

## **STAFF REPORT**

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**DATE:** September 12, 2022  
**TO:** Sacramento Regional Transit Board of Directors  
**FROM:** Jamie Adelman, Acting VP, Finance/CFO  
**SUBJ:** APPROVING LICENSE AGREEMENTS FOR UNDERGROUND CONDUIT AND FIBER WITH MCIMETRO ACCESS TRANSMISSION SERVICES LLC (DBA VERIZON) AT THREE LOCATIONS

### RECOMMENDATION

Adopt the Attached Resolutions.

### RESULT OF RECOMMENDED ACTION

Approval of the recommended action will result in SacRT renewing three MCIMetro's licenses to operate and maintain three transverse fiber crossings within SacRT-owned property for an additional 1-year period, subject to termination and removal if the Federal Transit Administration (FTA) disapproves the incidental use. The three crossing are located at:

- Project 1: 39th Street and R Street
- Project 2: 65th Street and Q Street
- Project 3: 59th Street North of S Street

### FISCAL IMPACT

In consideration of renewing the licenses, MCIMetro will pay SacRT a one-year fee of \$7,140 for each license. This revenue was included in the FY 2023 Operating Budget.

The fees last year were higher to cover title report and installation oversight costs. The proposed fee for this year reflects just the prior year license fee of \$6,687, escalated for a cost-of-living increase.

### DISCUSSION

In September 2021, by Resolution Nos. 21-09-0108, 21-09-0109, and 21-09-0110, the Board of Directors granted MCIMetro 1-year licenses to install and maintain fiber below and perpendicular to SacRT tracks at: 39th Street and R Street; 65th Street and Q Street, and 59th Street North of S Street. The agreements were executed in that same month, the fiber was installed. and MCIMetro would like to renew its licenses for operation and maintenance of 864 strands of fiber in a transverse presentation in each location along

SacRT property with the APN 011-0010-003-0000 and located in Fee Schedule Zone 1 for an additional year.

The intent, as conveyed to the Board last year, is to update the outdated 2009 fee schedule and ultimately enter into long-term agreements for these locations. Because the fee schedule has not yet been updated, Staff is requesting an additional one-year extension for each of the three locations.

RESOLUTION NO. 2022-09-108

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

September 12, 2022

**APPROVING LICENSE AGREEMENT FOR UNDERGROUND CONDUIT AND FIBER WITH MCIMETRO ACCESS TRANSMISSION SERVICES LLC AT 39<sup>TH</sup> STREET AND R STREET**

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the License Agreement for Underground Conduit and Fiber within a portion of SacRT's parcel known as Assessor Parcel Number 011-0010-003-0000 located at 39<sup>th</sup> Street and R Street within the City of Sacramento by and between the Sacramento Regional Transit District (therein "SacRT") and MCIMetro Access Transmission Services LLC (DBA Verizon) (therein "Licensee"), whereby SacRT grants Licensee a license for fiber optic cable and conduit with a term of one year, subject to a license fee of \$7,140 and SacRT's right to terminate pending Federal Transit Administration's concurrence, is hereby approved.

THAT, the General Manager/CEO is hereby authorized and directed to execute the foregoing License Agreement.

\_\_\_\_\_  
STEVE MILLER, Chair

A T T E S T:

HENRY LI, Secretary

By: \_\_\_\_\_  
Tabetha Smith, Assistant Secretary

RESOLUTION NO. 2022-09-109

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

September 12, 2022

**APPROVING LICENSE AGREEMENT FOR UNDERGROUND CONDUIT AND FIBER WITH MCIMETRO ACCESS TRANSMISSION SERVICES LLC AT 65<sup>TH</sup> STREET AND Q STREET**

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the License Agreement for Underground Conduit and Fiber within a portion of SacRT's parcel known as Assessor Parcel Number 011-0010-003-0000 located at 65<sup>th</sup> Street and Q Street within the City of Sacramento by and between the Sacramento Regional Transit District (therein "SacRT") and MCIMetro Access Transmission Services LLC (DBA Verizon) (therein "Licensee"), whereby SacRT grants Licensee a license for fiber optic cable and conduit with a term of one year, subject to a license fee of \$7,140 and SacRT's right to terminate pending Federal Transit Administration's concurrence, is hereby approved.

THAT, the General Manager/CEO is hereby authorized and directed to execute the foregoing License Agreement.

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STEVE MILLER, Chair

A T T E S T:

HENRY LI, Secretary

By: \_\_\_\_\_  
Tabetha Smith, Assistant Secretary

RESOLUTION NO. 2022-09-110

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

September 12, 2022

**APPROVING LICENSE AGREEMENT FOR UNDERGROUND CONDUIT AND FIBER WITH MCIMETRO ACCESS TRANSMISSION SERVICES LLC AT 59<sup>TH</sup> STREET NORTH OF S STREET**

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the License Agreement for Underground Conduit and Fiber within a portion of SacRT's parcel known as Assessor Parcel Number 011-0010-003-0000 and located at 59<sup>th</sup> Street north of S Street by and between the Sacramento Regional Transit District (therein "SacRT") and MCIMetro Access Transmission Services LLC (DBA Verizon) (therein "Licensee"), whereby SacRT grants Licensee a license for fiber optic cable and conduit with a term of one year, subject to a license fee of \$7,140 and SacRT's right to terminate pending Federal Transit Administration's concurrence, is hereby approved.

THAT, the General Manager/CEO is hereby authorized and directed to execute the foregoing License Agreement.

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STEVE MILLER, Chair

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HENRY LI, Secretary

By: \_\_\_\_\_  
Tabetha Smith, Assistant Secretary