

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AMENDMENT #2 TO THE TELECOMMUNICATIONS LICENSE AGREEMENT BETWEEN THE CITY OF MESA AND TELEPORT COMMUNICATIONS AMERICA, LLC.

WHEREAS, the City entered into a License Agreement with TCG Phoenix dated January 27, 2010, for the use of the City's Right of Way; and

WHEREAS, effective January 1, 2013, TCG Phoenix merged into Teleport Communications America, LLC (TCA); and

WHEREAS, the Council approved Amendment #1 to the License Agreement recognizing the assignment of the License Agreement to TCA on September 9, 2013; and

WHEREAS, the original term of the License Agreement was five years with one five-year renewal option; and

WHEREAS, the City and TCA now wish to add up to two additional five-year renewal terms to the License Agreement.

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

Section 1: Amendment #2 to the License Agreement between the City of Mesa and TCA (f/k/a TCG Phoenix) amending Section 6.3 of the License Agreement to allow for up to two (2) additional terms of five (5) years is hereby approved.

Section 2: The Council of the City of Mesa hereby authorized City Manager Christopher J. Brady, or his designated representative, to execute Amendment #2 to the License Agreement and any other documents needed to implement this agreement on behalf of the City of Mesa, and authorizes the City Clerk to attest to the signature of the City Manager thereon.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona this day of June, 7, 2021.

APPROVED:

Mayor

ATTEST:

City Clerk