

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPELL, TEXAS, APPROVING THE TERMS AND CONDITIONS OF THE SERVICE POLE COLLOCATION LOCATION LICENSE AGREEMENT BY AND BETWEEN THE CITY OF COPPELL, TEXAS AND VARIOUS NETWORK PROVIDERS; AUTHORIZING THE CITY MANAGER TO SIGN, WHICH IS ATTACHED HERETO AS EXHIBIT A; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to enter into a license agreement with various network providers; and

WHEREAS, Licensees will request under the Coppel ordinance and design standards located its small node antennas on municipal owned service policies in the public Right-of-Way to the extent permitted by Chapter 284; and

WHEREAS, the City of Coppel, as a home-rule city, has the authority to manage the public right-of-way to ensure the health, safety, and welfare of the public; and to receive from network providers fair and reasonable compensation for use of the public right-of-way and for collocation on poles; and

WHEREAS, the Licensee's non-exclusive use at locations in its Public Right-of-Way, are subject to the terms and conditions set forth herein, and pursuant to Permits issued by the City Manager or his designee; and

WHEREAS, the City Council find it is in the best interest of the City of Coppel and its citizens to approve the forums and conditions of the form license agreement which is attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COPPELL, TEXAS THAT:

SECTION 1. The City Council hereby approves the terms and conditions of the service pole collocation location license agreement by and between the city of City of Coppel and various network providers, and hereby authorizes the City Manager to execute such agreements as substantially provided in Exhibit A, which is attached hereto and incorporated herein by reference; and, after approval by the City Attorney.

SECTION 2. Any prior resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

SECTION 3. Should any part of this resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

SECTION 4. This resolution shall take effect immediately from and after its passage, and it is duly resolved.

DULY PASSED and approved by the City Council of the City of Coppel, Texas, on this the ____ day of _____, 2019.

APPROVED:

Karen Selbo Hunt, Mayor

ATTEST:

Christel Pettinos, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

EXHIBIT A

Agreement