



City Council Report

Date: September 12, 2022
To: City Council
Through: Scott Butler, Assistant City Manager
From: Ian Linssen, Assistant to the City Manager
Lori Greco, Right of Way Manager
Subject: Fiber License Agreement for Gigapower, LLC

Council Districts: all

Purpose and Recommendation

The purpose of this report is to request Council approval for a resolution authorizing the City of Mesa to enter into a Fiber License Agreement for Gigapower, LLC (Gigapower) for an initial five-year term with renewal terms as permitted by state statute.

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

Background & Discussion

Gigapower applied for a Fiber License Agreement to install and operate conduit and fiber optic cables within the City's rights of way and easements.

Alternatives

City Council could consider different licensing language. Furthermore, City Council could choose not to authorize this Fiber License Agreement. City staff does not recommend this because not approving this license will limit residential and business access to additional fiber optics and broadband services provided by Gigapower.

Fiscal Impact

Gigapower will pay an Annual Right of Way Underground Conduit Fee as outlined in the license. Additionally, Gigapower will pay all permit, traffic control, and material testing fees associated with the construction of their facilities. There is no cost to the City for the execution of this license beyond staff time.

Coordinated With

This drafting of this Fiber License Agreement was coordinated with the City Attorney's Office, the City Manager's Office, and Engineering Department.