

## **CITY OF JOPLIN COUNCIL AGENDA ITEM**

### **ITEM**

Council Bill 2021-168 – authorizing the City of Joplin to enter into an agreement with CableRunner USA, LLC (“CableRunner”) for the purpose of CableRunner installing, maintaining, and operating facilities for communications related capabilities within the City’s underground sanitary sewer and stormwater systems and ensuring compliance with the City’s requirements of such use of City property; and authorizing the City Manager to execute the same by and on behalf of the City of Joplin.

### **MEETING DATE**

December 6, 2021

### **ORIGINATING DEPT**

Public Works

### **ATTACHMENTS**

CB2021-168 Ordinance; CableRunner USA, LLC Use of Stormwater / Sanitary Sewer System Lease Agreement

### **REVIEWED BY**

Dept. Head: David Hertzberg; Director of Finance: Leslie Haase; City Attorney: Peter Edwards; City Manager: Nick Edwards

### **SUMMARY**

CableRunner has developed a technology to install fiber optic cable in stormwater (and wastewater) pipes and seeks access to said systems for the installation of both wireline (e.g., enterprise dark fiber) and wireless (e.g., 5G and network densification) applications. It is anticipated that a majority of CableRunner’s build will be located within the City’s Stormwater and/or Sanitary Sewer Systems, although small segments are anticipated to be located within the City’s Rights-of-Way.

### **BACKGROUND**

CB2021-167 authorizes a Rights-of-Way Use Agreement for Communications Facilities that allows CableRunner to use the City’s Rights-of-Way for communications facilities. CB2021-168 authorizes a Use of Stormwater / Sanitary Sewer System Lease Agreement that allows CableRunner to use the City’s Stormwater / Sanitary Sewer System for communications facilities.

CableRunner has agreed to pay a User Fee of \$1,500.00 for the first mile of linear Facilities plus \$0.2448 for each linear foot thereafter per month for Facilities within the City’s Stormwater and/or Sanitary Sewer Systems. The User Fee will increase at the rate of 2% per year. These User Fee payments will occur quarterly.

CableRunner will work with the City for a period of up to one year to identify routes that are mutually agreeable within the City’s Stormwater and/or Sanitary Sewer Systems. If no workable routes are identified during this time, the Lease Agreement will terminate.

### **FUNDING SOURCE**

N/A

### **RECOMMENDATION**

Staff recommends adoption of this Council Bill on first reading.