



## Legislation Text

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**File #:** 04530, **Version:** 1

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### **Fiscal Note**

An estimated \$136,000 in revenues and offsetting expenses will be included in the Traffic Engineer 2007 operating budget.

### **Title**

Authorizing the Mayor and City Clerk to sign a Frequency Reconfiguration Agreement with Nextel Communications, Inc., or their subsidiary.

### **Body**

WHEREAS, the City of Madison operates public safety radio communications within the 800 MHz band; and  
WHEREAS, in 2004, the Federal Communications Commission ("FCC") issued a report and series of orders that modified its rules governing the 800 MHz band. The purpose of these Orders was to reconfigure the 800 MHz band to minimize harmful interference to public safety radio communications systems (resulting from Nextel Communication, Inc.'s licensed use of frequencies within the 800 MHz band for private commercial wireless communications); and  
WHEREAS, the FCC orders require government units operating on the 800 MHz band to relocate their communications to other frequencies, and amend their FCC licenses, and also requires Nextel to pay the cost of the relocation, relicensing and associated work (called the "Reconfiguration"); and  
WHEREAS, staff from the Communications section of City Transportation are qualified to perform the reconfiguration work in-house; and  
WHEREAS, Nextel has proposed a contract with the City in order to accomplish the reconfiguration and reimburse the city for its costs in compliance with the FCC orders (including reimbursement for the cost of any third-party vendors, although the City does not anticipate the need to hire any outside vendors for this work); and  
WHEREAS, the City will be required to provide Nextel a cost estimate up front, but will have the opportunity to seek reimbursement for additional costs that become apparent while the work is ongoing, subject to Nextel's agreement and the approval of the FCC Transition Administrator; and  
WHEREAS, the City has estimated approximately \$136,325.12 in total costs, as follows:

[See attached Table]

and the contract would provide 100% reimbursement for these estimated costs, as well as additional, actual costs calculated at the end of the project, if agreed by Nextel, the City, and the FCC-appointed Transition Administrator; NOW, THEREFORE, BE IT RESOLVED that City Staff are authorized to negotiate a final contract with Nextel Communications, Inc. or their subsidiary ("Nextel") to accomplish the above-described bandwidth reconfiguration; and BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to sign an Agreement with Nextel for such purposes.