

ORDINANCE NO. 16_____

Authorizing an amendment to the License Agreement with Mobilitie Investment III, LLC to install and maintain poles to provide wireless digital data communications.

WHEREAS, on February 19, 2015, Mobilitie Investment III, LLC (“Mobilitie”) and Kansas City entered into a Master License Agreement for Attachment to City Facilities (“Agreement”); and

WHEREAS, under the Agreement, Mobilitie was authorized to locate, place, attach, install, operate and maintain Mobilitie’s communications equipment on or within the City’s right-of-way (a) on or within the City facilities in said areas, and (b) on or within the facilities (i.e. poles, lines, wires, and conduit) of other utility companies such as Kansas City Power & Light (KCP&L) and AT&T pursuant to Mobilitie’s separate locate agreements with said utility companies; and

WHEREAS, Mobilitie now proposes to install and maintain poles on or within City facilities to provide communications services; and

WHEREAS, the City is willing, to grant Mobilitie a non-exclusive, revocable license under which the City will issue permits authorizing Mobilitie to enter upon the City’s right-of-way to locate, place, attach, install, operate, maintain, remove, reattach, reinstall, relocate and replace Mobilitie’s poles according to the terms of the Agreement; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director Public Works is authorized to execute an amendment to the License Agreement with Mobilitie Investment III, LLC to install and maintain poles to provide wireless digital data communications. A copy of the amendment is on file in the office of the Director of Public Works.

Approved as to form and legality:

Assistant City Attorney