



## Legislation Text

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**File #:** RES 18-682, **Version:** 1

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Approving and authorizing execution of a lease agreement between the City of St. Paul ("City") and Zayo Group LLC ("LICENSEE"), with its principal offices located at 1805 29<sup>th</sup> Street, Boulder CO 80301, allowing the installation of wireless communication equipment on various City infrastructure.

WHEREAS, City is the owner, grantee or licensee of certain light poles, traffic signal poles, public rights-of-way ("ROW") and/or real property, which are located within the City of Saint Paul, Minnesota and has agreed to provide this license to provide wireless telecommunications services licensed by the Federal Communications Commission ("FCC") to LICENSEE; and

WHEREAS, LICENSEE desires to install, maintain and operate communications equipment ("Equipment") in and/or upon certain of the City's light poles, including certain select traffic control poles that also serve as light poles, and certain public ROW and/or real property; and

WHEREAS, City and LICENSEE desire to enter into this Agreement to define the general terms and conditions which would govern their relationship with respect to particular sites at which City may wish to permit LICENSEE to install, maintain and operate communications equipment as hereinafter set forth; and

WHEREAS, City and LICENSEE acknowledge that they will enter into a License Supplement ("Supplement"), a copy of which is attached to the Agreement as Exhibit A, with respect to any particular location or site which the Parties agree to license; now, therefore, be it

RESOLVED, in consideration of the grant of permits to use the City's light poles and ROW, and the mutual covenants contained herein, the adequacy and sufficiency of which is hereby acknowledged, the parties hereto, for themselves, their successors and assigns, do hereby covenant and agree as stated in the attached Master License Agreement and any exhibits attached thereto, and, be it further

RESOLVED, the City wishes to be clear that the certain light poles referenced above do not include the above-standard or globe lights designed to appear historic in the City of Saint Paul; and be it further

RESOLVED: that the attached Master License Agreement and exhibits between the City of Saint Paul and Zayo Group, LLC, allowing the installation and operation of wireless communication equipment on various light poles, certain traffic poles with lights attached, and public right-of-way in Saint Paul, Minnesota is hereby approved, and that the proper City Officials are hereby authorized and directed to execute said Lease Agreement of behalf of the City of St. Paul.