear footage of the easement is 1,354 feet; and

WHEREAS, the Parks Interim Executive Director has reviewed this request and based on the requirements of federal and state law related to small wireless facilities, recommends that MCImetro be granted a twenty-five-year easement with one (1) ten-year renewal for the construction, operation, and maintenance of an underground telecommunication system and related improvements within the Milwaukee River Parkway; now, therefore,

BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby authorizes Milwaukee County Parks, 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 the twenty-five-year easement with one (2) ten-year renewal for the construction, operation, and maintenance of the attached underground telecommunication system and related improvements within the Milwaukee River Parkway; and

BE IT FURTHER RESOLVED, that MCImetro will pay an annual fee of $5.00 per lineal foot, which will increase by three percent annually as compensation for the easement; and

BE IT FURTHER RESOLVED, that Milwaukee County Parks is authorized to split the annual fee equally between the trail maintenance trust fund and the playground equipment trust fund; and

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