

COUNCIL ACTION FORM

Meeting Date: January 11, 2024

Staff Contact: Ryan Denk, City Attorney

Agenda Item: Consider Ordinance 1039 approving a Franchise Agreement with Kansas Fiber Network, LLC

Background/Description of Item

Kansas Fiber Network, LLC desires to construct, operate, and maintain communications facilities within city rights-of-way. The City does not currently have a franchise agreement with Kansas Fiber Network, LLC formerly Abovenet Communications, Inc.

Staff Comments/Recommendation

This agreement provides for a standard 5% franchise fee and standard City requirements and regulations for operating facilities within the right-of-way. This agreement is a bit different from existing franchise agreements as it imposes an additional charge per foot of any new cable laid, which is a precedent set by a neighboring Johnson County city and which was negotiated by the City Attorney for inclusion in Westwood's agreement as well.

Budget Impact

The budget impact is unknown as the City does not yet have any right-of-way permit applications from this provider.

Suggested Motion

I move the City Council adopt Ordinance 1039 granting to Kansas Fiber Network, LLC a contract franchise to construct, operate, and maintain a telecommunications franchise in the City of Westwood, Kansas.