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Staff Report for a Resolution Approving an Agreement with Conterra Wireless Broadband, LLC to Lease City-Fibers for the San Leandro Unified School District

SUMMARY AND RECOMMENDATIONS

Staff recommends that the City Council approve a resolution authorizing the City Manager to execute an agreement with Conterra Wireless Broadband, LLC to lease City-owned fibers for use by the San Leandro Unified School District. The value of this agreement is \$1,764 to be paid annually to the City of San Leandro.

BACKGROUND

The City of San Leandro has previously approved an agreement with the San Leandro Unified School District to lease, at no cost, fiber strands within the Lit San Leandro fiber loop. The proposed agreement is separate and would allow Conterra Wireless Broadband, LLC, SLUSD's fiber optics installation contractor, to lease additional City-owned fiber strands to connect SLUSD's District Office to their leased office space in San Leandro City Hall.

Analysis

In January 2015 the City of San Leandro approved an agreement with the San Leandro Unified School District to lease, at no cost to SLUSD, City-owned fiber strands within the Lit San Leandro fiber loop to connect all of their schools and sites with high speed fiber optic cables. SLUSD later issued a Request for Proposal (RFP) to complete this project. The contract was awarded to Conterra Wireless Broadband, LLC.

Separately, the San Leandro Unified School District leases office space at San Leandro City Hall. The challenge for the SLUSD fiber project is that the Lit San Leandro fiber loop does not physically extend to San Leandro City Hall. Therefore, it cannot connect its leased office space to its network using the Lit San Leandro fiber loop.

In April 2015, in a separate and unrelated action, the San Leandro City Council approved a project to construct a new fiber connection from San Leandro City Hall to the San Leandro Main Library. This fiber connection uses conduit and fiber cabling owned entirely by the City, wholly separate from Lit San Leandro. Lit San Leandro and the City-owned fiber bundle intersect at the San Leandro Main Library.

This agreement will allow Conterra Wireless Broadband, LLC to lease City-owned dark fiber strands in this new connection from San Leandro City Hall to the San Leandro Main Library to connect SLUSD's leased office space at City Hall to its fiber strands in the Lit San Leandro loop. A fair market value for City-owned fiber strands was established to be \$0.03 per foot per strand per month. As the connection requires two strands at a total ground level distance of 2,450 feet, the value of this connection is \$1,764 per year.

Staff has identified two dark fiber strands that can be used for this purpose. It should be noted however, that these two fiber strands will no longer be available for use by the City in any capacity.

Previous City Council Actions

- On January 5, 2015, by Resolution No. 2015-005, the City Council approved a Fiber License Agreement with San Leandro Unified School District (SLUSD) for exclusive access to and use of City-owned fiber optic strands.
- On April 20, 2015, by Resolution No. 2015-082, the City Council awarded a construction contract to All Phase Excavation & Construction, Inc. in the amount of \$62,990.00 for the Fiber Loop City Hall to Main Library Project, Project No. 2013.0270 and appropriated \$30,000.00 from the General Fund Economic Uncertainty Reserves for the project.

Legal Analysis

The City Attorney's office has reviewed and approved the lease agreement.

Fiscal Impacts

This agreement will generate \$1,764 per year in new revenues for the City of San Leandro, with the price increasing each year per the terms of the contract, for the duration of the agreement. The City will not incur any additional cost associated with this agreement.

ATTACHMENT

- Fiber License Agreement Between City of San Leandro and Conterra Wireless Broadband, LLC for Access to City Dark Fiber Network Between City of San Leandro City Hall and San Leandro Main Library

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