

RESOLUTION NO. 22-06

A RESOLUTION OF THE DRAPER CITY COUNCIL APPROVING A NON-EXCLUSIVE LICENSE AGREEMENT BETWEEN DRAPER CITY AND GOOGLE FIBER UTAH, LLC FOR THE INSTALLATION OF NETWORK FACILITIES IN THE PUBLIC RIGHT-OF-WAY

WHEREAS, Google Fiber Utah, LLC has proposed to provide network facilities and services in Draper City; and

WHEREAS, in order to provide these services, it is necessary for Google Fiber Utah, LLC to obtain a non-exclusive license agreement ("License Agreement") with the City to install its facilities in the public rights-of-way belonging to the City; and

WHEREAS, the City has jurisdiction over the use of the public rights-of-way in the City in which it now or hereafter holds any property interest; and

WHEREAS, the City Council has reviewed and considered the attached License Agreement between Draper City and Google Fiber Utah, LLC; and

WHEREAS, the City Council has determined the License Agreement to be in the best interest of the City and will be beneficial to the health, safety and welfare of citizens of the City; and

WHEREAS, the Mayor is authorized to execute agreements.

NOW, THEREFORE, BE IT RESOLVED by the Draper City Council as follows:

Section 1. Resolution. The License Agreement between Draper City and Google Fiber Utah, LLC, attached hereto as Exhibit A and by this reference made a part hereof, is hereby approved, and the Mayor is authorized to sign the License Agreement on behalf of Draper City.

Section 2. Effective Date. This Resolution shall become effective immediately upon passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, THIS 1ST DAY OF FEBRUARY 2022.

ATTEST:

DRAPER CITY

City Recorder

Mayor

VOTE TAKEN:

Councilmember Green

Councilmember Lowery

Councilmember Lowry

Councilmember Roberts

Councilmember Vawdrey

Mayor Walker

EXHIBIT A