

CITY OF NORTH SALT LAKE  
CITY COUNCIL MEETING-SPECIAL SESSION  
JUNE 29, 2021

**FINAL**

Mayor Arave called the meeting to order at 6:05 p.m.

PRESENT: Mayor Len Arave  
Council Member Lisa Watts Baskin  
Council Member Natalie Gordon  
Council Member Brian Horrocks  
Council Member Ryan Mumford  
Council Member Stan Porter

STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; David Frandsen, Public Works Director; Janice Larsen, Finance Director; Craig Black, Police Chief; Todd Godfrey; City Attorney; Linda Horrocks, City Recorder; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Via Zoom: Rachel Butterfield; Jacob Brace, Google Fiber Utah, LLC.

1. CONSIDERATION OF RESOLUTION 2021-24R: A RESOLUTION APPROVING AGREEMENT 2021-22A, A NON-EXCLUSIVE LICENSE AGREEMENT BETWEEN THE CITY OF NORTH SALT LAKE AND GOOGLE FIBER UTAH, LLC FOR THE INSTALLATION OF NETWORK FACILITIES IN THE CITY PUBLIC RIGHT-OF-WAY

Ken Leetham reported that City staff worked with representatives of Google Fiber Utah on concerns related to construction methodology and the impact of this project on the public streets system. He said Google Fiber Utah had agreed to abide by the City's adopted restrictions that prohibited road cuts on streets that were new or recently reconstructed for three-to-five years, dependent on the ordinance. The City would provide a list of streets that should not be disturbed, and in those cases, the cable would be placed within public park strips. He felt that over time this would help to reduce the number of road cuts.

Ken Leetham explained that one area of fiscal impact for the City would be to have inspection services during the time when Google Fiber was installing their system. He said that Google Fiber made this suggestion and City staff felt it was the right thing to do. Staff would bring further information and a proposal for inspection services to the City Council at a later date. He said the construction period would be approximately six-to-nine months and that this service could be paid with funds generated by this project, including a licensing fee, in exchange for the use of the City's rights-of-way. Mr. Leetham explained that as those funds would not be available immediately that the City could use a fund balance, cash reserves, or possibly

American Rescue Plan (ARP) funds. The City could then be reimbursed when the licensing fees became available. He said the agreement and resolution were reviewed by the City Attorney as was similar to other agreements between Google Fiber and other communities along the Wasatch Front.

Jacob Brace, Google Fiber Utah, thanked City staff and said they were excited to be part of the City.

Council Member Gordon asked for more information on ARP funds. Ken Leetham replied that these funds were related to COVID and the City would be receiving approximately \$2.6 million dollars from the Federal Government.

**Council Member Porter moved to adopt Resolution 2021-24R: a resolution of the City Council of the City of North Salt Lake approving a non-exclusive license agreement between the City of North Salt Lake and Google Fiber Utah, LLC for the installation of network facilities in the City public right-of-way. Council Member Gordon seconded the motion. The motion was approved by Council Members Baskin, Gordon, Horrocks, Mumford and Porter.**

Ken Leetham reported that a deadline was approaching on the American Rescue Plan and commented that he would be requesting the first half of the funding.

Council Member Baskin asked for confirmation on the proposed funding amount. Ken Leetham replied that it would be approximately \$2.6 million with the first half available now. He said the second half of the funds would be available next year.

Mayor Arave commented that the funds had to be utilized by 2026.

Council Member Baskin asked how the process would work and if it would be allocated like a regular budget. Ken Leetham responded that staff had not made any proposals to the City Council about the use of the ARP funds. He anticipated that staff would review the rules for how the funds could be used and added that fairly strict direction and guidelines had been provided by the Governor's office and the legislature about these funds. Funds had already been set aside by the State of Utah for their ARP funds. This funding would potentially be used for matching funds for cities to build infrastructure, particularly water projects.

Council Member Baskin asked how these funds would interact with the project proposed by Google Fiber. Ken Leetham explained that one of the authorized uses of the ARP funds was the expansion of infrastructure related to fiber networks. He said staff would review the possibility of using these funds for the inspection services related to the construction.

Council Member Baskin clarified that the City Council had not yet decided on the use of the ARP funds and that the motion was for approval of the non-exclusive contract with Google Fiber, LLC. Ken Leetham replied affirmatively. He said the inspection services would come back before the Council for additional approval in the future.

Council Member Baskin said the contract stated that the public easements could be utilized for fiber. She asked why other utilities were not placed in the public easements/park strips rather than in the roads. Ken Leetham responded that there were advantages and disadvantages to installing in the park strip. He said the road was a convenient location.

Paul Ottoson stated that if the park strips were utilized, contractors would have to deal with a concrete driveway approach every 60 feet which was more difficult to work with. He explained that Google Fiber would install fiber via micro trenching that creates a one- to two-inch-wide trench twelve inches deep. Mr. Ottoson said while they could utilize the park strips, they would have to deal with the driveways and sprinkler systems.

Council Member Baskin commented that the images showing completed micro trenching appeared to be a little bit messy. Ken Leetham replied that this was also staff's concern. He said staff would work with Google Fiber throughout the project through permitting meetings and pre-planning.

Mayor Arave said that as chip seals and overlays were applied to the roads that the trenching would no longer be visible.

Council Member Gordon questioned if the City should postpone planned road improvements until after the fiber install. Ken Leetham said staff would work with Google Fiber on upcoming projects, such as Eaglewood Loop, to ensure the conduit was installed prior to paving.

Mayor Arave asked when the City would need to apply for those funds. Ken Leetham replied that the deadline was July 11<sup>th</sup>. He said that further discussion would occur at the next City Council meeting on July 6<sup>th</sup>.

## 2. ADJOURN

Mayor Arave adjourned the meeting at 6:21 p.m.

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*The foregoing was approved by the City Council of the City of North Salt Lake on Tuesday July 20, 2021 by unanimous vote of all members present.*

  
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Linda Horrocks, City Recorder