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APPROVED
BY THE CITY COUNCIL

AUG 7 1997

OFFICE OF THE
CITY CLERK
AG 97-128

DEPARTMENT OF
PUBLIC WORKS

REAL ESTATE SERVICES

CITY OF SACRAMENTO
CALIFORNIA

915 I STREET
ROOM 200
SACRAMENTO, CA
95814-2700
PH 916-264-5710
FAX 916-264-5573

June 16, 1997

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: AGREEMENT FOR ISSUANCE OF REVOCABLE PERMIT TO ELECTRIC LIGHTWAVE, INC. FOR FIBER OPTIC COMMUNICATIONS CABLE AT THE AMERICAN RIVER BICYCLE BRIDGE AND ACCEPTANCE OF A DEDICATED FIBER OPTIC CABLE

LOCATION/COUNCIL DISTRICT:

From 14TH and G Streets to Del Paso Boulevard and Arden Way via the American River Bicycle Bridge in Council Districts 1 and 2.

RECOMMENDATION:

This report recommends that the City Council authorize the City Manager to execute an Agreement for Issuance of a Revocable Permit to Electric Lightwave, Inc., a Delaware Corporation ("ELI") for continued use of a conduit for a fiber optic communications cable across the American River Bicycle Bridge. It also recommends that in consideration of the conduit the City accept a dedicated 48 strand fiber optic cable between 14th and G Streets and Del Paso Boulevard and Arden Way.

CONTACT:

Gary L. Ransom, Real Property Agent, 264-7800

Ron Costa, Telecommunications Consultant, 264-8514

FOR COUNCIL MEETING OF:

August 7, 1997

SUMMARY:

A five-year Agreement with a five-year renewal option for Issuance of a Revocable Permit has been negotiated with ELI for continued use of the above-referenced conduit in exchange for a dedicated fiber optic cable between 14th and G Streets and Arden

City Council

Agreement for Issuance of Revocable Permit to Electric Lightwave, Inc.

June 16, 1997

Way and Del Paso Boulevard. Permit fees begin at \$200 per year with fees determined in the second year and each successive year in accordance with attached Exhibit A. Fees will be deposited to the General Fund. Termination is discretionary by either party giving 90 days notice. All costs of installation and maintenance of equipment are the responsibility of the permittee.

BACKGROUND INFORMATION:

ELI currently operates a fiber optic communications cable from downtown to North Sacramento. The cable was installed across the American River Bicycle Bridge without City approval. ELI now wishes to obtain an agreement for the cable to cross the bridge. In exchange for an agreement to allow the cable to remain on the bridge ELI has agreed to: 1) provide at no charge a 48 strand fiber optic cable dedicated to the City between 14th and G Streets and Del Paso Boulevard and Arden way; 2) underground the dedicated fiber optical cable where it may conflict with the planned Arden Garden Connector. This fiber optic cable will, with the undergrounded fiber optic cable currently being installed by the City for the benefit of Traffic Services, complete a highly reliable loop system for traffic lighting. In addition, undergrounding the fiber optic cable where it is being moved for the Arden-Garden Connector will result in visual enhancement of the area. An agreement for Issuance of Revocable Permit was negotiated and approved as to form by the Assistant City Attorney. A proposed site plan is attached as Exhibit "B".

FINANCIAL CONSIDERATIONS:

The Agreement and Revocable Permit will provide the City with a dedicated fiber optic line from downtown to north Sacramento at no cost to the City. The value of this fiber optic cable is estimated to be \$300,000. Maintenance and replacement costs of the bridge facilities will be recovered by charging an annual fee based on the attached Exhibit "A" rates which will be updated annually.

ENVIRONMENTAL ISSUES:

The Planning Services Division has reviewed the project and determined that this activity is exempt from provisions of CEQA under Section 15301. The project involves minor alteration of an existing public facility involving no significant changes to the use of the facility.

POLICY GUIDELINES:

Sacramento City Code Section 12.04.110 states that "Council may, by resolution grant permits revocable at its will for minor or temporary purposes or privileges on public property subject to such terms and conditions as it deems necessary for the public interest".

City Council
Agreement for Issuance of Revocable Permit to Electric Lightwave, Inc.
June 16, 1997

This action of approving the agreement and Revocable Permit for the fiber optics cable is consistent with the City Council's stated policy of encouraging public and private cooperation where common needs can be identified.

MBE/WBE:

None, no goods or services are being sold.

