



City of Culver City

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Staff Report

File #: 19-659, **Version:** 1

Item #: C-5.

CC - Adoption of a Resolution Approving an Encroachment Agreement with Crown Castle for Use of the Public Right-of-Way to Install 1,385 Feet of Fiber Optic Cable Starting on the North Side of Centinela Avenue East of Bristol Parkway and Running Southeast to the City Boundary.

Meeting Date: January 28, 2019

Contact Person/Dept: Christopher Evans/Public Works Department

Phone Number: (310) 253-5621

Fiscal Impact: Yes ☐ No ☒

General Fund: Yes ☐ No ☒

Public Hearing: ☐ **Action Item:** ☐ **Attachments:** ☒

Commission Action Required: Yes ☐ No ☒ **Date:**

Public Notification: (E-Mail) Meetings and Agendas - City Council (01/23/19); (E-Mail) Crown Castle (12/11/18)

Department Approval: Charles D. Herbertson, Public Works Director/City Engineer 1/21/19

RECOMMENDATION

Staff recommends the City Council adopt a resolution approving an encroachment agreement with Crown Castle for use of the public right-of-way to install 1,385 feet of fiber optic cable, starting on the north side of Centinela Avenue east of Bristol Parkway and then running southeasterly to the City boundary.

BACKGROUND/DISCUSSION

Crown Castle is proposing to install a new fiber optic pathway to expand their fiber optic network.

The work involves installing 1,385 feet of new aerial fiber optic line across existing utility poles. The route begins at an existing utility pole on the north side of Centinela Avenue mid-block, between Bristol Parkway and Green Valley Circle. The fiber optic line is then pulled aerially 1,385 feet southeasterly, crossing Green Valley Circle and then crossing the City Boundary.

The total distance of the new installation in the public right-of-way is 1,385 linear feet. Fiber optic

cable will be installed on existing utility poles.

Legal Framework

Crown Castle is the holder of a Certificate of Public Convenience & Necessity issued by the California Public Utilities Commission. This certificate authorizes Crown Castle 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 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 Crown Castle. To protect the City's interests, this agreement will contain provisions requiring that Crown Castle repair any damage to City property, carry adequate liability insurance and defend the City if it is sued for damages caused by Crown Castle.

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 a fee in the amount of \$3,927 will be paid by Crown Castle prior to issuance of an encroachment permit.

ATTACHMENTS

1. 2019-01-28 - ATT System Exhibit
2. 2019-01-28 - ATT Proposed Resolution

MOTION

That the City Council:

1. Adopt a resolution approving an encroachment agreement with Crown Castle for use of the public right-of-way to install 1,385 feet of fiber optic cable starting on the north side of Centinela Avenue east of Bristol Parkway and running southeast to the City boundary;
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