

STAFF REPORT

DATE: February 27, 2023
TO: Sacramento Regional Transit Board of Directors
FROM: Jamie Adelman, VP, Procurement, Real Estate and Special Projects
SUBJ: APPROVING THE FIRST AMENDMENT TO THE LICENSE AGREEMENT WITH MCIMETRO ACCESS TRANSMISSION SERVICES LLC FOR FIBER OPERATION AND MAINTENANCE AT ARDEN AND OXFORD STREET WITHIN SACRT PROPERTY

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

Approval of the recommended action will result in the extension by one year of a license granted by SacRT to MCIMetro Access Transmission Services LLC (MCIMetro) to operate and maintain transverse fiber crossings within SacRT owned property subject to Federal Transit Administration (FTA) approval at Arden Way and Oxford Street.

FISCAL IMPACT

In consideration of renewing this license, MCIMetro will pay SacRT the following one-year license fee of \$895. This revenue was included in the FY 2023 Operating Budget.

DISCUSSION

The Board previously granted MCIMetro a one-year license to operate and maintain fiber below and perpendicular to SacRT tracks at Arden Way and Oxford Street on February 28, 2022. The agreement was executed on March 29, 2022, and MCIMetro would like to renew its license for an additional year to operate and maintain 144 strands of fiber in a transverse presentation along SacRT property with the APN 275-0132-002-0000 and located in Fee Schedule Zone 2. In consideration for SacRT authorizing MCIMetro to continue to operate and maintain its fiber within SacRT's right of way, MCIMetro will pay an annual license fee of \$895. The fee amount was determined by SacRT's published Permit Fee Rate Structure which includes a Consumer Price Index (CPI) annual adjustment.

Staff recommends approval of the First Amendment to its license over the area described above with MCIMetro for fiber operation and maintenance at the above location for an additional one-year term.

RESOLUTION NO. 2023-02-016

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

February 27, 2023

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

THAT, the First Amendment to the License Agreement for Underground Conduit and Fiber within SacRT's Parcel known as Assessor Parcel Number 275-0132-002-0000 by and between the Sacramento Regional Transit District (therein "SacRT") and MCIMetro Access Transmission Services LLC (therein "Licensee"), whereby SacRT grants MCIMetro a License renewal with a term of one year subject to a license fee of \$895 for 144 strands and SacRT retains the 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 First Amendment to the License Agreement.

PATRICK KENNEDY, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Tabetha Smith, Assistant Secretary