City of Culver City

Staff Report Details (With Text)

File #:	18-01217	**Version:**	1	**Name:**	
Type:	Resolution			**Status:**	Consent Agenda
File created:	4/26/2018			**In control:**	City Council Meeting Agenda
On agenda:	5/29/2018			**Final action:**	
Title:	CC - Adoption of a Resolution Approving an Encroachment Agreement with Fireline Broadband for Use of the Public Right-of-Way to Install 2,680 Feet of Fiber Optic Cable Starting at the Corner of Jefferson Boulevard and Pearson Street and Running Southwards Along Jefferson Boulevard and Ending Near the Intersection of Jefferson Boulevard and Jordan Way.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	1. 2018-5-29-ATT- System Exhibit.pdf, 2. 2018-5-29-ATT-Proposed Resolution.pdf				

Date	Ver.	Action By	Action	Result

CC - Adoption of a Resolution Approving an Encroachment Agreement with Fireline Broadband for Use of the Public Right-of-Way to Install 2,680 Feet of Fiber Optic Cable Starting at the Corner of Jefferson Boulevard and Pearson Street and Running Southwards Along Jefferson Boulevard and Ending Near the Intersection of Jefferson Boulevard and Jordan Way.

Meeting Date: May 29, 2018

Contact Person/Dept: Christopher Evans/PW

Phone Number: 310.253.5621

Fiscal Impact: Yes [] No [X] **General Fund:** Yes [] No [X]

Public Hearing: [] **Action Item:** [] **Attachments:** [X]

Commission Action Required: Yes [] No [X] **Date:**

Public Notification: (E-Mail) Meetings and Agendas - City Council (05/23/18); (E-Mail) Fireline Broadband (04/26/18)

Department Approval: Charles D. Herbertson, Public Works Director/City Engineer (05/16/18)

RECOMMENDATION

Staff recommends the City Council adopt a resolution approving an encroachment agreement with Fireline Broadband (Fireline) for use of the public right-of-way to install 2,680 Feet of fiber optic cable starting at the corner of Jefferson Boulevard and Pearson Street and running southwards along Jefferson Boulevard and ending near the intersection of Jefferson Boulevard and Jordan Way.

BACKGROUND/DISCUSSION

Fireline is proposing to install a new fiber optic pathway for their private customers along Jefferson Boulevard.

The work involves installing new underground conduit and fiber optic line. The route begins at an existing utility pole located at the south corner of Jefferson Boulevard and Pearson Street where fiber optic line will be connected to existing aerial line. The fiber optic line and conduit will then run southwards under the street connecting to new utility vaults to be installed in the sidewalk at: 10121 Jefferson Boulevard, 10305 Jefferson Boulevard, 10365 Jefferson Boulevard, 10385 Jefferson Boulevard, 10459 Jefferson Boulevard, 10567 Jefferson Boulevard and terminating near the north corner of Jefferson Boulevard and Jordan Way where it will tie into an existing Fireline facility.

The total distance of the new installation in the public right-of-way is 2,680 linear feet. All the work will be underground and placed via directional boring or trenching.

Legal Framework

Fireline is the holder of a Certificate of Public Convenience & Necessity issued by the California Public Utilities Commission. This certificate authorizes Fireline to access cities' rights-of-way for the purpose of constructing and maintaining telecommunication lines along and upon cities' public rights-of-way. The related federal and state laws require that municipalities allow the installation of telecommunication facilities by Certificate of Public Convenience & Necessity holders of but allow municipalities to impose reasonable time, place and manner regulations pertaining to construction of telecommunications facilities within the City's rights-of-way.

The City's time, place and manner regulations will be documented in an Encroachment Agreement between the City and Fireline. To protect the City's interests, this agreement will contain provisions requiring that Fireline repair any damage to City property, carry adequate liability insurance and defend the City if it is sued for damages caused by Fireline.

FISCAL ANALYSIS

Per Section 11.20.025B of the Culver City Municipal Code, the City may collect an application fee as compensation for City staff time expended in reviewing telecommunication applications. . Based on Resolution No. 2013-R034, the City's Fee Resolution for Fiscal Year 2017-18, a fee in the amount of $3,927 was paid by Fireline.

ATTACHMENTS

1. 2018-05-29 - ATT System Exhibit
2. 2018-05-29 - ATT Proposed Resolution

MOTION

That the City Council:

1. Adopt a resolution approving an encroachment agreement with Fireline Broadband for use of the public right-of-way to install 2,680 Feet of fiber optic cable starting at the corner of Jefferson Boulevard and Pearson Street and running southwards along Jefferson Boulevard and ending near the intersection of Jefferson Boulevard and Jordan Way;

2. Authorize the City Attorney to review/prepare the necessary documents; and,

3. Authorize the City Manager to execute the documents on behalf of the City