



Legislation Details (With Text)

File #:	19-514	Version:	1
Type:	Resolution	Status:	Agenda Ready
File created:	5/10/2019	In control:	City Council
On agenda:	5/21/2019	Final action:	
Title:	Adopt the resolution authorizing the City Manager to execute the Right-of-Way License Agreement with CenturyLink (Level 3 Communications, LLC) for placement of fiber and conduit in the City's Right-of-Way		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. Resolution, 2. Century Link Signed ROW Agreement		

Date	Ver.	Action By	Action	Result
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CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Adopt the resolution authorizing the City Manager to execute the Right-of-Way License Agreement with CenturyLink (Level 3 Communications, LLC) for placement of fiber and conduit in the City's Right-of-Way

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Tim Felstrup, Project Manager

BOARD/COMMISSION REVIEW:

N/A

BACKGROUND:

CenturyLink has asked for the City of Naperville to approve a right-of-way use license to allow it to install fiberoptic cable and conduit underground in the City's right-of-way. The request is related to needs of certain businesses to connect to dedicated fiber-optic telecommunication lines for a variety of reasons including improved speed, global reach, and security.

On December 18, 2018 City Council passed Resolution 18-023 authorizing the City Manager to execute the Right-of-Way License Agreement with CenturyLink for phase 1 of this project.

DISCUSSION:

The Naperville Municipal Code (9-1B) provides that a right-of-way use license is required whenever a company desires to locate non-cable or telephone telecommunications facilities in the City's right-of-way. The Naperville Municipal Code requires a right-of-way use license agreement contain the

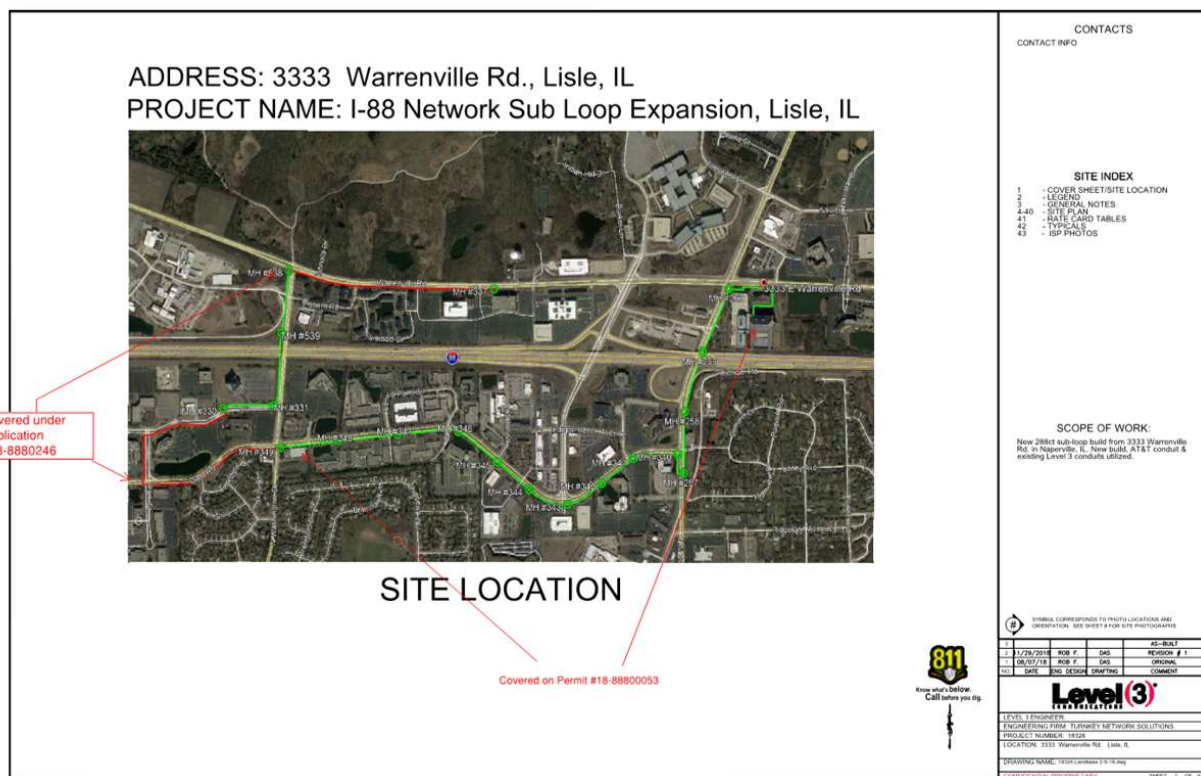
following:

1. Five-year term with renewal and termination options;
2. Annual license fee of \$1.50 per each linear foot of newly installed facilities or \$.50 per linear foot for facilities located in existing excess or surplus facilities;
3. Obligation to cooperate with the City and move facilities if necessary;
4. Liability indemnification as well as insurance and construction/performance surety requirements.

CenturyLink has applied for a right-of-way use license. A review of their plans has been completed by appropriate City departments.

The following is a key summary of the proposed projects:

Project Location:



- Plans to install approximately 7,724 linear feet of fiber, 3,496 linear feet of which will be installed within existing conduit and 4,228' of which will be installed in new conduit in the right-of-way along Diehl Road from Washington Street to Park Street, along Park Street from Diehl Road to Shuman Boulevard, along Shuman Boulevard from Park Street to Washington Street, and from Washington Street from Shuman Boulevard to Warrenville Road.
- 288 strand fiber optic cable
- Approximately \$8,090 to the City per year (\$40,450 over five years). The annual fee is \$1.50

per linear foot for newly installed facilities and \$.50 per linear foot within existing conduit.

A copy of the right-of-way use license is appended for consideration.

FISCAL IMPACT:

An annual increase of \$8,090 in licensing fees.