



City Council Report

Date: November 17, 2025
To: City Council
Through: Marc Heirshberg, Assistant City Manager
From: Lance Webb, City Engineer
Marc Ahlstrom, Assistant City Engineer
Subject: Recommending an Amendment to the telecommunications license agreement with Level 3 Communications, LLC. (Level 3)

Council Districts: all

Purpose and Recommendation

The purpose of this report is to request Council approval to amend the Level 3 Telecommunications License Agreement to allow an initial five (5) year term and three (3) automatic renewals of five (5) years each (for a combined total term of 20 years from the effective date of the agreement).

This amendment will allow Level 3 to continue using the public rights-of-way (ROW) for the construction, installation, and maintenance of a communications network.

Background & Discussion

CenturyLink Communications, LLC ("CenturyLink") acquired Level 3 on November 1, 2017. In September 2020, CenturyLink rebranded as Lumen Technologies, Inc. ("Lumen"). Lumen is the parent company of Level 3; however, Level 3 continues to operate as the authorized entity in the state of Arizona.

The City first granted Level 3 a Telecommunications License Agreement on September 9, 2013. The Level 3 Telecommunications License Agreement expired on September 9, 2023 (Resolution 10324). Level 3 has been operating under the terms and obligations of the existing license agreement during the lapse period leading up to this proposed effective date.

This amendment was requested by Lumen to renew the existing license agreement approved by City Council in 2013. This renewal modifies the term of the License to allow for two additional five (5) year renewals for a total of three five (5) year renewals. Exclusive of the amendment to the term of the License, this renewal maintains the same terms and conditions as the prior agreement and allows continued authorization for Level

3 to operate within the City's rights-of-way. No new provisions or substantive changes are proposed as part of this action.

The City may revoke the license agreement if Level 3 fails to cure violations within 60 days, engages in misconduct or repeated noncompliance, or becomes insolvent or subject to bankruptcy.

Alternatives

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

Fiscal Impact

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