

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48

From the Executive Director of Milwaukee 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 Root River Parkway, by recommending adoption of the following:

A RESOLUTION

WHEREAS, MCImetro Access Transmission Services, Inc. (MCImetro), is requesting a 25-year easement, with one 10-year renewal, on parkland to place an underground telecommunications system (fiber optic cable, conduit, and ducts), and surface line location markers within the Root River Parkway (the Parkway), 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 the Parkway that have been approved under the State regulatory framework; and

WHEREAS, MCImetro has requested that Milwaukee County grant a 25-year easement, with one, 10-year renewal to allow for the construction, operation, and maintenance of the underground telecommunication system, and is offering an annual fee of five dollars per lineal foot, which will increase by three percent annually 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 25-year easement, with one, 10-year renewal, for the construction, operation, and maintenance of an underground telecommunication system and related improvements within the Parkway; and

WHEREAS, the Committee on Parks, Energy, and Environment, at its meeting of September 11, 2020, recommended adoption of File No. 20-420 (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 25-year easement, with one, 10-year renewal, for the construction, operation, and maintenance of the attached underground telecommunication system and related improvements within the Root River Parkway; and

49 BE IT FURTHER RESOLVED, MCI metro will pay an annual fee of five dollars
50 per lineal foot, which will increase by three percent annually as compensation for the
51 easement; and

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

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

59
60
61 kae
62 09/11/20
63 s:\committees\2020\sept\pe&e\resolutions\20-420 root river easement.docx