

# GENERAL

## Ordinance Fact Sheet

160247

Ordinance Number

### Brief Title

License Agreement with Google, Inc.

### Approval Deadline

### Reason

to authorize execution of a license agreement with Google, Inc.

### Details

#### Reason for Legislation

Authorizing the Director of Public Works to execute a License Agreement with Google, Inc. to install and maintain a wireless digital data communications network using equipment attached to poles in the public right of way. The term of the agreement is two (2) years, with possible additional terms of two (2) four year renewals. A copy of the License Agreement, in substantial form, is on file in the office of the Director of Public Works.

**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 Inc. is the holder of a Federal Communications Commission experimental license authorizing creation of a test bed for conducting a trial of a wireless network for providing Communications Services. Google Inc. proposes to locate, place, attach, operate and maintain Licensee'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 Company (KCP&L) pursuant to Licensee's separate locate agreements with said utility companies.

The City is willing, to grant Google Inc. a non-exclusive, revocable license under which the City will issue Permits authorizing Google to enter upon the City's right-of-way to locate, place, attach, install, operate, maintain, remove, reattach, reinstall, relocate and replace Google's Communications Equipment Attachments, and for the placement or installation of Google's Attachments on or within specified City Facilities.

The City may in its sole discretion, for reasons relating to insufficient capacity, safety, reliability, generally applicable engineering purposes or other governmental needs, uses, obligations and reasons, refuse to issue a Permit for any particular City Facility as long as Google Inc. is treated in a competitively neutral and non-discriminatory manner as compared with other similarly situated third-parties; and

### Positions/Recommendations

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

**Details**

Is it good for the children? Promoting and providing wireless digital data communication is good for children.

**Policy/Program Impact**

<b>Policy or Program Change</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
<b>Operational Impact Assessment</b>	

**Finances**

<b>Cost &amp; Revenue Projections -- Including Indirect Costs</b>	
<b>Financial Impact</b>	
<b>Fund Source (s) and Appropriation Account Codes</b>	19__ Budget, Page ____ Unbudgeted, Appropriation _____ Fund 00-000-00-0000-A0000

(Use this space for further discussion, if necessary)

**Applicable Dates:****Fact Sheet Prepared by:**

Marilyn Reiley  
Executive Assistant, Public Works

Date 3/31/16

**Reviewed by:****Reference Numbers**