



City Council Report

Date: May 19, 2025
To: City Council
Through: Marc Heirshberg, Deputy City Manager
From: Elizabeth Huning, City Engineer
Lori Greco, Right of Way Manager
Subject: Conduit Occupancy Agreement for Light Source, LLC

Council Districts: all

Purpose and Recommendation

The purpose of this report is to request Council approval for a Conduit Occupancy License (License) for Light Source Communications, LLC (Light Source). Staff recommends that the Council authorize the City Manager to execute this License on behalf of the City.

Background & Discussion

On August 19, 2024, the City and Light Source entered into a Right of Way Occupancy Agreement, granting Light Source permission to install and operate a fiber optic cable communications network. Light Source is requesting a Conduit Occupancy Agreement to utilize a portion of the City's existing conduits for the installation of fiber optic cables.

The Conduit Occupancy Agreement will be approved when the associated individual "Conduit Request" addendum is signed by both parties. The term for each "Conduit Request" is twenty (20) years unless terminated by either Light Source or the City.

The City may terminate any approved "Conduit Request" no sooner than ten years after the commencement date, provided the City can demonstrate that termination is necessary for a public need or to accommodate a public use. The City Engineer may extend the ten-year period for up to twenty (20) years for each Conduit Request.

In the event Light Source must relocate any of its fiber optic cables or equipment to accommodate a City project, Light Source shall bear 100% of its individual relocation costs.

Alternatives

City Council could consider different licensing language; however, this is not recommended as it may hinder business connectivity. Another option is for City Council to choose not to authorize this license.

Fiscal Impact

The annual occupancy fee will be negotiated upon conduit request for the use of any facilities.

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