

CITY COUNCIL
ATLANTA, GEORGIA

A RESOLUTION,
BY



01-R-0343

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN
RIGHT-OF-WAY AGREEMENT WITH MCIMETRO ACCESS
TRANSMISSION SERVICES, INC., TO USE A SPECIFIC PORTION
OF THE PUBLIC RIGHT OF WAY FOR LIMITED
TELECOMMUNICATIONS PURPOSES NOT INCLUDING
TELECOMMUNICATIONS SERVICES, AS DEFINED IN THE
TELECOMMUNICATIONS ACT OF 1996 (47 U.S.C. §153 (46)) OR
LOCAL EXCHANGE SERVICE AND FOR OTHER PURPOSES.**

WHEREAS, MCImetro Access Transmission Services, Inc., has applied for an right-of-way agreement to provide limited telecommunications services on, under, over and through specifically identified portions of the public right-of-way; and

WHEREAS, MCImetro Access Transmission Services, Inc., intends to install equipment in the public right-of-way to transport signals across the City without originating or terminating Telecommunications Services at, to or from any person or location in the City; and

WHEREAS, MCImetro Access Transmission Services, Inc., has negotiated a right-of-way agreement with the City which provides such access and preserves the rights of the City until such time as a comprehensive ordinance is enacted;

**NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF ATLANTA GEORGIA HEREBY
RESOLVES:**

SECTION 1: That the Mayor be and is hereby authorized to execute a right-of-way agreement in substantially similar form as attached, with MCImetro Access Transmission Services, Inc., for use of the public right-of-way for telecommunications purposes.

SECTION 2: That such right-of-way agreement shall expire and terminate on March 31, **2003**.

SECTION 3: That MCImetro Access Transmission Services, Inc., shall pay **3% of gross revenues**.

SECTION 4: That the City Attorney shall prepare a right-of-way agreement document, which shall be approved by the City Attorney as to form.

SECTION 5: That said right of way agreement shall not be binding on the City until approved by the Mayor and delivered to MCImetro Access Transmission Services, Inc.

OMC – Amendment Incorporated by tcp 3/28/01

A true copy,


Municipal Clerk, CMC

ADOPTED as amended by the Council
APPROVED by the Mayor

MAR 19, 2001
MAR 27, 2001

RCS# 2739
3/19/01
4:52 PM

Atlanta City Council

Regular Session

MULTIPLE

01-R-0319; 01-R-0320; 01-R-0321;
01-R-0330; 01-R-0343; 01-R-0344
ADOPT AS AMEND

YEAS: 10
NAYS: 2
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y McCarty	Y Dorsey	NV Moore	Y Thomas
N Starnes	Y Woolard	Y Martin	NV Emmons
Y Bond	N Morris	Y Maddox	B Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE

01-R-0343

(Do Not Write Above This Line)

A RESOLUTION

BY *Richard R. ...*
A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RIGHT-OF-WAY AGREEMENT WITH MCIMETRO ACCESS TRANSMISSION SERVICES, INC., TO USE A SPECIFIC PORTION OF THE PUBLIC RIGHT OF WAY FOR LIMITED TELECOMMUNICATIONS SERVICES, AS DEFINED IN THE TELECOMMUNICATIONS ACT OF 1996 (47 U.S.C. 153 (46)) OR LOCAL EXCHANGE SERVICE AND FOR OTHER PURPOSES.

ADOPTED BY
MAR 19 2001
COUNCIL

As Amended

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 2/19/01

Referred To: City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Don McCarly

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

As Amended
Don McCarly

Refer To

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Readings
- Consent
- V Vote
- RC Vote

CERTIFIED

CERTIFIED
MAR 19 2001
ATLANTA CITY COMMISSIONER
Richard R. ...

CERTIFIED
MAR 20 2001
Richard R. ...
MANAGER/CLERK

MAYOR'S ACTION

APPROVED
MAR 20 2001
Richard R. ...
MAYOR