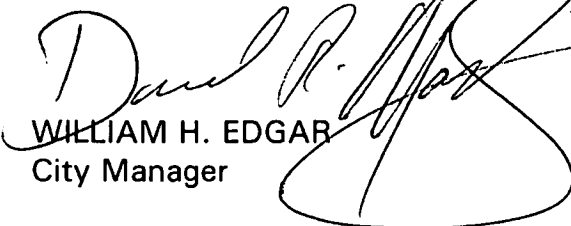
Respectfully submitted,



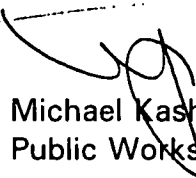
Gary Alm, Manager
Real Estate Services & Special Districts

RECOMMENDED FOR APPROVAL:

APPROVED:



WILLIAM H. EDGAR
City Manager



Michael Kashiwagi, Director
Public Works Department

Attachment: Exhibits A & B

GR4-41-6.16

EXHIBIT A

**POLE ATTACHMENT ANNUAL RATE SCHEDULE FOR
CITY OWNED POLE**

Pole, crossarm and hardware	\$375.00
Electrician Lineworker II, 8 hours	458.88
Building Maintenance Worker (ground assistant), 8 hours	315.44
Line Truck, 8 hours	96.00
Service Truck, 8 hours	<u>84.00</u>
Subtotal	\$1,329.32
User convenience 1/3	\$443.11
Estimated pole life 50 years	
Annual rate for pole attachment (each pole)	\$8.86
Annual rate for other attachments; risers, amplifiers etc. 1/2(each pole)	\$4.43
Annual rate for bridge	\$8.86

CROSSARM ATTACHMENT ANNUAL RATE FOR JOINT POLE

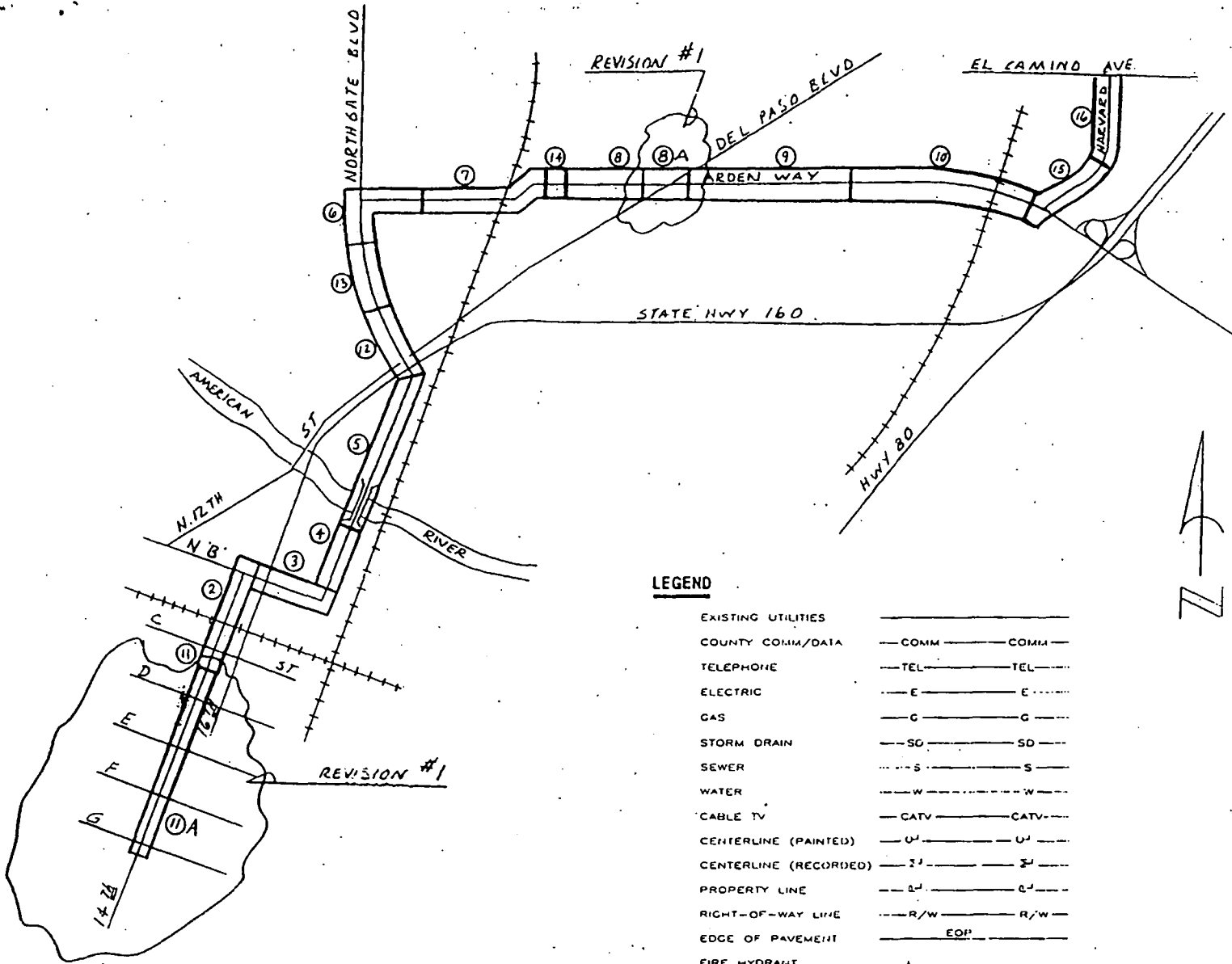
Crossarm and hardware	\$35.00
Electrician Lineworker, 1 hour	57.36
Building Maintenance Worker (ground assistant), 1 hour	<u>39.43</u>
Subtotal	\$131.79
User convenience 1/2	\$65.90
Estimated crossarm life 25 years	
Annual rate for crossarm attachment	2.64

