

To: City Council

From: Jonathan Reichental
Chief Information Officer

Date: August 11, 2014

Re: Consent Agenda Item #6 — Approval of a Master Network Hut License Agreement with Google Fiber (ID #4726)

The Consent Agenda Item #6 – Approval of a Master Network Hut License Agreement with Google Fiber (ID #4726) contains an error. Below is the needed correction to Exhibit A, on page 8:

(2) Term

Current:

The initial term of the Hut License Agreement is twenty (20) years from the effective date. Following the initial term, the proposed agreement will renew for successive two (2) year periods unless the City provides Google with written notice that it does wish to renew the agreement. Section 7 of the City’s Charter limits the overall term for any lease of City-owned land to a maximum term of fifty (50) years. In order to implement this Charter provision, the 50 year term limitation will be incorporated into the site specific provisions applicable to any site selected for purposes of a Fiber Hut.

Revised:

The initial term of the Hut License Agreement is twenty (20) years from the effective date. Following the initial term, the proposed agreement will renew for successive two (2) year periods unless the City provides Google with written notice that it does **not** wish to renew the agreement. Section 7 of the City’s Charter limits the overall term for any lease of City-owned land to a maximum term of fifty (50) years. In order to implement this Charter provision, the 50 year term limitation will be incorporated into the site specific provisions applicable to any site selected for purposes of a Fiber Hut.

Except as noted here, all other elements of Staff Report ID #4726, including all exhibits thereto are unchanged.

James Keene
City Manager