

RESOLUTION NUMBER 2019-16

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF PARADISE VALLEY, ARIZONA, APPROVING THE MASTER LICENSE AGREEMENT FOR SMALL WIRELESS FACILITIES IN THE RIGHT-OF-WAY AND AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT

WHEREAS, in 2017, the Legislature adopted HB 2365 regarding use of public rights-of-way by wireless providers; and

WHEREAS, the Town of Paradise Valley desires to comply with the requirement of HB 2365 to adopt standard terms for use of its public rights-of-way for small wireless facilities.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PARADISE VALLEY, ARIZONA AS FOLLOWS:

Section 1. The Master License Agreement for Small Wireless Facilities in the Right of Way, Contract No. CON-19-086-TMG, is approved for use by the Town, subject to the provisions noted below.

Section 2. That the Town Manager is hereby authorized and directed to execute, on behalf of the Town, agreements in the same form as the Master License Agreement for Small Wireless Facilities in the Right of Way, Contract No. CON-19-086-TMG with potential licensees that desire to construct, install, and operate small wireless facilities on a portion of the Town right-of-way.

Section 3. Should a potential licensee that desires to construct, install, and operate small wireless facilities on a portion of the Town right-of-way desire to enter into terms for such a license that differ from the approved form of the Master License Agreement for Small Wireless Facilities in the Right of Way, Contract No. CON-19-086-TMG, then the Town Manager is not authorized to execute an alternate form of license agreement and any such proposed license agreement must be approved by the Town Council.

PASSED AND ADOPTED by the Town Council of the Town of Paradise Valley this 13th day of June, 2019.

TOWN OF PARADISE VALLEY
a municipal corporation

Jerry Bien-Willner, Mayor

APPROVED AS TO FORM:

ATTEST:

Andrew Miller, Town Attorney

Duncan Miller, Town Clerk