

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONDUIT OCCUPANCY AGREEMENT WITH GIGAPOW, LLC.

WHEREAS, Gigapower, LLC has applied for a fiber license to grant permission to install and operate a fiber optic communications network in the streets, rights-of-way, and public easements within the City; and

WHEREAS, if the Council approves the fiber license, Gigapower LLC also desires to use a portion of the City's existing conduit duct bank system to complete its fiber optic communications network; and

WHEREAS, the City has availability within its existing conduit duct bank system to lease to third parties following the execution of a Conduit Occupancy Agreement;

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

Section 1: Approving a Conduit Occupancy Agreement between the City of Mesa and Gigapower, LLC regarding the use by Gigapower, LLC of the City's existing conduit duct bank system,

Section 2: Authorizing the City Manager, or his designated representative, to enter into the Agreement and execute any related documents on behalf of the City, and further to execute any amendments thereto.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona this 12th day of September, 2022.

APPROVED:

Mayor

ATTEST:

City Clerk