

NO: R247

COUNCIL DATE: December 17, 2018

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **December 13, 2018**

FROM: **General Manager, Engineering**

FILE: **5450-30 (Zayo)**

SUBJECT: **License Agreement with Zayo Canada for Use of Road Allowances**

RECOMMENDATION

The Engineering Department recommends that Council:

1. Receive this report for information; and
2. Authorize the Mayor and the City Clerk to execute a license agreement with Zayo Canada that will act to grant Zayo Canada a non-exclusive right to install, operate and maintain telecommunication infrastructure for a 10-year period within the road allowances as illustrated on Appendices "I" to "II" attached to this report.

INTENT

The intent of this report is to obtain Council's approval to execute a License Agreement with Zayo for the use of the road allowances as illustrated on Appendices "I" and "II."

BACKGROUND

Zayo is a global company in communications infrastructure services including fibre and bandwidth connectivity, colocation and cloud services to the world's leading businesses. Customers include wireless and wireline carriers, media and content companies and finance, healthcare and other large enterprises.

Zayo has approached the City for permission to install, operate and maintain new underground telecommunication infrastructure within the road allowances as illustrated on Appendices "I" and "II." This infrastructure will allow Zayo to provide expanded telecommunication service in Surrey for its residents, businesses and the general public. Prior to these installations, Zayo must enter into a license agreement with the City for the use of the road allowances.

DISCUSSION

The City has entered into similar site-specific license agreements with other telecommunications carriers including A2B, Allstream (now Zayo), AT&T, Bell Canada, Bell Mobility, Persona/Eastlink, and Rogers.

LEGAL REVIEW

The Legal Services Division has confirmed that it has reviewed the License Agreement and has no concerns.

SUSTAINABILITY CONSIDERATIONS

The license agreement supports the objectives of the City's Sustainability Charter 2.0. In particular, the Zayo works relate to the Sustainability Charter 2.0 theme of Infrastructure. Specifically, the license agreement supports the following Desired Outcome ("DO"):

- Telecommunications DO₂₁: The City has excellent communications infrastructure that provides affordable and effective connectivity across the community.

CONCLUSION

Based on the above discussion, the Engineering Department recommends that Council:

1. Receive this report for information; and
2. Authorize the Mayor and the City Clerk to execute a license agreement with Zayo Canada ("Zayo") that will act to grant Zayo a non-exclusive right to install, operate and maintain telecommunication infrastructure for a 10-year period within the road allowances as illustrated on Appendices "I" to "II" attached to this report.

