

RESOLUTION NO. 2019-2015

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE THE LICENSE AGREEMENT BETWEEN THE CITY OF GOODYEAR AND MCIMETRO ACCESS TRANSMISSION SERVICE CORP. D/B/A VERIZON ACCESS TRANSMISSION SERVICES, PROVIDING FOR THE CITY MANAGER OR HER DESIGNEE TO EXECUTE AMENDMENTS TO THE LICENSE AGREEMENT ASSOCIATED WITH MINOR SCRIVENER ERRORS AND TO ENTER INTO SEPARATE AGREEMENTS FOR IN-KIND EXCHANGES OF FIBER, CONDUIT AND/OR JOINT TRENCHING FOR THE CITY'S USE.

WHEREAS, the city of Goodyear is authorized to grant, renew, deny and terminate Licenses for the installation, operation and maintenance of fiber optic cable within the city's boundaries by federal and state statutes, by the city's police powers, by its authority over its public rights-of-way, and by other city powers and authority; and

WHEREAS, MCImetro Access Transmission Service Corp. d/b/a Verizon Access Transmission Services, hereafter referred to as "Verizon," seeks to obtain an initial License Agreement under the provisions of Chapter 22 of the Goodyear City Code; and approval of the Mayor and Council of the city of Goodyear, Arizona; and

WHEREAS, the City hereby finds that it would serve the public interest to grant the License Agreement under the terms and conditions as set forth in the License Agreement and Verizon agrees to obtain the license under the terms and conditions set forth in the License Agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. The Mayor and City Council approve the License Agreement between the City of Goodyear and MCImetro Access Transmission Service Corp. d/b/a Verizon Access Transmission Services, a copy of which is attached as Exhibit A.

SECTION 2. The City Manager or her designee is authorized to execute the License Agreement.

SECTION 3. The City Manager or her designee is authorized to execute Amendments to the License Agreement associated with minor scriveners/clerical errors.

SECTION 4. The City Manager or her designee is authorized to enter into separate agreement for in-kind exchanges of fiber, conduit and/or joint trenching for the city's use to offset the annual fee.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, this _____ day of _____, 20_____.

Georgia Lord, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Darcie McCracken, City Clerk

Roric Massey, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
) ss.
County of Maricopa)

I, the undersigned Darcie McCracken, being the duly appointed, qualified City Clerk of the city of Goodyear, Maricopa County, Arizona, certify that the foregoing Resolution No. 2019-2015 is a true, correct and accurate copy of Resolution No. 2019-2015, passed and adopted at a regular meeting of the Council of the city of Goodyear, Maricopa County, Arizona, held on the _____ day of _____ 20____, at which a quorum was present and, by a _____ vote, _____ voted in favor of said resolution.

Given under my hand and sealed this _____ day of _____, 20____.

seal

City Clerk

Exhibit A

**Verizon Fiber Optics Telecommunications
Right-of-Way License Agreement**

(on the following pages)