

GENERAL

Ordinance Fact Sheet

220370

Ordinance Number

Brief Title

Authorize Franchise Agreement with Google Fiber Missouri, LLC

Approval Deadline

Reason

To authorize execution of a Franchise Agreement granting Google Fiber Missouri, LLC. a non-exclusive 10-year franchise agreement

Details

Reason for Legislation

Authorizing the Director of Public Works to execute a Franchise Agreement with Google Fiber Missouri, LLC. granting a non-exclusive 10-year franchise to own, maintain, operate, and control a fiber optic infrastructure network in Public ROW within territory of the City of Kansas City, Missouri.

Discussion (explain all financial aspects of the proposed legislation, including future implications, any direct/indirect costs, specific account numbers, ordinance references, and budget page numbers.)

Google Fiber is no longer providing cable television in the Kansas City market but wishes to continue providing fiber optic infrastructure. As such, they are entering into a franchise agreement with the City to continue the fiber optic services.

Google Fiber Missouri, LLC (Licensee) owns, maintains, operates, and controls a fiber optic infrastructure network in Public ROW ("Network").

The Network consists of equipment and facilities that may include aerial or underground fiber optic cables, lines, wires, or strands; underground conduits, vaults, access manholes and handholes; electronic equipment; power generators; batteries; pedestals; boxes; cabinets; vaults; and other similar facilities ("Network Facilities").

Prior to the Effective Date (as defined herein), Licensee operated the Network pursuant to an appropriate state or local video services franchise. Licensee may desire to, and the City may desire to license Licensee to continue to use and occupy Public ROW in order to install, operate, and maintain its Network for the purposes of offering certain communications services ("Services"), including broadband Internet access service as defined in 47 C.F.R. § 8.1(b) ("Broadband Internet Services") and Voice over Internet Protocol services, but excluding multichannel video programming services to residents and businesses in the City ("Customers") that would be subject to a video services franchise and telecommunications services as defined in 47 C.F.R. § 153(53).

Positions/Recommendations

Sponsor	Public Works
Programs, Departments, or Groups Affected	Public Works
Applicants / Proponents	Applicant City Department
Opponents	Groups or Individuals None Known Basis of opposition
Staff Recommendation	☒ For ☐ Against Reason Against
Board or Commission Recommendation	By ☐ For ☐ Against ☐ No action taken ☐ For, with revisions or conditions (see details column for conditions)
Council Committee Actions	☐ Do pass ☐ Do pass (as amended) ☐ Committee Sub. ☐ Without Recommendation ☐ Hold ☐ Do not pass

(Continued on reverse side)

Details**Policy/Program Impact**

Policy or Program Change	☒ No ☐ Yes
Operational Impact Assessment	

Finances

Cost & Revenue Projections -- Including Indirect Costs	
Financial Impact	
Fund Source (s) and Appropriation Account Codes	22__ Budget, Page ____ Unbudgeted, Appropriation ____ Fund 00-000-00-0000-A0000

(Use this space for further discussion, if necessary)

Applicable Dates:**Fact Sheet Prepared by:**Chad Thomspen
Public Works

Date 4/20/2022

Reviewed by:Nicolas Bosonetto
City Engineer, Public Works

Date 4/20/2022

Reference Numbers