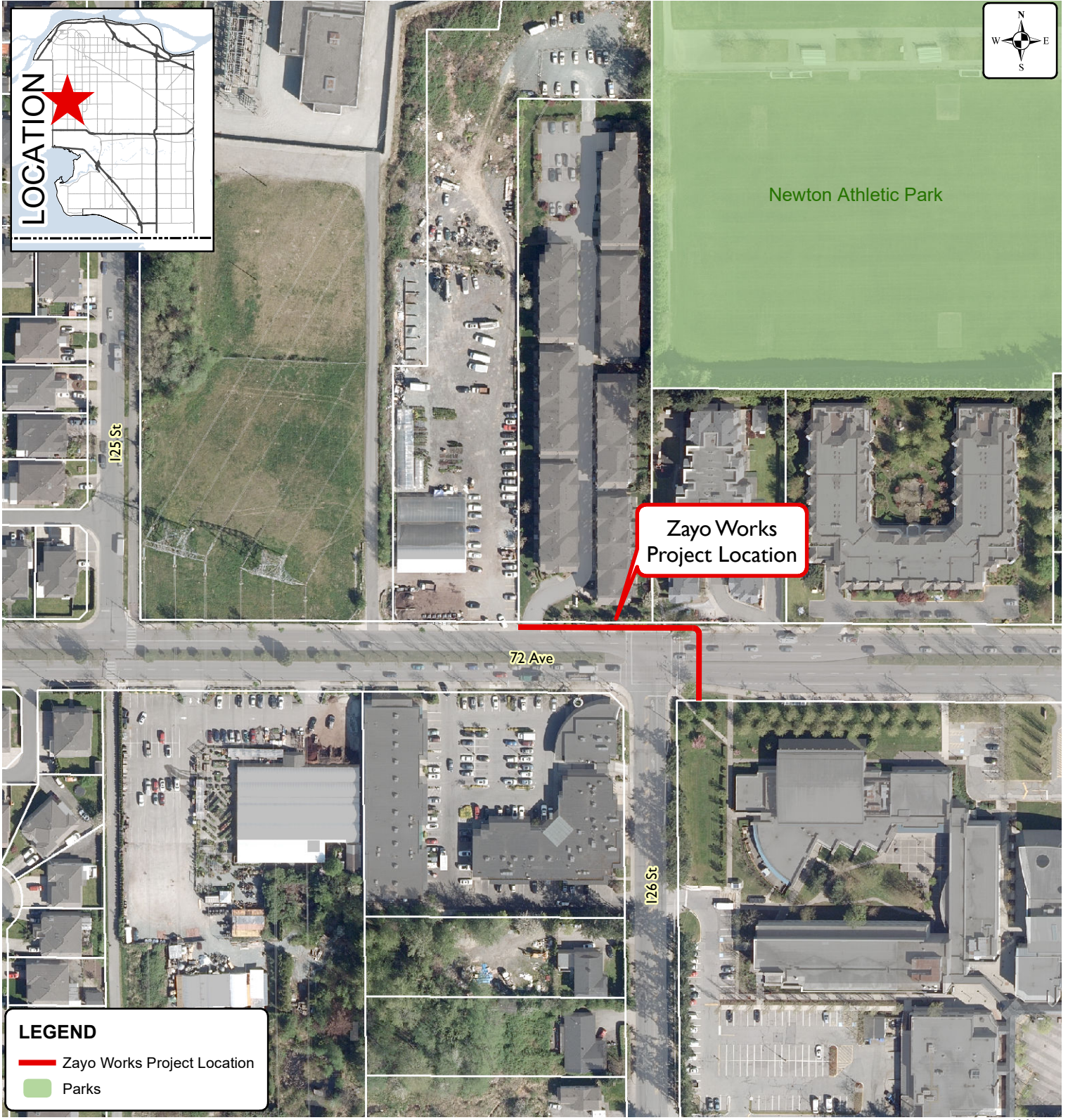
Fraser Smith, P.Eng., MBA
General Manager, Engineering

SSL/ggg/jma

Appendix "I": Map of Location of Zayo Works at 72 Avenue and 126 Street

Appendix "II": Map of Location of Zayo Works on 124 Street between 76 Avenue and 78 Avenue

AERIAL PHOTOGRAPH OF SITE APPENDIX "I"



Produced by GIS Section: 19-Nov-2018, C9W

Date of Aerial Photograph: April 27, 2018

Scale: 1:2,000

0 10 M



Location of Zayo Works at 72 Avenue and 126 Street

ENGINEERING DEPARTMENT

The data provided is compiled from various sources and IS NOT warranted as to its accuracy or sufficiency by the City of Surrey. This information is provided for information and convenience purposes only. Lot sizes, Legal descriptions and encumbrances must be confirmed at the Land Title Office.

Source: G:\MAPPING\GIS\Maps\CorporateReps\Utility\CW_ZayoWorks_API.mxd

AERIAL PHOTOGRAPH OF SITE APPENDIX "II"



Produced by GIS Section: 19-Nov-2018, C9W

Date of Aerial Photograph: April 27, 2018

Scale: 1:2,500 0 20 M



Location of Zayo Works on 124 Street between 76 Avenue and 78 Avenue

ENGINEERING
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