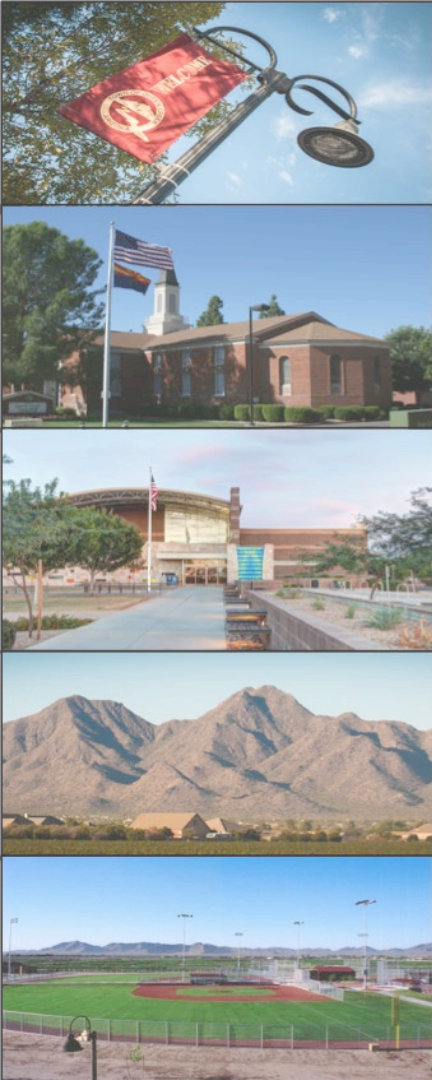


Fiber Infrastructure Agreement with Wyverd Connect LLC

Council Presentation

November 2, 2022



Staff is recommending the approval of a Wired Telecommunications License and Right-of-Way Use Agreement, and Reimbursement Agreement, with Wyyerd Connect, LLC.

Corporate Strategic Plan Priority



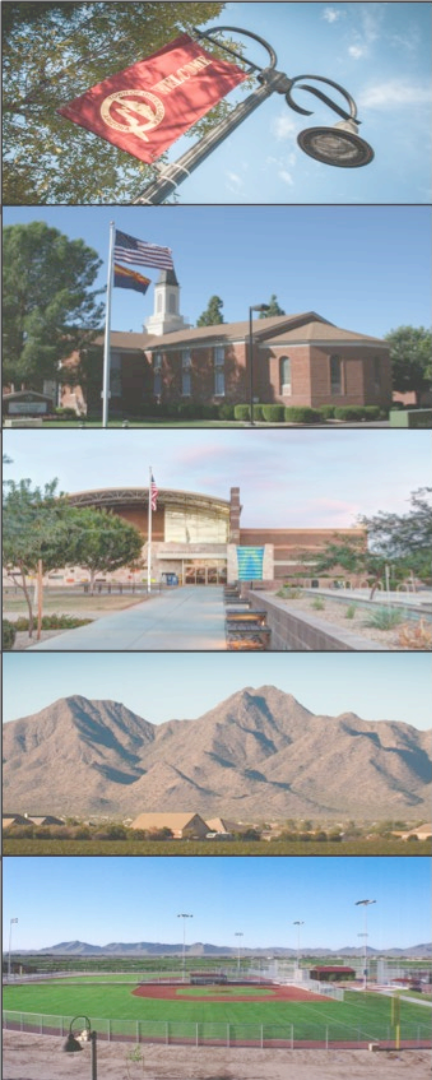
Superior Infrastructure

Technology Objective, 4.7 Continue to work with technology providers to provide services Town wide (cell, internet, fiber, etc).

Background

- Wyyerd Group was founded in 2017 in Colorado.
- Acquired Zona Communications in 2019, an ISP in the West Valley of Arizona since 1995.
- Wyyerd provides fiber internet services.
 - Fiber internet generally provides faster speeds and services than traditional cable internet.
 - Fiber internet tends to be more reliable.
 - Fiber internet tends to be more expensive than cable internet, but costs have been reduced in recent years.
- Wyyerd has established agreements in Arizona in the Cities of Surprise, Mesa, Buckeye, Tempe, Sun City, and El Mirage, as well as with Pinal County. Also currently working with Goodyear and Peoria.

