



Agenda Item:

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## COUNCIL COMMUNICATION City Manager's Office

### GENERAL INFORMATION

Agenda Date: 5/17/04

No.: 04-237

Agenda Item Type: Resolution

No.:

Communication

Roll Call

Submitted by: Donald M. Tripp, Park and Recreation Director

### SUBJECT—

Approving and authorizing execution of amended and substituted license agreement with Qwest Corporation for telecommunications cabinet on city firestation property at 1727 East Walnut Street.

### SYNOPSIS—

The License Agreement adopted by City Council on April 8, 2002 has been amended and a new License Agreement executed regarding the use of City property located in the vicinity of 1727 East Walnut Street. The new License Agreement has been prepared by City Legal and executed by Qwest Corp. and will replace the previously executed agreement. The legal description has been changed at Qwest's request. Remaining terms and conditions of the amended agreement are substantially the same as the previous agreement. The agreement maintains a twenty year term and will expire on April 8, 2022.

### FISCAL IMPACT—

\$3,000 was previously paid for the 20-year term. No additional compensation will be paid to the City under the amended agreement.

### RECOMMENDATION—

Approval.

**BACKGROUND—**

On April 8, 2002, pursuant to City Council Roll Call No. 02-907, the City executed and issued a License Agreement authorizing Qwest to remove an existing telecommunications cabinet and concrete pad from the Licensed Area situated on City property at 1727 East Walnut Street, and to construct a new telecommunications cabinet not to exceed 60"x30"x 50" and a new 5'x5'x4" concrete pad thereon, and to connect wires and cables to said new telecommunications cabinet. Upon completion of the project and review of the documents, Qwest Corp. requested a revision to the legal description. This amended license agreement includes the revised legal description and supersedes the previous agreement.