



Legislation Text

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File #: 22-0255, Version: 1

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City of Alexandria, Virginia

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MEMORANDUM

**DATE:** SEPTEMBER 7, 2021

**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

**FROM:** MARK B. JINKS, CITY MANAGER /s/

**DOCKET TITLE:**

Consideration of A Second Amendment to a Five-Year License Agreement dated December 1, 2018, between the City of Alexandria Virginia and Zayo Group, LLC. to Permit Zayo to Install Two Conduit and Fiber Optic Builds (a northern build of approximately 3,201 linear feet and a southern build of approximately 2,978 linear feet) to 701 East Glebe Road in the City of Alexandria's Public Rights-of-Ways.

**ISSUE:** Consideration of a second amendment to an existing Five-Year License Agreement dated December 1, 2018, between the City of Alexandria and Zayo Group, LLC. ("Zayo") to permit Zayo to install two conduit and fiber optic cable builds (a northern build of approximately 3,201 linear feet and a southern build of approximately 2,978 linear feet) for telecommunications services for the Institute of Defense Analyses at 701 East Glebe Road, Alexandria, Virginia.

**RECOMMENDATION:** That City Council:

1. Consider the proposed amendment to the existing License Agreement ("Agreement") with Zayo and set it for public hearing on Saturday, September 18, 2021; and
2. After the public hearing, authorize the City Manager to execute the Second Amendment and to take other actions that are necessary to implement the Second Amendment.

**BACKGROUND AND DISCUSSION:** On December 1, 2018, the City entered into a five year license agreement with Zayo. At this time, Zayo had acquired the conduits and fiber optic cables from Fibergate and has an extensive build throughout the City, as set forth on Exhibits A-K of the Agreement. In sum, Zayo's system runs from Four Mile Run to Commonwealth Avenue to Eisenhower Avenue and Edsall Road. Zayo also has conduits and fiber optic cables along King Street and Beauregard Avenues to Mark Center. They also have installations at the Carlyle Development, including Courthouse Square.

In July 2020, City Council approved an amendment to the Agreement permitting Zayo to install an additional

small build of 66 feet to provide telecommunication services to the Patent and Trademark Office.

By this second amendment to the Agreement, Zayo is seeking to install two builds of conduit and fiber optic cables to provide telecommunications services at the new Institute for Defense Analyses (“IDA”) Building located at 701 East Glebe Road. The City has a contract to buy IDA’s existing building at 4850 Mark Center Drive to house the Department of Community and Human Services (DCHS), the Alexandria Health Department, and some Neighborhood Health Service operations.

The proposed Northern Build is approximately 3,201 liner feet and the route is:

The proposed route begins at an existing Zayo handhole located at the intersection of East Reed Avenue and Richmond Highway. The route continues east across Richmond Highway to Potomac Avenue and then proceeds south towards East Glebe Road and proceeds west to connect one conduit and fiber optic cables to an existing manhole at the intersection of East Glebe Road and Dogue Street. At this location a combination of directional drilling and open trench will be used to install three conduits with fiber optic cables and five handholes will be installed to connect the system.

The proposed Southern Build is approximately 2,978 linear feet and the route is:

The proposed route begins at an existing Zayo handhole located on the west side of Commonwealth Avenue (south of West Reed Street) and continues south to East Glebe Road. From East Glebe Road it proceeds east crossing Richmond Highway to connect one conduit and fiber optic cable to an existing communication manhole at the intersection of East Glebe Road and Main Line Boulevard. A combination of directional drilling and open trenching will be performed at this location to install three conduits and fiber optic cable with six (6) handholes to connect the system.

The City is currently discussing with Zayo the possibility of Zayo providing conduit for use by the City along the two proposed builds.

**FISCAL IMPACT:** Zayo will be required to pay to the City right-of-way fees of \$1.60 per access line as of July 1, 2021, based on its existing Agreement with the City. In the past, those fees have been approximately \$368 per year.

**ATTACHMENTS:**

1. Second Amendment to the License Agreement with Map
2. Map of Proposed Northern and Southern Builds
3. Current License Agreement between the City of Alexandria, Virginia and Zayo Group, LLC, dated December 1, 2018.

**STAFF:**

Joanna Anderson, City Attorney

Karen Snow, Senior Assistant City Attorney

Emily A. Baker, Deputy City Manager

Yon Lambert, Director, Department of Transportation and Environmental Services

Lalit Sharma, P.E., Deputy Director, Transportation and Environmental Services, DROW