BICYCLE BRIDGE CONDUIT FEE SCHEDULE

Conduit replacement costs	\$25000.00
User convenience 1/3	8,333.33
Estimated conduit life 50 years	
Annual rate for conduit maintenance	166.67

- Crossarm rate is only applicable if the attachment is allowed by the California Public Utilities Commission.
- Hourly rates are determined annually based on labor rates plus the City's indirect cost plan rate.
- Annual rates are to be determined each year using the current rates at the time of calculation.
- Convenience factor is determined by dividing the number of pole users into one.

EXHIBIT B



LEGEND

EXISTING UTILITIES	_____
COUNTY COMM/DATA	--- COMM --- COMM ---
TELEPHONE	--- TEL --- TEL ---
ELECTRIC	--- E --- E ---
GAS	--- G --- G ---
STORM DRAIN	--- SD --- SD ---
SEWER	--- S --- S ---
WATER	--- W --- W ---
CABLE TV	--- CATV --- CATV ---
CENTERLINE (PAINTED)	--- CL --- CL ---
CENTERLINE (RECORDED)	--- CL --- CL ---
PROPERTY LINE	--- PL --- PL ---
RIGHT-OF-WAY LINE	--- R/W --- R/W ---
EDGE OF PAVEMENT	--- EOP ---
FIRE HYDRANT	⊕
WATER VALVE	○
UTILITY MANHOLES	○
JOINT POLE	⊗
POLE	○
DRAIN INLET/CATCH BASIN	⊖
NEW SPlice BOX	▭
NEW MANHOLE	▭
PROPOSED CONDUIT	▭
TREES	☁ ☁ ☁
SHRUBS	~~~~~

REVISION #1

- REMOVE APPROXIMATELY 1965' OF CITY OWNED 12 STRAND FIBER CABLE.
- PLACE APPROXIMATELY 17,940' OF 48 STRAND FIBER CABLE FOR CITY.
- REVISED DRAWINGS: 1, 2, 3, 4, 5, 6, 7, 8.
- NEW DRAWINGS: 8A, 11A.

GENERAL NOTES:

- ALL 3660 SPlice BOXES TO HAVE 100' SLACK LOOPS IN CABLE(S).

		650 J Street Sacramento, California 95814 (916) 444-1744
JOB <u>ARDEN WAY SECTION</u>		
SHEET NO.	<u>1</u>	OF <u>16</u>
ENGINEER	<u>F.R. SMITH</u>	PHONE <u>444-1744</u>
DATE	<u>8-95</u>	FAX NO. <u>444-1589</u>
PROJECT NO.	<u>30B15041</u>	
FILE NAME:		

REVISION #1

APPROVED
BY THE CITY COUNCIL

AUG 7 1997

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 97-450

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION AUTHORIZING EXECUTION
OF AN AGREEMENT
FOR ISSUANCE OF A REVOCABLE PERMIT
WITH ELECTRIC LIGHTWAVE, INC., A DELAWARE CORPORATION
AT THE AMERICAN RIVER BICYCLE BRIDGE

WHEREAS the City's Real Estate Services Section has entered into negotiations for issuance of a revocable permit with Electric Lightwave, Inc., a Delaware Corporation, which Revocable Permit contains a five-year term with one five-year option to renew.

NOW THEREFORE, BE IT RESOLVED THAT the City Manager is hereby authorized and directed to execute the attached Revocable Permit with Electric Lightwave, Inc., a Delaware Corporation for installation and maintenance of fiber optic communications cable across the American River Bicycle Bridge and is further authorized to execute such other documents as are necessary to carry out the purpose and intent of this resolution.

BE IT FURTHER RESOLVED THAT the City hereby accepts the fiber optic cable between 14th and G Streets and Arden Way and Del Paso Boulevard.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____