

**RESOLUTION NO. 2022-08-XXX (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH SIFI NETWORKS MCKINNEY, LLC FOR THE DEVELOPMENT OF AN OPEN ACCESS FTTP BROADBAND NETWORK IN MCKINNEY WITH CONNECTION TO CURRENT AND FUTURE PUBLIC FACILITIES, THE DEVELOPMENT OF A CONNECTED ECONOMIC DEVELOPMENT CORRIDOR ALONG COLLIN MCKINNEY PARKWAY, AND AN INCREASED ADOPTION STRATEGY FOR MCKINNEY RESIDENTS**

**WHEREAS,** in 2019 the City Council began evaluating the necessity of next generation cellular technology, broadband technology, and the corresponding public and private uses of such infrastructure; and

**WHEREAS,** the City adopted updates and changes to the Small Wireless Facilities Design Manual and corresponding sections of the City of McKinney, Texas Code of Ordinances on July 21, 2020; and

**WHEREAS,** the City Council adopted Strategic Goals for the 2021-2022 Fiscal Year on June 15, 2021 which included City Council Goal 1, "Direction for Strategic & Economic Growth | 1A Establish regional and infrastructure incentives to increase economic growth"; and

**WHEREAS,** the City entered into an agreement with HR Green, Inc., one of the nation's longest operating engineering firms, to assist in assessing the broadband needs and status of the City of McKinney, and to provide recommendations for improvement; and

**WHEREAS,** the City and HR Green, Inc. have developed four (4) primary recommendations for improvements to the City's broadband network in the City; 1) Increase Community Infrastructure Base, 2) Expand City Fiber Facilities, 3) Evaluate a Pilot Project with McKinney Economic Development Corporation, and 4) Evaluate Methods to Increase Adoption; and

**WHEREAS,** the City Council adopted the City of McKinney Broadband Assessment Report and Recommendations report on February 15, 2022, and instructed staff to move forward with developing an RFP to meet said recommendations; and

**WHEREAS,** the City issued a Request for Proposal (RFP), 22-36RFP for Broadband Network Deployment on March 27, 2022; and

**WHEREAS,** the City received 387 matching eBid Supplier Notifications, of which eleven (11) submittals were received on May 12, 2022; and

**WHEREAS,** the City evaluation committee selected three (3) respondents to interview with the committee; AT&T, NextEra, and SiFi Networks McKinney, LLC; and

**WHEREAS,** the City evaluation committee recommends that the City move forward with exclusive negotiations with SiFi Networks McKinney, LLC based on the results of the combined scores of the proposals and interviews.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:**

Section 1. The City Council of the City of McKinney, Texas hereby authorizes the City Manager to negotiate an agreement with SiFi Networks McKinney, LLC for the development of an open access FTTP broadband network, a connection to current and future public facilities, the development of a connected

economic development corridor along Collin McKinney Parkway, and an increased adoption strategy for McKinney residents.

- Section 2. The period of exclusive negotiations between the City of McKinney and SiFi Networks McKinney, LLC shall not extend beyond 120 days unless further authorized by the City Council.
- Section 3. In the event negotiations are unsuccessful with SiFi Networks McKinney, LLC in the period described in Section 2, the City Manager is authorized to commence like negotiations for the same purposes in Section 1 with the next highest scoring respondent to Request for Proposal (RFP), 22-36RFP for Broadband Network Deployment.
- Section 4. Any contemplated final agreement between the City and SiFi Networks McKinney, LLC (or any other respondent) shall be considered for approval by the City Council at a regular public meeting.
- Section 5. This Resolution shall take effect immediately from and after the date of passage and is so resolved.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ON THE 16<sup>th</sup> DAY OF AUGUST 2022.**

CITY OF MCKINNEY, TEXAS

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GEORGE C. FULLER, Mayor

ATTEST:

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EMPRESS DRANE, City Secretary

APPROVED AS TO FORM:

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MARK S. HOUSER, City Attorney