



## Legislation Text

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**File #: 000434, Version: 1**

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000434  
SUBSTITUTE 1

### THE CHAIR

Substitute resolution approving a conduit occupancy license agreement between the City of Milwaukee and Enron Broadban Services, Inc. for Enron Broadban Services, Inc. to occupy a portion of the City's communications conduit system.

- Analysis -

This substitute resolution approves a conduit occupancy license agreement between the City of Milwaukee and Enron Broadban Services, Inc. to occupy a portion of the City's communications conduit system in accordance with the provisions of Sec. 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, Enron Broadban Services, Inc. has registered in accordance with the provisions and criteria specified in Sec. 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, Sec. 98-7 provides for negotiation of a conduit occupancy license agreement specifying the terms and extent of Enron Broadban Services, Inc.'s use of the City's conduit system; and

Whereas, A conduit occupancy license agreement has been developed, Exhibit A which fully describes the extent of Enron Broadban Services, Inc.'s use of the City's conduit system; and

Whereas, Enron Broadban Services, Inc. has agreed pursuant to Sec. 98-5, Milwaukee Code of Ordinances, to permit for, under certain conditions and for a 4 year renewable term at the City of Milwaukee's option, on a license basis, the placement of Enron Broadban Services, Inc. facilities within the portions of the City of Milwaukee's conduit system designated in Enron Broadban Services, Inc. conduit maps on file in the Office of the City Engineer and the Department of Public Works and summarized in Exhibit A of the conduit occupancy license agreement; now, therefore, be it

Resolved, That the Common Council of the City of Milwaukee grants approval of the conduit occupancy license agreement between the City of Milwaukee and Enron Broadban Services, Inc., a copy of which is attached to Common Council Resolution File Number 000434 and incorporated in this resolution by reference as though set forth therein in full; and, be it

Further Resolved, That the Commissioner of revisions to said license agreement that do not change the intent of said license agreement; and be it

Further Resolved, That the Commissioner of Public Works and the City Engineer are hereby authorized and directed to execute said license agreement after execution by Enron Broadban Services, Inc.

Infrastructure Services Division  
TJT\gw  
July 10, 2000  
KLR/3-5