



MEMORANDUM

To: City of Seguin Mayor and Council
From: Andy Quittner, City Attorney *AQ*
Date: July 9, 2019
Re: Resolution approving Pole Attachment Agreement with Zayo Group, LLC.

In November 2017, the City Council approved a uniform Pole Attachment Agreement to be used by various telecommunications companies desiring to place attachments on City utility poles.

Zayo Group has contacted the City requesting to place communication attachments on some city utility poles. They have executed the City's Pole Attachment Agreement and have talked with the Electric Utility for their input. Clarence Smith, Director of Electric Utilities, has reviewed their application and talked to them about their business plan. The Electric Utility approves of their use and can accommodate their requests.

The City will receive a minimal annual income of \$5.28 per attachment from Zayo Group, LLC based on the number of attachments made to city utility poles. In 2015, the rate was set by the Texas Legislature, and is regulated by the FCC as well. The calculation is shown on the attached Seguin fee sheet.

Staff recommends that the Agreement be approved.