



CITY OF VANCOUVER

ADMINISTRATIVE REPORT

Report Date: November 24, 2006
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RTS No.: 06396
VanRIMS No.: 06-3200-10
Meeting Date: December 12, 2006

TO: Vancouver City Council
FROM: General Manager of Engineering Services
SUBJECT: Interim Site-Specific Municipal Access Agreement - Bell Canada

RECOMMENDATION

- A. THAT the General Manager of Engineering Services and Director of Legal Services be authorized to conclude negotiations, and execute and deliver a legal agreement with Bell Canada to permit it to extend its telecommunications network under City streets at the seven locations identified and on terms and conditions generally as described in this report, and such other terms and conditions satisfactory to the General Manager of Engineering Services and Director of Legal Services.
- B. THAT no legal rights or obligations will arise or be created by Council's adoption of Recommendation A unless and until all legal documentation has been executed and delivered by the respective parties.

GENERAL MANAGER'S COMMENTS

The General Manager of Engineering Services RECOMMENDS approval of A and B.

COUNCIL POLICY

Where Council's pre-existing standing authority for the execution of contracts by City staff is not applicable, specific Council authorization is required.

PURPOSE

This report seeks Council approval for staff to negotiate and execute an agreement with Bell Canada to allow them to build additions to their telecommunications network, on or under City streets, at the seven specified locations within the City of Vancouver.

BACKGROUND

Bell Canada (Bell) is the nation's largest telecom company. While the majority of its operations are in Ontario and Quebec, the company is expanding in Western Canada and is a corporate sponsor for the 2010 Olympics. The company already has a significant network in Vancouver, acquired by purchasing the assets of two companies that previously had Municipal Access Agreements (MAA) in the City of Vancouver; GT Group Telecom Networks Inc. and 360networks Canada Ltd.

City of Vancouver staff has recently prepared a utility bylaw to regulate all utilities in City streets. A draft of this bylaw was presented to Council on September 26, 2006, seeking Council authority to have it circulated to the industry for comment, which was approved and the process is underway. The expected enactment date for this bylaw is spring 2007.

In the meantime, it is still necessary for the City to grant access to utility companies to City streets in a timely manner. Until City Council approves a long term policy for access to City streets by utility companies, interim agreements are entered into for specific locations, as and when required.

The most recent site-specific MAA between the City and Bell Canada was authorized by Council in July 2006.

DISCUSSION

Bell is planning new civil works within the City streets for which they require an interim MAA, which requires approval of Council.

At this time, Bell has seven locations for which permission is sought to construct:

<u>Location</u>	<u>Length (m)</u>
1. Cambie St @ W. 12th Ave	7
2. Tisdall St @ W. 41st Ave	67
3. Baillie St @ W. 45th Ave	115
4. W. Georgia St @ Richards St	68
5. Thurlow St @ Alberni St	41

6. Euclid Street @ Joyce Street	134
7. Euclid Street west of Joyce Street	132

The terms of this interim MAA would be substantially the same as interim MAAs that have been signed with a number of telecom companies, which include the following terms:

- City to approve the location and design of installations as it affects other utilities
- Bell to pay City costs for inspection, lost parking meter revenue, traffic signing and pavement/sidewalk repairs to City standards
- Bell to provide as-built information for their new facilities
- Bell to release and indemnify the City to the satisfaction of the Director of Legal Services
- Agreement may be terminated by either party on 180 days notice

FINANCIAL IMPLICATIONS

There are no financial implications.

CONCLUSION

Staff recommends that Council authorize the City to enter into a site-specific interim MAA with Bell Canada for expansions to their telecommunications network, on or under City streets, in the seven locations identified and as generally described in this report.

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