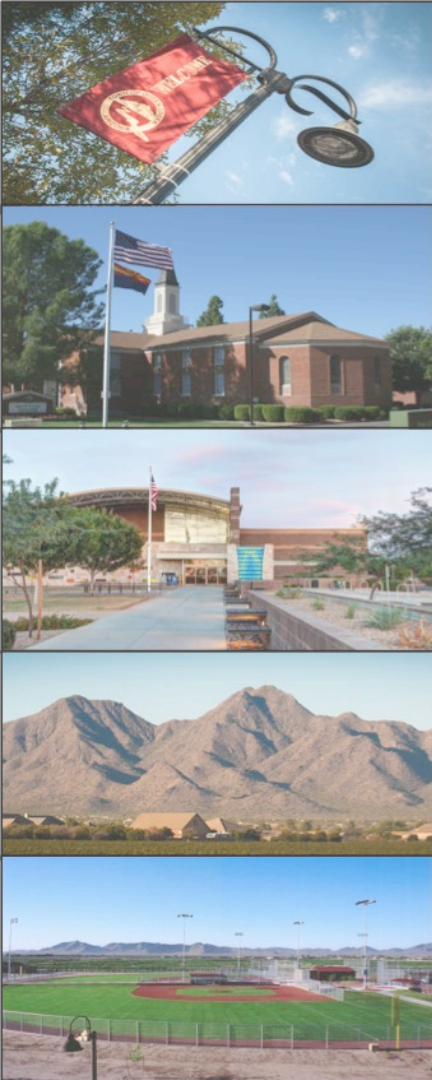




Legal Considerations

- A.R.S. § 9-501(B) allows a telecommunications company to apply for either a license or franchise, but precludes a municipality from requiring a franchise (which requires an election).
- A.R.S. §§ 9-582 and 9-583 allow and limit fees that may be charged, and generally requires that the fees and agreements be “competitively neutral and non-discriminatory.”
- A.R.S. §§ 9-582(C) The Town may also require them to “bear all of the reasonable costs associated with construction, maintenance and operation of its facilities in the public highway used to provide telecommunications services, including bearing reasonable costs associated with damage caused to public highways.”

License Agreement - Neutral Fees - Bear All Costs



Agreement Items

- ✓ Recoup any costs through the agreement for staff time.
 - ✓ Plan Review (2), Inspection (2), Traffic Control, and BlueStake.
- ✓ No right-of-way and related permit fees as long all other costs could be recouped consistent with Cox and CenturyLink (dba Lumen)
- ✓ Prior to start of any work, require a detailed notice plan and how this communication will occur with HOAs and Neighborhoods
- ✓ Require Wyverd to submit for Traffic Control Plans well in advance of the work
- ✓ Require Wyverd to identify the type of trenching that will be imposed (no micro-trenching)

Agreement Items

- ✓ Require an overall phasing map and schedule for the entire installation
- ✓ Require Wyverd to provide assurance, such as a performance bond and indemnification, that continues after the work is completed
- ✓ Require Wyverd to repair and replace Town and resident infrastructure to the same or better condition after work is completed.
- ✓ In areas where it makes sense, request for Wyverd to place Town conduit to complete the Town's fiber map. In return, Wyverd may request to lease conduit from the Town. Once these areas are identified, it will be a future addendum to the agreement.



