

CORPORATE REPORT

NO: R047 COUNCIL DATE: March 14, 2011

REGULAR COUNCIL

TO: Mayor & Council DATE: March 9, 2011

FROM: General Manager, Engineering FILE: 5450-30 (Rogers)

SUBJECT: License Agreement with Rogers Communications Inc. for Use of Road

Allowance

RECOMMENDATION

The Engineering Department recommends that Council authorize the appropriate City officials to execute a license agreement with Rogers Communications Inc. ("Rogers") that will act to grant Rogers a non-exclusive right to install, operate and maintain telecommunications infrastructure for a 10-year period within the road allowance at the northwest corner of Highway 10 (56 Avenue) and 148 Street in Surrey as illustrated in Appendix I attached to this report.

BACKGROUND

Rogers has approached the City for permission to install, operate and maintain underground electrical and fibre optic cables and aboveground cabinets on a concrete pad within the road allowance at the northwest corner of Highway 10 (56 Avenue) and 148 Street as illustrated in Appendix I. This infrastructure will allow Rogers to expand its wireless communications capacity and to support the longer term expansion of their customer base in Surrey. To proceed with this project, Rogers must enter into a license agreement with the City for the use of the road allowance.

DISCUSSION

The City has entered into similar site-specific license agreements in the past with Rogers and other telecommunications carriers including Allstream, AT&T, Bell Canada, and Bell Mobility. The proposed agreement is consistent with the FCM National Telecommunication Handbook and Access Agreement template. In accordance with the template, the City will receive payment for administration and costs in return for granting Rogers permission for such use of its road allowance.

Due to the prominent location of the proposed cabinets, Rogers will be required to coordinate with the City's Civic Beautification Coordinator the decorative wrapping of the utility cabinets. Rogers will be required to pay for the costs of installation and maintenance of the decorative wraps.

Legal Services has reviewed the proposed agreement and has no concerns.

SUSTAINABILITY CONSIDERATIONS

The proposed works support the City's Sustainability Charter in relation to the following goals:

- EC2: Economic Development Strategy and an Employment Land Strategy by providing expanded communications capacity and coverage in the City to serve businesses and residents.
- EN8: Sustainable Engineering Standards and Practices by minimizing environmental impacts during construction.

CONCLUSION

Based on the above discussion, it is recommended that Council authorize the appropriate City officials to execute a license agreement with Rogers that will act to grant Rogers a non-exclusive right to install, operate and maintain telecommunications infrastructure for a 10-year period within the road allowance at the northwest corner of Highway 10 (56 Avenue) and 148 Street in Surrey as illustrated in Appendix I attached to this report.

Vincent Lalonde, P.Eng. General Manager, Engineering

SSL/brb

Appendix I - Map of Location of Rogers Works

g:\wp-docs\2011\admin\cr\03011305sl (md).doc BRB 3/10/11 10:39 AM

APPENDIX I **AERIAL PHOTOGRAPH OF SITE** OCATION 5621 148 ST LOCATION OF ROGERS WORKS HIGHWAY 10 (56 AVE) 67 Legend Location of Rogers Works



Date of Aerial Photography: May 2010



LOCATION OF ROGERS WORKS

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. G:MAPPING\GIS\MAPS\
CORPORATE REPORTS\LandDevelopment\
AW_Hwy10-148ST_Rogers_Works_AP.mxd