RESOLUTION 2013-32

Agenda Item

TO: Mayor and City Council

FROM: Mark S. Gaugh, City Manager

DATE: October 7, 2013

RE: Bluebird Communications Resolution

Issues

The attached resolution authorizes a Public Ways Use Permit to be issued to Bluebird Network, LLC. The City allows other utilities in City-owned rights-of-way, and the City must be able to manage its rights-of-ways and recover a reasonable rent for its usage.

Once an entity has a Public Ways Use Permit, we issue them construction permits for each specific installation they make. They submit drawings and any other information prior to construction.

Recommendation

Staff recommends that the Council approve the resolution to allow Bluebird Network a Public Ways Use Permit.

Resolution 2013-32

A RESOLUTION AUTHORIZING THE CITY MANAGER OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI TO EXECUTE A PUBLIC WAYS USE PERMIT AGREEMENT WITH MISSOURI NETWORK ALLIANCE D/B/A BLUEBIRD NETWORK LLC

WHEREAS, Missouri law authorizes the City to regulate and manage the use and construction in the public rights-of-way and to provide consent to others to use the public rights-of-way; and

WHEREAS, Missouri Network Alliance d/b/a Bluebird Network LLC has sought consent from the City to use the public rights-of-way to install and maintain communications facilities, and submitted an public way use permit application and application fee required under Chapter 10.5, Article III of the City Code to reimburse the City its costs in reviewing and processing such approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CAMERON, MISSOURI as follows:

Section 1: The City Manager is hereby authorized to execute an agreement with Missouri Network Alliance d/b/a Bluebird Network LLC substantially in the form as attached hereto and incorporated herein as Exhibit 1 on behalf of the City.

Section 2: This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

Passed and approved by the City Council on this 7th day of October 2013.

_____
Mayor Dennis M. Clark

ATTEST:

_____
City Clerk/Finance Clerk

EXHIBIT 1

PUBLIC WAYS USE PERMIT AGREEMENT BETWEEN MISSOURI NETWORK ALLIANCE D/B/A BLUEBIRD NETWORK LLC AND THE CITY OF CAMERON