



City Council Report

Date: August 19, 2024
To: City Council
Through: Marc Heirshberg, Deputy City Manager
From: Elizabeth Huning, City Engineer
Scott Conn, Chief Information Officer
Subject: Telecommunication License Agreement for Maricopa Community College District on behalf of Mesa Community College

Council Districts: all

Purpose and Recommendation

The purpose of this report is to request Council approval for a Telecommunication License Agreement for Maricopa Community College District (District) on behalf of Mesa Community College (College).

Staff recommends that the Council authorize the City Manager to execute this License Agreement on behalf of the City.

Background & Discussion

The District applied for a Telecommunication License Agreement to install and maintain conduit and fiber optic cables within the City's rights-of-way and easements.

The District has agreed to make the conduit available for shared use under the terms of the First Amended and Restated Intergovernmental Agreement dated June 2012, between the City, the District, and the Mesa United School District. The City's use of the conduit is subject to availability and technical compatibility of the network.

The District will be responsible for repairs, maintenance, and relocation costs.

The initial term of this Agreement is five (5) years, starting from the Effective Date. The contract will automatically renew for an additional five (5) year terms, provided the District is not in breach of the Agreement at the end of the term. The total all terms will be 30 years.

The City may terminate this Agreement by giving the District at least six months' notice before the end of any five-year term, but not earlier than twenty (20) years from the

commencement date. If the District breaches the Agreement, they have a chance to fix it within the allowed time to prevent termination.

Alternatives

City Council could consider different agreement language. Furthermore, City Council could choose not to authorize this license agreement.

Fiscal Impact

There is no cost to the City for the execution of this license beyond staff time.

Coordinated With

This License Agreement was coordinated with the Innovation and Technology Department.