

NO: **R171**

COUNCIL DATE: **July 23, 2012**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **July 18, 2012**

FROM: **General Manager, Engineering**

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

SUBJECT: **License Agreement with Rogers Communications Partnership for Use of Road Allowance**

RECOMMENDATION

The Engineering Department recommends that Council authorize the Mayor and the City Clerk to execute a license agreement with Rogers Communications Partnership (“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 17th Avenue road allowance east of 128th Street as illustrated on Appendix I attached to this report.

BACKGROUND

Rogers has approached the City for permission to install, operate and maintain underground fibre optic cables within the 17th Avenue road allowance east of 128th Street as illustrated in Appendix I. This infrastructure will allow Rogers to provide telecommunication services to the business at 1680 – 128 Street. Prior to such an installation 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 with other telecommunications carriers including A2B, 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 causal costs for granting Rogers permission to use the road allowance.

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

SUSTAINABILITY CONSIDERATIONS

The expansion of telecommunications infrastructure that is contemplated by Rogers will assist in achieving the objectives of the City's Sustainability Charter; more particularly the following:

- EC2: Economic Development Strategy and an Employment Land Strategy – The proposed infrastructure will provide expanded communications capacity for businesses in support of economic development in Surrey; and
- EN8: Sustainable Engineering Standards and Practices – The construction processes that will be utilized will minimize environmental impacts.

CONCLUSION

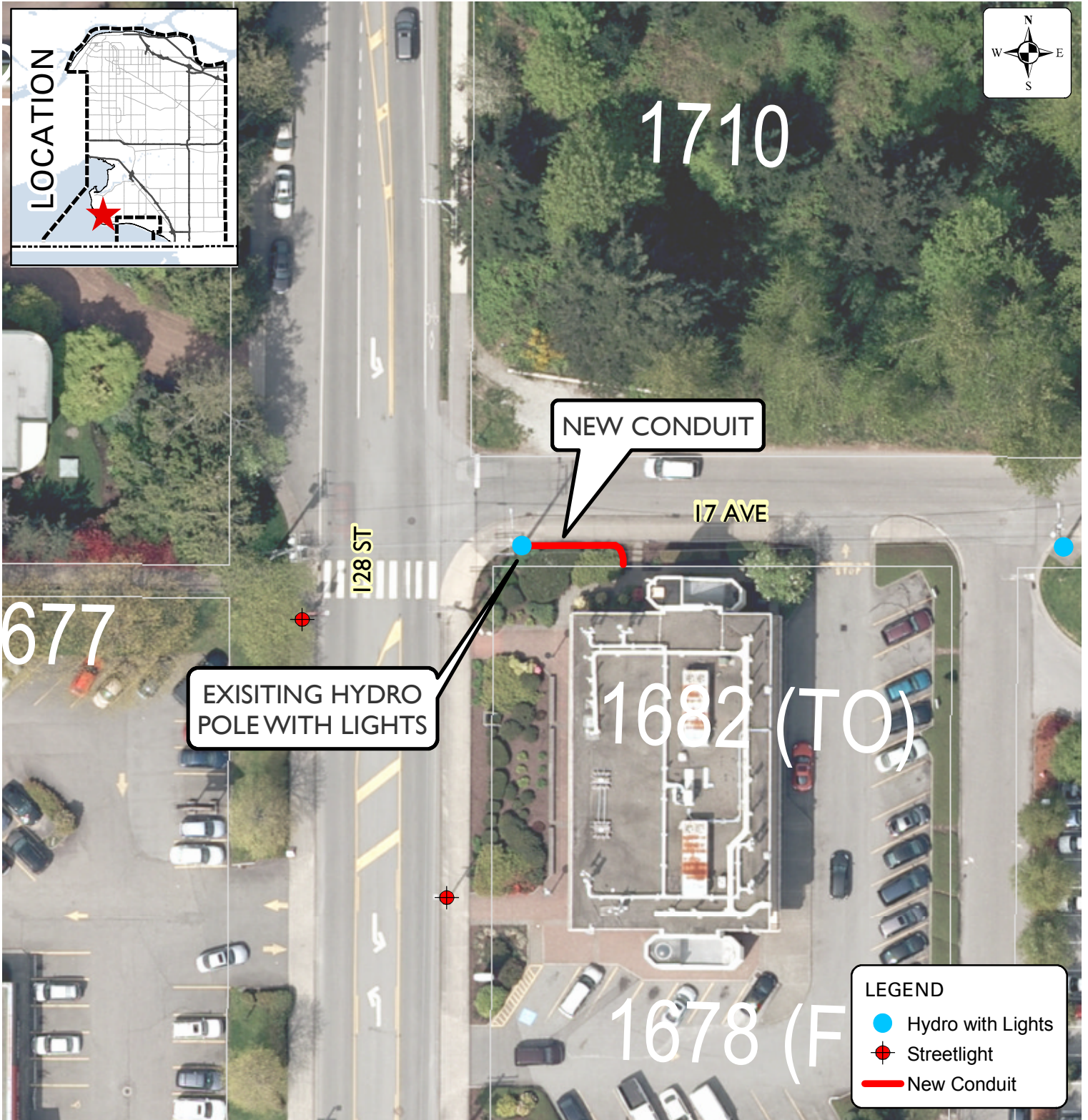
Based on the above discussion, it is recommended that Council authorize the Mayor and the City Clerk to execute a license agreement with Rogers Communications Partnership (“Rogers”) that will act to grant Rogers a non-exclusive right to install, operate and maintain telecommunications infrastructure for a 10-year period within the 17th Avenue road allowance east of 128th Street as illustrated on Appendix I attached to this report.

Vincent Lalonde, P.Eng.
General Manager, Engineering

SSL/brb:kd

Appendix I - Map of Location of Rogers Works - 1680 - 128 Street

APPENDIX I AERIAL PHOTOGRAPH OF SITE



Produced by GIS Section: July 10, 2012, AW8

Date of Aerial Photography: April 2011



**MAP OF LOCATION OF
ROGERS WORKS
1680 - 128 STREET**

**ENGINEERING
DEPARTMENT**