Pre- Construction and Pothole

Lined out for Blue Stage



A Frame notice



Blue Stake marked

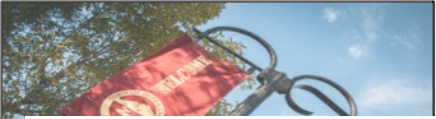


Pothole and Clean up



Construction through existing neighborhood





Duct pull and protection



Location for Flowerpot





Build Strategy

Flower pot between homes



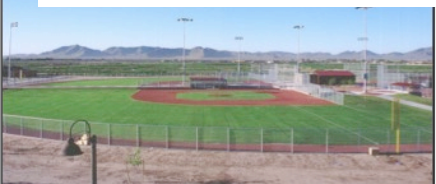
Handhole at the edge
of neighborhood



Completed HH
At the edge
Marks cleaned



Completed HH
Along ROW



Build Strategy Wyverd Comparison

Wyverd HH placement



Flower pot placement comparison



One Cabinet to Serve 10k+ homes



Communication Requirements

Before:

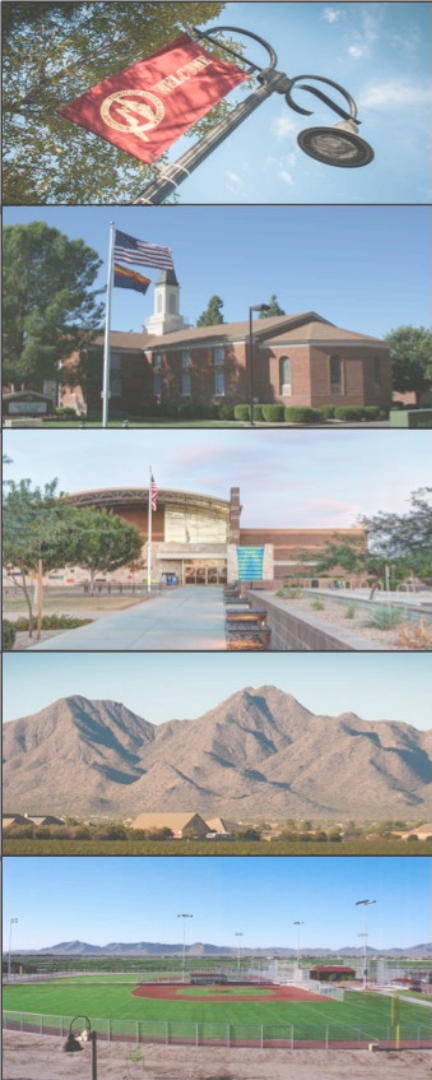
- Within 6 months - Interest survey / postcard
- Concurrent contact with HOA, if applicable
- 1 month – Regulatory and FAQ letter
- 1 week - Construction notice door hanger

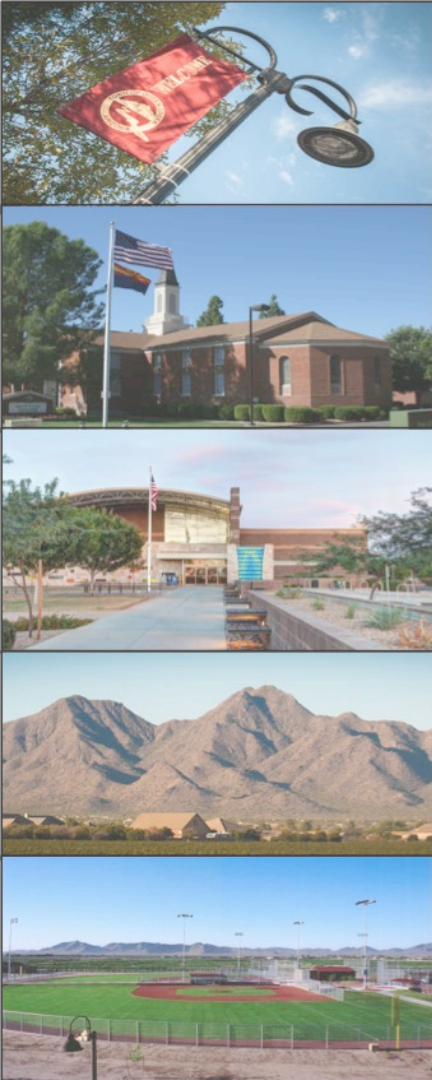
During:

- Dedicated website with dates and neighborhoods
- Option to sign up for email communication
- Contractors - Business cards, A-Frame signs
- Dedicated email *and* phone number for all questions/concerns

After:

- Orange door hanger
- Emails, if opt in
- Letters and postcards sent





Coming To Your Neighborhood Very Soon...

