

RESOLUTION NO. R25-45

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE A LICENSE AGREEMENT FOR WIRED TELECOMMUNICATION SERVICE IN THE CITY OF GLENDALE RIGHT-OF-WAY WITH BAM BROADBAND OPCO LLC.

WHEREAS, BAM BROADBAND OPCO LLC will not be providing pay telephone service and are therefore exempt from obtaining from the Arizona Corporation Commission a certificate of convenience and necessity (CC&N) by Decision No. 63262 dated December 14, 2000 (the "CC&N"); Should BAM BROADBAND OPCO LLC ever decide to offer pay telephone service in any manner they agree to obtain and provide a CC&N certificate to the City of Glendale; and

WHEREAS, BAM BROADBAND OPCO LLC desires to build a fiber optic network within the boundaries of the City of Glendale; and

WHEREAS, BAM BROADBAND OPCO LLC shall enter into a License Agreement with the City of Glendale to operate the system in accordance with all applicable federal, state and local laws and requirements.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That the City Manager or his designee is hereby authorized to execute and deliver a License Agreement for Wired Telecommunications within the City of Glendale Right-of-Way, with BAM BROADBAND OPCO LLC. Said license agreement is on file with the City Clerk.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 10th day of June, 2025.

Mayor Jerry P. Weiers

ATTEST:

Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

Michael D. Bailey, City Attorney

REVIEWED BY:

Kevin R. Phelps, Interim City Manager