



Office of the Town Manager

Tommy Cureton

STAFF REPORT

Warrenton Town Council

Carter Nevill, Mayor

Heather Sutphin, Ward 1

William Semple, Ward 2

Brett Hamby, Ward 3

James Hartman, Ward 4 Vice Mayor

Jay Heroux, Ward 5

Paul Mooney, At Large

David McGuire, At Large

Council Meeting Date:	March 14, 2023
Agenda Title:	Roadway Maintenance
Requested Action:	Public Hearing for Glo Fiber Agreement
Department / Agency Lead:	Public Works and Utilities and Town Attorney
Staff Lead:	Frank Cassidy

EXECUTIVE SUMMARY

The Town has received a request from Glo Fiber to install fiber lines within our right of ways. This is standard procedure for utility providers to access and conduct work within Town right of ways.

This is in line with the Plan 2040 as follows:

CF-6: Identify telecommunications facility locations to ensure a broad range of communications services that also represent character and viewsheds of the Town.

BACKGROUND

The Town received a request and a proposed agreement from Glo Fiber to install fiber within the Town right of ways. The process is outlined in State Code as Well as Town Code:

Per [Va. Code § 15.2-2101](#):

§ 15.2-2101. Ordinance proposing grant of franchise, etc., to be advertised.

A. Before granting any franchise, privilege, lease or right of any kind to use any public property described in § 15.2-2100 or easement of any description, for a term in excess of five years, except in the case of and for a trunk railway, the city or town proposing to make the grant shall advertise a descriptive notice of the ordinance proposing to make the grant once a week for two successive weeks in a newspaper having general circulation in the city or town. The descriptive notice of the ordinance may also be advertised as many times in such other newspaper or newspapers, published outside the city, town or Commonwealth, as the council may determine. The advertisement shall include a statement that a copy of the full text of the ordinance is on file in the office of the clerk of the city or town council.

B. The advertisement shall invite bids for the franchise, privilege, lease or right proposed to be granted in the ordinance. The bids shall be in writing and delivered upon the day and hour named in the advertisement and shall be opened in public session and marked for identification by the person

designated in the advertisement to receive such bids. The cost of the required advertisement shall be paid by the city or town which shall be reimbursed by the person to whom the grant is made. The city or town shall have the right to reject any and all bids and shall reserve this right in the advertisement.

The agreement has been reviewed by staff and Town Attorney. As per Town and State Code, a Public Hearing with a bid opening must be held prior to authorizing the implementing the agreement.

STAFF RECOMMENDATION

Staff recommends holding the public hearing and receiving bids. If no other bids are received, the Council should award the franchise. If other bids are received, Staff recommends that Council refer them to the Town Manager for evaluation.

Service Level/Policy Impact

This agreement is in line with Plan 2040. Staff will monitor as per the agreement.

Fiscal Impact

As per the terms of the Agreement

Legal Impact

The attached agreement has been reviewed and is presented; the process for advertising and conducting the Public Hearing is in line with Town Attorney's recommendations and requirements in Town and State Code.

ATTACHMENTS

1. Copy of the proposed agreement.