



telecommunications providers in non-discriminatory manner. Therefore, staff recommends that the most prudent course of action is to assess the \$270 annual fee going forward.

Since the proposed ordinance ([Attachment C](#)) and revised MLA ([Attachment D](#)) needed to be amended for the aforementioned reasons, staff also worked with Extenet to make general updates reflective of changes in State law, evolving technological terms, and changes in the Olathe Municipal Code. In addition, Extenet has restructured as ExteNet Asset Entity, LLC. The Ordinance and MLA both acknowledge this and bind the correct entity to the City.

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**FINANCIAL IMPACT:** The City will receive compensation for any facilities located in the City's right-of-way in accordance with the MLA and the franchise.

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**ACTION NEEDED:**

Accept the report. Unless directed otherwise, Staff will prepare the ordinance amending the contract franchise and the amended Master License Agreement for Attachments to City Facilities for formal approval at the May 19, 2020 meeting.

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**ATTACHMENT(S):**

Attachment A - Ordinance No. 12-07

Attachment B - Extenet Master License Agreement

Attachment C - Ordinance No. 20-XX ExteNet Franchise Amendment

Attachment D - Amendment to ExteNet MLA