



128 S Main St.
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City of Condon Regular Council Meeting Minutes Wednesday, November 21, 2018 12:00 PM

1. CALL SPECIAL MEETING TO ORDER

Council President Donald Jamieson called the meeting to order at 12 noon.

2. ROLL CALL

Present: Councilors Donald Jamieson, Boyd Harris, Tom Fatland, Michael Cronk & Carol Harrison.

Staff present: City Administrator Kathryn Greiner & Consultant Adam Haas (telephone)

Absent: Mayor Jim Hassing and Councilor Jan Stinchfield



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3. Discuss & Approve City of Condon/Columbia Basin Electric Cooperative Memorandum of Understanding for Dark Fiber Agreement

Haas explained that Tommy Wolff, Columbia Basin Electric Cooperative (CBEC) CEO/General Manager, presented terms of the fiber agreement that will go with the proposed fiber agreement between the city and CBEC. There were 10 points and Haas went through them for the council.

Term #1 - The fiber use agreement proposed by the City's telecom attorneys was accepted by CBEC. Haas explained that CBEC originally wanted an Indefeasible Right of Use (IRU) but the city's telecom attorneys noted that to project the City and to make the terms much less complicated a use agreement was completed.

Term #2 & 3 - CBEC will not pay a Non-Recurring Cost (NRC) and will pay the city's entire Monthly Recurring Cost (MRC) of \$2,000. The original proposal was to have CBEC pay \$300,000 NRC and \$1,333 per month of MRC. Over the 20 year contract of the City and Inland Development for the dark fiber, and if the options of two five-year terms are completed, CBEC will pay approximately \$240,000 at the \$667 a month city cost. CA Greiner noted that any other leases will be a return on the original investment.

Term #4 - CBEC has agreed to reimburse the cost of the 14 vaults from Inland Development along the route required by their plan, and the City will have access to those vaults if needed. Any additional costs for the City to split off at the vaults will cover the incremental cost.

Term #5 - CBEC will supply a secure fenced space at its Condon yard north of City limits on Cottonwood Road that will include a generator.

Term #6 - Agreed that CBEC will provide a Carrier Neutral Communication Shelter (CNTS) with certain specifications at their yard on Cottonwood Road North of Condon City limits. CBEC will spend a minimum of \$65,000 on the CNTS and will hire an engineer to design the facility, plus the City will have access to the plans prior to construction. Councilor Fatland asked for clarification of the NRC and was told by Haas that CBEC has agreed not to charge users of the City's dark fiber a NRC but they will charge a monthly rack charge mutually agreed upon industry standards. The City will draft a co-location agreement to use the CNTS to maintain the City's priority of carrier neutral.

Term #7 - Both parties commit to provide redundancy to the extent possible without any MRC to the other party. Any NRC charge required to establish or maintain this redundancy is to be at the cost without mark-up.

Term #8 - The city will propose language for the collocation lease agreement governing the access to the CNTS.

Term #9 - This term on the original term sheet is unnecessary as it was offering maintenance and that is covered in the City's agreement with Inland Development.

A motion was made by Councilor Fatland to approve the terms of the Memorandum of Understanding with Columbia Electric Cooperative. The motion was seconded by Councilor Harrison and approved unanimously.

Haas stated that he is in discussion with Wolff of CBEC regarding the second CNTS at Arlington as it would be beneficial to have them operate both shelters. Haas said that he encouraged Wolff to look at the Arlington TV Cooperative property as an option. Lori Anderson, CBEC Director stated that the MOU still maintains CBEC's strategic plan within the county and their service territory. She thanked the council for working toward this end. Councilor Jamieson stated that Gilliam County may also be interested in the vaults and the CNTS with Anderson stating that Wolff has arranged a meeting with the Gilliam County Judge-elect Elizabeth Farrar for discussion.

Term #10 - Initial term of the Fiber Use Agreement will be 20 years and CBEC has requested the option of the two 5 year terms that is in the City's IRU with Inland Development.

3.1. Draft Memorandum of Understanding CBEC & City of Condon

This item was to allow the attachment of the draft MOU.



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4. ADJOURN REGULAR MEETING

Meeting was adjourned by 12:28 p.m.

Jim Hassing, Mayor

Date

ATTEST: _____
Kathryn Greiner City Administrator

Date