



Agenda Report

File #: 19-0041

**AGENDA REPORT
REQUEST FOR CITY COUNCIL ACTION**

DATE: 1/16/2019

TO: Honorable Mayor and City Council Members

FROM: Public Works Department

SUBJECT:

City Council consideration of a Right-of-Way Encroachment License Agreement for Telecommunication Facilities between the City and MCIMetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services.

RECOMMENDED ACTION:

That the City Council approve and authorize the Mayor to execute a Right-of-Way Encroachment License Agreement for Telecommunication Facilities between the City and MCIMetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services.

ANALYSIS:

Verizon Access Transmission Services ("Verizon") is proposing to construct, install, maintain and operate telecommunication facilities within the Public Right-of-Way. Specifically, these facilities will consist of citywide aerial cable, buried fiber, fiber distribution boxes and all related appurtenances to support the deployment of their growing 5G network. Corona Municipal Code Chapters 12.32 and 5.14 requires the approval of a Right-of-Way Encroachment License Agreement to permit these activities.

The Right-of-Way Encroachment License Agreement ("Agreement") identifies the types of facilities and encroachment rights, limitations and restrictions that Verizon shall comply with during the Agreement term, which is set to expire after 10 years if not renewed. This Agreement does not allow Verizon to construct or install facilities on any property owned by the City including any new or modifications to City utility poles or street light standards.

The cost to install and maintain the facilities will be borne by Verizon and no budget change or funding allocation is necessary in order to execute this Agreement.

COMMITTEE ACTION:

Not applicable.

STRATEGIC PLAN:

This items supports multiple goals from the City's Strategic Plan, including 1) Promote Public Safety, Objective c: Ensure adequate funding for investment and improvement in the infrastructure that support public safety, 2) Enhance Economic Development with a Focus on Hi-Tech Opportunities, Objective a: Support economic development efforts that bring in higher paying jobs, and 3) Actively Engage in Public and Private Partnerships to Provide Services and Amenities, Objective b: Proactively develop partnerships with local and regional business interest and agencies. Completion of the project installed telecommunication infrastructure contributes to the communication capabilities of the City's residents, businesses, and public services.

FISCAL IMPACT:

Not applicable.

ENVIRONMENTAL ANALYSIS:

This action is categorically exempt pursuant to Section 15301(b) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project which consists of operation, repair, maintenance, permitting, or minor alteration of existing facilities of investor-owned utilities used to provide public utility services involving negligible expansion of use beyond that existing at the time this action is approved does not have a significant impact on the environment, and is therefore exempt from CEQA. This action is also categorically exempt pursuant to Section 15302(c) of the CEQA Guidelines, which states that a project which consists of replacement or reconstruction of existing utility facilities involving negligible expansion of capacity does not have a significant impact on the environment, and is therefore exempt from CEQA. This action is also categorically exempt pursuant to Section 15303(d) of the CEQA Guidelines, which states that a project which consists of construction or installation of new small utility equipment and facilities does not have a significant impact on the environment, and is therefore exempt from CEQA. Finally, this action is categorically exempt pursuant to Section 15304(f) of the CEQA Guidelines, which states that a project which consists of minor alterations in the condition of land, such as minor trenching and backfilling where the surface is restored, does not have a significant impact on the environment, and is therefore exempt from CEQA. This action involves the approval of a Right-of-Way Encroachment License Agreement, as required by Corona Municipal Code Chapters 12.32 and 5.14 to permit the installation of fiber-optic cables, either underground or aerial on existing structures, within the public right-of-way to support the deployment of 5G technology. The installation of the fiber optic facilities will involve a negligible, if any, expansion of the use of the public right-of-way for telecommunications facilities and the licensee is required to repair and restore any City streets, utilities, curbs, gutters, sidewalks, private property or any portion of the public right-of-way that is damages as a result of the installation of the fiber optic facilities. Therefore, no further environmental analysis is required for this action.

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REVIEWED BY: NELSON D. NELSON, P.E., PUBLIC WORKS DIRECTOR

REVIEWED BY: KERRY D. EDEN, ASSISTANT CITY MANAGER/ADMINISTRATIVE SERVICES

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DIRECTOR

REVIEWED BY: MICHELE NISSEN, ASSISTANT CITY MANAGER

SUBMITTED BY: DARRELL TALBERT, CITY MANAGER

Attachment: Right-of-Way Encroachment License Agreement