

RESOLUTION NO. 12432

A RESOLUTION OF THE COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE TELECOMMUNICATION LICENSE FOR LEVEL 3 COMMUNICATIONS, LLC TO ALLOW FOR TWO ADDITIONAL FIVE-YEAR RENEWAL TERMS.

WHEREAS, the City enter into a telecommunication license with Level 3 Communications, LLC's predecessor in interest on September 9, 2013 (the "License");

WHEREAS, the License included a five (5) year License term with one additional five (5) year renewal;

WHEREAS, the License has expired, but the City and Level 3 wish to continue operating under the same terms and conditions set forth therein, they have agreed to amend the License to allow for two additional five (5) year renewals, for a total possible duration of twenty (20) years;

WHEREAS, the Licensee has been operating under the terms and obligations, including but not limited to being billed and making payments, of the previous License extended by the amendment during the lapse period of September 9, 2023, to the effective date of this License. Both City and Licensee acknowledge and agree that as of the date of this License, neither party has any claims, rights, recovery or causes of action against the other party, and both parties shall be estopped from bringing any claims against one another for the period prior to the effective date of the amendment.

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

Section 1: The Amendment to the Telecommunication License Agreement issued

to Level 3 Communications, LLC is hereby approved, and the City Manager or his designee is hereby authorized to execute the Amendment and any other documents required to implement the terms thereof.

Section 2: Additionally, the City Clerk is authorized and directed to attest to the City Manager's or his designee's signature.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona this 17th day of November 2025.

APPROVED:

Mayor

ATTEST:

City Clerk