Experience ultra fast fiber internet

[CHECK AVAILABILITY](#)



Internet Service
Available in select communities only

Construction News & Projects

[Click each neighborhood below to view updates](#)

[Lantern \(2/19/2022\)](#)



Bell West Ranch

[Click for Updates](#)



Bell Pointe

[Click for Updates](#)



El Mirage

[Click for Updates](#)



CONSTRUCTION NOTICE

WyYerd is now constructing its fiber-to-the-home network in your neighborhood!

You will see our crews constructing WyYerd's 100% fiber optic network. When our construction is complete you will have access to:

- **Fast Fiber Internet**
- **Fiber Voice Digital Phone Service**

For Construction updates and FAQs visit

[fiber.events](#)

(623) 253-5030

[www.WyYerd.com](#)

Services offered by WyYerd Connect LLC, an affiliate of Zona WyYerd

Hello Neighbor!

In the coming weeks, WyYerd will begin constructing its world class fiber-to-the-home network in your neighborhood. When our construction is complete, you will have access to fast fiber internet and fiber voice digital phone service all while experiencing exceptional customer service from our local team.

The construction and restoration process does not cost homeowners, HOAs, or cities one cent. Our goal is to give neighbors the latest technology for the internet with up to TWO GIGs up and down. Once construction is complete, we hope you will trust us to be your internet provider.

Construction times can vary with weather and other factors. To get notified by email, please visit [www.fiber.events](#) to sign up for emails and see weekly updates.

Here are some frequently asked questions and answers about construction in your neighborhood:

Q Will you be digging in my yard or on my sidewalk?

A. It is possible. All construction will be in the Public Utility Easement, which is from the back of the curb and extends into your front yard. But rest assured, we will fix anything we might have moved in the process. Please take photos of your yard today for reference.

Q What if my sidewalk needs repairs after digging?

A. We replace and restore everything we touch to its original condition. Concrete patches are a 3 step process and will need time to fill, but be reassured every patch will be repaired to original condition.

Q What are the markings or flags on my sidewalk and yard? Do you remove it after construction?

A. The marks on the sidewalk and the flags in your yard are to help the construction crews understand where the existing utilities are. The marking paint is not permanent and is designed to fade away over time.

Q Will it be noisy? What hours will you be working?

A. Please expect a little added traffic noise. A typical work day starts at 7AM and ends at sunset.

Q How long does the construction take per street?

A. Approximately two weeks.

Q How long after you build can I get service to my home?

A. You can get construction notices by signing up for the email list at [www.fiber.events](#), or you can pre-order by visiting [www.WyYerd.com](#).

Thank you for your patience during construction. If you have any questions or concerns, reach us directly via construction.az@wyYerd.com or (623) 253-5030, M-F 7AM - 5PM.

Kind Regards,

The WyYerd Team

Services offered by WyYerd Connect LLC, an affiliate of Zona WyYerd



Construction Team

[623253-5030](tel:6232535030)

construction.az@wyYerd.com

www.fiber.events



Plans starting as low as \$65/mo

Offering simple, easy to control, worry-free managed WiFi

NOW OFFERING 2 GIG FIBER WIFI INTERNET

Unlimited Data • Local Customer Service & Support • No Hidden Fees



WHY RESIDENTS, BUSINESSES, AND COMMUNITIES CHOOSE WYYERD:

- No contracts or promotional pricing
- No strings or promotional pricing
- No long phone service
- Local office ready staff
- Expert technicians during installation
- Award-winning 24/7/365 support

WE WANT TO HEAR FROM YOU! SCAN TO TAKE THE SURVEY



(623) 253-5030 • [WyYerd.com](#)
14275 W. Grand Ave. Suite #102
Scottsdale, AZ 85254

Fiber To Your Home
construction is now complete.





Questions and Comments