



Department Source: Law

To: City Council

From: City Manager & Staff

Council Meeting Date: June 21, 2022

Re: Authorizing the City Manager to Enter into Right-of-Way Use Agreements for Communications Facilities with qualified applicants.

## Executive Summary

A resolution has been prepared to approve a form right-of-way use agreement for communications facilities and authorizing the City Manager to execute the agreement with any right-of-way user meeting the criteria set forth in Chapter 24 Article X of the City Code.

## Discussion

City staff has developed a form agreement in order to streamline the application and approval process for new right-of-way users. In 2017, the City Council adopted new public utility right-of-way regulations. The regulations set forth the criteria for use of the right-of-way and require an applicant to obtain authorization to use the right-of-way through execution of a right-of-way agreement. Section 24-167 of the City Code requires the authorization to use the right-of-way to be approved on a non-discriminatory basis, provided the applicant is in compliance with all of the applicable requirements set forth in the Code.

Approval of the form agreement would authorize staff to review the application and, if the applicant meets the criteria established in the City Code, execute the agreement. Any right-of-way user that desires to negotiate terms that are different than those contained in the form agreement would be required to seek individual City Council approval of their right-of-way agreement.

## Fiscal Impact

Short-Term Impact: Not applicable.

Long-Term Impact: Not applicable.

## Strategic & Comprehensive Plan Impact

### [Strategic Plan Impacts:](#)

Primary Impact: Organizational Excellence, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

### [Comprehensive Plan Impacts:](#)

Primary Impact: Land Use & Growth Management, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

## Legislative History

Date	Action
11/20/2017	B214-17 (Ordinance No. 023373): Amended Chapter 24 of the City Code to add a new Article X pertaining to public utility rights-of-way management.

## Suggested Council Action

Adoption of the resolution.