



City of Maricopa

Legislation Details (With Text)

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|-----------------------|--|----------------------|------------------------------|--------------|-----------------------------|
| File #: | CON 21-01 | Version: | 1 | Name: | Zayo Communications License |
| Type: | Contract | Status: | Passed | | |
| File created: | 9/17/2020 | In control: | City Council Regular Meeting | | |
| On agenda: | 1/19/2021 | Final action: | 1/19/2021 | | |
| Title: | The Mayor and City Council shall discuss and possibly take action on approving a Communications License with Zayo Group, LLC for an initial ten-year term with one additional automatic ten-year renewal option, and authorizing the City Manager to execute any necessary documents related thereto. Discussion and Action. Licensee intends to construct infrastructure for use by telecommunications companies, businesses, entities and/or individuals by providing conduit and fiber optic network capability in City's public Right-of-Way. Discussion and Action. | | | | |
| Sponsors: | Nathan Steele | | | | |
| Indexes: | Well Planned Quality Growth and Development | | | | |
| Code sections: | | | | | |
| Attachments: | 1. Contract, 2. Exhibit | | | | |

| Date | Ver. | Action By | Action | Result |
|-----------|------|------------------------------|----------|--------|
| 1/19/2021 | 1 | City Council Regular Meeting | Approved | Pass |

The Mayor and City Council shall discuss and possibly take action on approving a Communications License with Zayo Group, LLC for an initial ten-year term with one additional automatic ten-year renewal option, and authorizing the City Manager to execute any necessary documents related thereto. Discussion and Action. Licensee intends to construct infrastructure for use by telecommunications companies, businesses, entities and/or individuals by providing conduit and fiber optic network capability in City's public Right-of-Way. Discussion and Action.

Zayo Group, LLC (Zayo) has applied for a License to work within the City's rights of way and easements to install, operate, and maintain a conduit and fiber optic communications network.

Zayo will build approximately 10 miles of conduit and fiber optic cables. The installation defined in this License will be part of a larger Pinal County regional system in its initial operation.

The Communications License does not exempt Zayo from permit fees related to the construction, installation, and maintenance of the network.

Licensee warrants that no portion of Licensee's Communications Network shall be dedicated exclusively to interstate traffic, as that term is used in Arizona Revised Statutes § 9-583(C)(2). If at any time Licensee cannot make such a warrant for any portion of Licensee's Communications Network, then that portion shall be subject to the per foot linear fee ("Per Foot Fee") set forth herein. The Licensee agrees that the current Per Foot Fee is \$2.03 and will be increased by the change to the annual average CPI each year thereafter effective on the anniversary of the License Date of each such year.

This item will be presented by Economic & Development Director Nathan Steele.

Staff recommends the approval of the ten-year Communication License with Zayo Group, LLC with one additional automatic ten-year renewal option, and authorization of the City Manager to execute any necessary documents related thereto.