

RESOLUTION NO. 3044

RESOLUTION DIRECTING CITY STAFF TO PUBLISH AN UNDERLYING PROPOSED RESOLUTION IN THE CITY'S DESIGNATED OFFICIAL NEWSPAPER AS NOTICE OF THE CITY'S INTENT TO GRANT A NONEXCLUSIVE FRANCHISE FOR FIBER OPTIC CABLE SYSTEMS TO ZAYO GROUP, LLC, ON SEPTEMBER 26, 2023

WHEREAS, the entity known as Zayo Group, LLC, desires to obtain a nonexclusive franchise from the City of Selah so that it can locate fiber optic cable systems, both underground and above ground, within rights-of-way owned by the City; and

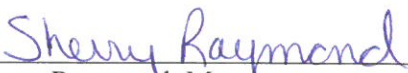
WHEREAS, state law – specifically RCW 35A.47.040 – authorizes the City to grant nonexclusive franchises for such purpose; and

WHEREAS, a proposed seven-page Telecommunications Franchise Agreement has been prepared, its terms are acceptable to City staff, City staff intends to present to the City Council on September 26, 2023, a Resolution that – if approved – will authorize the Mayor to sign the Agreement and thereby grant the franchise; and

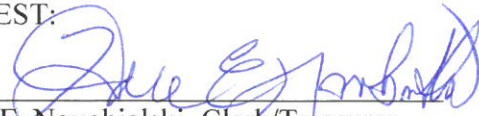
WHEREAS, in an effort to satisfy the prerequisites established by RCW 35A.47.040 (2nd ¶), City staff intends to publish a copy of the proposed Resolution in the City's designated official newspaper, and the City Council agrees that such publishing should occur;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, that City staff is hereby directed to publish a copy of the underlying proposed Resolution – which, if approved, would authorize the Mayor to sign the Telecommunications Franchise Agreement and thereby grant the franchise – in the City's designated official newspaper.


PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, this 12th day of September, 2023.



Sherry Raymond, Mayor

ATTEST:


Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:


Rob Case, City Attorney

RESOLUTION NO. _____

[PROPOSED] RESOLUTION AUTHORIZING THE MAYOR OF SELAH TO SIGN A SEVEN-PAGE TELECOMMUNICATIONS FRANCHISE AGREEMENT WITH ZAYO GROUP, LLC, THAT GRANTS A NONEXCLUSIVE FRANCHISE FOR FIBER OPTIC CABLES

WHEREAS, the entity known as Zayo Group, LLC, desires to obtain a nonexclusive franchise from the City of Selah so that it can locate fiber optic cable systems, both underground and above ground, within rights-of-way owned by the City; and

WHEREAS, state law – specifically RCW 35A.47.040 – authorizes the City to grant nonexclusive franchises for such purpose; and

WHEREAS, a proposed seven-page Telecommunications Franchise Agreement has been drafted and its terms are acceptable to City staff; and

WHEREAS, the City Council finds that good cause exists to authorize the Mayor to sign the Agreement and to thus grant the franchise;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, that the Mayor is authorized to sign the seven-page Telecommunications Franchise Agreement and to thus grant the franchise.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, this 26th day of September, 2023.

Sherry Raymond, Mayor

ATTEST:

Dale E. Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:

Rob Case, City Attorney

[As noted above, this is a proposed Resolution. The City Council has not yet voted as to whether or not to authorize the Mayor to sign the Agreement. A vote is contemplated to occur during the next regularly-scheduled meeting of the City Council on September 26, 2023. A copy of this proposed Resolution is being published pursuant to RCW 35A.47.040 (2nd ¶). A copy of the proposed Telecommunications Franchise Agreement can be obtained from the City upon request.]