

ORDINANCE NO. 110390

Approving an agreement with Google Fiber Missouri, LLC, to provide ultra high-speed Internet access at speeds up to one gigabit per second in the City, with service to governmental facilities designated by the City at no cost to the City in exchange for the issuance of permits at no fee for the development of the network in the City.

WHEREAS, Google, Inc., issued a request for information dated February 10, 2010, seeking responses from any interested city for its “Google Fiber for Communities” project; and

WHEREAS, Google received over 1,100 proposals; and

WHEREAS, Google has selected Kansas City as a site for development of its ultra high-speed network; and

WHEREAS, in addition to no-cost access to this network the City will receive a tool for businesses that is unsurpassed in almost any other American city, thus advancing the City’s economic development programs; and

WHEREAS, the benefits received by the City through this agreement far exceed the immediate receipt of permit fees; and

WHEREAS, it is more efficient to accept services in lieu of payments for permits than to incur ongoing financial obligations to Google for its services; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Manager is authorized to execute in the name of the City a Development Agreement with Google Fiber Missouri, LLC, in a form substantially as Exhibit A.

Section 2. That notwithstanding any other provision of law, and in consideration of the receipt of services valued in excess of the payment of permit fees, permit fees associated with this project are waived.

Section 3. Waiver of the permit fees is in response to the unique nature of the selection of the City as a Google fiber community and the associated benefits, both tangible and intangible, that are not currently duplicated by any other right-of-way occupant, including the value of the services received by the City, the advancement of the

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City's economic development efforts, the world-wide spotlight placed on Kansas City as a Google fiber community, and the incentive to the application development industry of the City to create new services and products for the City and its residents.

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Approved as to form and legality:

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William Geary  
Assistant City Attorney