



Legislation Details (With Text)

File #: 200007 **Version:** 0

Type: Resolution-Immediate Adoption **Status:** Passed

File created: 4/21/2020 **In control:** COMMON COUNCIL

On agenda: **Final action:** 4/21/2020

Effective date:

Title: Resolution approving an amendment conduit occupancy and power license agreement between the City of Milwaukee and Everstream GLC Holding Company LLC to occupy a portion of the City's Conduit system.

Sponsors: ALD. BAUMAN

Indexes: AGREEMENTS, COMMUNICATIONS SYSTEMS, TELECOMMUNICATIONS

Attachments: 1. Conduit Occupancy License Agreement, 2. PSC approval letter, 3. PSC final document

Date	Ver.	Action By	Action	Result	Tally
4/21/2020	0	COMMON COUNCIL	ADOPTED	Pass	15:0
4/30/2020	0	MAYOR	SIGNED		

IMMEDIATE ADOPTION

200007

ORIGINAL

190883

ALD. BAUMAN

Resolution approving an amendment conduit occupancy and power license agreement between the City of Milwaukee and Everstream GLC Holding Company LLC to occupy a portion of the City's Conduit system.

This resolution approves the use of electrical power, where available, and conduit access for Licensee's Small Cell Wireless Telecommunication Facilities (Small Cell) including the use the portion(s) of the conduit System and occupancy license agreement between the City of Milwaukee and Everstream GLC Holding Company LLC to occupy a portion of the City's communications conduit system in accordance with the provisions of s. 98-7 of the City of Milwaukee Code of Ordinances.

Whereas, The City of Milwaukee owns and operates a conduit system located in the public right-of-way within the City of Milwaukee, County of Milwaukee, State of Wisconsin; and

Whereas, Everstream GLC Holding Company LLC has registered in accordance with the provisions and criteria specified in s. 98-7, Milwaukee Code of Ordinances, for permission to place and maintain telecommunications facilities in the portions of the City of Milwaukee's conduit system; and

Whereas, s. 98-7 provides for negotiation of a conduit occupancy license agreement specifying the terms and

extent of Everstream GLC Holding Company LLC use of the City's conduit system; and

Whereas, A conduit occupancy and power license agreement has been developed, Exhibit A of which fully describes the extent of Everstream GLC Holding Company LLC use of the City's conduit system; and

Whereas, Everstream GLC Holding Company LLC has agreed pursuant to s. 98-5, Milwaukee Code of Ordinances, to permit for, under certain conditions and for a four year renewable term at the City of Milwaukee's option, on a license basis, the placement of Everstream GLC Holding Company LLC facilities within the portions of the City of Milwaukee's conduit system designated in Everstream GLC Holding Company LLC conduit maps on file in the Department of Public Works and summarized in Exhibit A of the conduit occupancy and power license agreement; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, grants approval of the conduit occupancy and power license agreement between the City of Milwaukee and Everstream GLC Holding Company LLC, a copy of which is attached to the file, is approved; and, be it

Further Resolved, That the Commissioner of Public Works is authorized to make minor revisions to the agreement that do not change the intent of the license agreement; and, be it

Further Resolved, That the Commissioner of Public Works is authorized to execute the license agreement on behalf of the City.

Department of Public Works

Infrastructure Services Division
ROLLIN BERTRAN:C. Murphy
April 16, 2020