


Naree Chan (May 26, 2025 10:45:13 PDT)
CITY ATTORNEY'S OFFICE

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FILED
OFFICE OF THE CITY CLERK
OAKLAND
OAKLAND CITY COUNCIL
912214
RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO:

- (1) WAIVE THE COMPETITIVE SOLICITATION PROCESS AND ENTER INTO AN INDEFEASIBLE RIGHTS OF USE (IRU) AGREEMENT WITH SONIC.NET, LLC, A WIRELINE INTERNET SERVICE PROVIDER, IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED TWENTY THOUSAND DOLLARS (\$720,000) FOR A TERM OF FIFTEEN (15) YEARS TO LEASE DARK FIBERS TO COMPLETE THE CITY-OWNED NETWORK, OAKLANDCONNECT;**
- (2) ENTER INTO MEMORANDA OF UNDERSTANDING TO CONNECT TO THE CITY-OWNED NETWORK AT NO CHARGE FOR A TERM NOT TO EXCEED TEN (10) YEARS WITH THE FOLLOWING HOUSING PROVIDERS OR AFFILIATED ENTITIES OF (A) OAKLAND HOUSING AUTHORITY (OHA), (B) FRUITVALE DEVELOPMENT CORPORATION, AND (C) BRIDGE HOUSING CORPORATOIN; AND**
- (3) WAIVE THE COMPETITIVE SOLICITATION PROCESS AND ENTER INTO A FIBER LICENSE AGREEMENT WITH ANOTHER CORPORATE ISP, LLC DBA MONKEYBRAINS, A LOCAL INTERNET SERVICE PROVIDER, TO ACCESS AND INTEGRATE CITY FIBERS INTO ITS SERVICE NETWORK TO ENHANCE BROADBAND AVAILABILITY FOR OAKLAND RESIDENTS AT A RATE OF ZERO DOLLARS (\$0.00) FOR A TERM OF TEN (10) YEARS**

WHEREAS, the City of Oakland (City) has undertaken the OaklandConnect Project to design and construct a City-owned, hybrid middle-mile and last-mile fiber-optic network to expand affordable, high-quality broadband access for Oakland residents, particularly in underserved communities; and

WHEREAS, pursuant to Resolution No. 90407 C.M.S., the City Council accepted and appropriated \$14,026,946 in grant funds from the California Public Utilities Commission (CPUC), through the Federal Funding Account Last-Mile Broadband Program, for the OaklandConnect Project, with an additional \$2 million in local matching funds provided through Measure U

allocations authorized by Resolution No. 89314 C.M.S., for a total project cost of \$16,026,946; and

WHEREAS, construction of the OaklandConnect network requires completion of a critical fiber segment in East Oakland along International Boulevard between 66th Avenue and 98th Avenue; and

WHEREAS, the City issued a pricing inquiry to available dark-fiber providers, and reviewed proposals from AT&T, Zayo, and Sonic.net, LLC (Sonic); and

WHEREAS, Sonic's proposal provided the greatest overall value, including necessary interconnection points, competitive pricing, and proposed fifteen-year term with a marginal cost increase compared to AT&T's ten-year proposal; and

WHEREAS, because the City conducted a pricing inquiry to available dark-fiber providers, it is in the best interests of the City to waive the competitive solicitation process pursuant to Oakland Municipal Code Section 2.04.042 and authorize the City Administrator to negotiate and execute an Indefeasible Rights of Use Agreement (IRU Agreement) with Sonic for a term of fifteen (15) years for an amount not to exceed Seven Hundred Twenty Thousand Dollars (\$720,000); and

WHEREAS, partnerships with the Oakland Housing Authority (OHA), the Fruitvale Development Corporation, and BRIDGE Housing Corporation will enable the OaklandConnect Project to provide free, high-speed, in-home Internet service to approximately 2,500 affordable housing units and extend reliable connectivity to several thousand additional units; and

WHEREAS, the proposed Memoranda of Understanding with OHA, the Fruitvale Development Corporation, and BRIDGE Housing Corporation will allow the City to perform fiber-construction activities, complete internal wiring upgrades where necessary, and provide dedicated fiber capacity at no charge to the housing partners for a term of five (5) years; and

WHEREAS, the City conducted broadband provider outreach in 2022 and 2024, including a Request for Information (RFI) and an Internet Service Provider Survey, which identified Another Corporate ISP, LLC dba Monkeybrains (Monkeybrains) as a qualified municipal partner with demonstrated experience deploying free and low-cost broadband services in affordable housing communities; and

WHEREAS, Monkeybrains submitted a comprehensive proposal demonstrating the technical ability, municipal partnership experience, and community-focused service model necessary to extend and maintain free fiber Internet for affordable housing units in Oakland; and

WHEREAS, because of the RFI conducted and based on the broadband provider outreach and Monkeybrains' proposal, City staff recommends that the City Council waive the competitive solicitation process and authorize a ten-year Fiber License Agreement at a rate of Zero Dollars (\$0.00), enabling the integration of City-owned fiber into Monkeybrains' network to expand broadband availability to Oakland residents; now, therefore, be it

RESOLVED: That the City Council makes findings and determinations that it is in the best interests of the City to waive the competitive solicitation process and authorizes the City

Administrator to waive the competitive solicitation process and enter into an Indefeasible Rights of Use Agreement with Sonic.net, LLC in an amount not to exceed Seven Hundred Twenty Thousand Dollars (\$720,000) and for a term of fifteen (15) years to lease dark fibers necessary to complete the OaklandConnect network; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to enter into Memoranda of Understanding with the following housing providers or affiliated entities of Oakland Housing Authority, the Fruitvale Development Corporation, and BRIDGE Housing Corporation to permit installation, connection, and operation of fiber-optic infrastructure supporting the OaklandConnect Project at no charge and for a term not to exceed ten (10) years; and be it

FURTHER RESOLVED: That the City Council makes findings and determinations that it is in the best interests of the City to waive the competitive solicitation process and authorizes the City Administrator to enter into a Fiber License Agreement with Another Corporate ISP, LLC dba Monkeybrains at a rate of Zero Dollars (\$0.00) and for a term of ten (10) years to enable the provision of free and low-cost broadband service to Oakland residents; and be it

FURTHER RESOLVED: That the City Administrator is authorized to take any other action with respect to the Memoranda of Understanding, IRU Agreement, and Fiber License Agreement consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: That prior to execution, all agreements shall be reviewed and approved as to form and legality by the City Attorney's Office and executed copies of each agreement shall be filed with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE: **JUN 16 2026**

AYES - BROWN, ~~FIFE~~, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG, AND
PRESIDENT JENKINS - *7 Ayes*

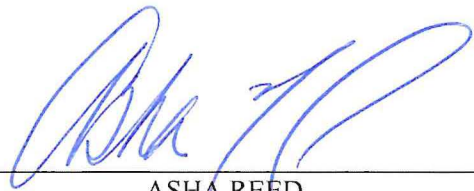
NOES - *0*

ABSENT - *0*

ABSTENTION - *0*

Excused - 1; Fife

ATTEST: _____


ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California

3468447 / NC